

(O-91-159)

ORDINANCE NUMBER O- **17644** (NEW SERIES)

ADOPTED ON MAY 20 1991

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING AND ADOPTING THE
REDEVELOPMENT PLAN FOR THE BARRIO LOGAN
REDEVELOPMENT PROJECT.

WHEREAS, it is desirable and in the public interest that the
Redevelopment Agency of The City of San Diego (herein called
"Agency") undertake and carry out a redevelopment project in the
City of San Diego referred to and identified as the Barrio Logan
Redevelopment Project (herein called the "Project"); and

WHEREAS, the Agency has prepared and referred to the Council
of The City of San Diego (herein called the "Council") for review
and approval a Redevelopment Plan for the Project (herein called
the "Redevelopment Plan"), a copy of which is on file in the
office of the City Clerk as Document No. OO- **17644**; and

WHEREAS, rules governing participation by owners and
preferences for businesses to reenter within the Project, a copy
of which rules is on file in the office of the Secretary to the
Agency as Document No. 1763, have been prepared and adopted
by the Agency; and

WHEREAS, a General Plan and a community plan have been
prepared and are recognized and used as a guide for the general
development of the locality as a whole; and

WHEREAS, the Planning Commission of The City of San Diego
has approved a preliminary plan for the Project, and has
furthermore submitted to the Council its report and

recommendations respecting the Redevelopment Plan, and has found that the Redevelopment Plan conforms to the General Plan of The City of San Diego and the Barrio Logan/Harbor 101 Community Plan, as amended, and the Council has duly considered and evaluated the report, recommendations and findings of the Planning Commission; and

WHEREAS, the Agency submitted to the Council the Report of the Agency on the proposed Redevelopment Plan, which Report contains, among other things, the Planning Commission's report and recommendations, the Final Environmental Impact Report with respect to the proposed Redevelopment Plan, and the Report of the County Fiscal Officer and the analysis thereof by the Agency, and the Council has duly considered and evaluated the Report of the Agency; and

WHEREAS, the Agency consulted or attempted to consult with the taxing agencies which levy taxes, or for which taxes are levied, on property in the Project area with respect to the Redevelopment Plan and to the allocation of taxes pursuant to Section 33670 of the California Community Redevelopment Law (Health and Safety Code section 33000 et seq.); and

WHEREAS, the Fiscal Review Committee created for the Project held a hearing and submitted a report to the Agency on its opinion of the financial effects of the Project on certain taxing entities, which the Agency responded to in writing; and

WHEREAS, the Council has considered and evaluated the possible financial effects of the Project on the taxing entities, including among other things, the Reports of the County Fiscal

Officer and the Fiscal Review Committee and the Agency's responses thereto, and the record of the Agency's consultations with the taxing agencies; and

WHEREAS, the Agency consulted with the Barrio Logan Project Area Committee with respect to the Redevelopment Plan, and the Project Area Committee submitted to the Council its report and recommendations respecting the Redevelopment Plan, which Council has duly considered and evaluated; and

WHEREAS, the Agency and the Council have certified that the Final Environmental Impact Report for the proposed Project was prepared and completed in compliance with the California Environmental Quality Act of 1970, and State and local regulations and guidelines adopted pursuant thereto, and adopted findings with respect to the environmental impacts of the Project as required by law; and

WHEREAS, there has been presented to the Council information and data respecting the relocation program which has been prepared by the Agency as a result of studies, surveys and inspections in the area comprising the Project and the assembling and analysis of the data and information obtained from such studies, surveys and inspections; and

WHEREAS, the Agency has prepared and submitted a method and plan for the relocation of individuals and families that may be displaced as a result of carrying out the Project in accordance with the Redevelopment Plan; and

WHEREAS, after due notice as provided by law, a joint public hearing was held by the Council and the Agency to consider the proposed Redevelopment Plan; and

WHEREAS, the Council has considered all aspects of the Redevelopment Plan, and has received, considered and evaluated all written and oral evidence and testimony presented for or against all aspects of the Redevelopment Plan, including the adoption of written findings responding to each written objection of an affected property owner or taxing entity; and

WHEREAS, all actions required by law have been taken by all appropriate persons and entities; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. The purposes and intent of the Council with respect to the Project area are to:

A. Eliminate the conditions of blight existing in the Project area, including incompatible and obnoxious land uses, obsolete and deficient structures and inadequate streets and public facilities;

B. Insure, as far as possible, that the causes of such blighting conditions will be either eliminated or protected against;

C. Strengthen as feasible existing business enterprises and assist them whenever possible in participation in the redevelopment process;

D. Conserve and, where appropriate, facilitate rehabilitation or redevelopment of existing residential areas;

E. Encourage the development of additional housing in currently underutilized areas to increase choice in housing types;

F. Provide for the development of retail and industrial uses to create or improve employment opportunities;

G. Encourage, as appropriate, the development of a complementary mixture of land uses to provide a vital and interesting urban environment;

H. Redevelop, build, and rebuild the public facilities in the Project area to provide safer and more efficient service for the people in the area and the general public as a whole;

I. Provide for the orderly development of the Barrio Logan community in accordance with the Progress Guide and General Plan for The City of San Diego and the Barrio Logan/Harbor 101 Community Plan.

Section 2. The Redevelopment Plan for the Barrio Logan Redevelopment Project, a copy of which is on file in the office of the City Clerk as Document No. OO-17644, is incorporated herein by reference and made a part hereof as if fully set out herein.

Section 3. The proposed Redevelopment Plan is hereby approved and adopted and designated the official redevelopment plan for the Barrio Logan Redevelopment Project.

Section 4. The Council hereby finds and determines that:

A. The Project area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in the Community Redevelopment Law of the State of California;

B. The Redevelopment Plan will redevelop the Project area in conformity with the Community Redevelopment Law of the State of California in the interest of the public peace, health, safety, and welfare;

C. The adoption and carrying out of the Redevelopment Plan is economically sound and feasible;

D. The Redevelopment Plan conforms to the General Plan of The City of San Diego and the Barrio Logan/Harbor 101 Community Plan;

E. The carrying out of the Redevelopment Plan will promote the public peace, health, safety and welfare of the City of San Diego and will effectuate the purposes and policies of the Community Redevelopment Law of the State of California;

F. The condemnation of real property as provided for in the Redevelopment Plan is necessary to the execution of the Redevelopment Plan and adequate provisions have been made for payment for property to be acquired as provided by law;

G. The Agency has a feasible method and plan for the relocation of families and persons to be temporarily or permanently displaced from housing facilities in the Project area;

H. There are, or are being provided, in the Project area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the Project area, decent, safe, and sanitary dwellings equal in number to the number of and available

to such displaced families and persons and reasonably accessible to their places of employment.

I. Inclusion within the Project area of any lands, buildings, or improvements which are not detrimental to the public health, safety, or welfare is necessary for the effective redevelopment of the Project area of which they are a part; any such area included is necessary for effective redevelopment and is not included for the purpose of obtaining the allocation of tax increment revenues from such area pursuant to Section 33670 of the Community Redevelopment Law without other substantial justification for its inclusion;

J. The elimination of blight and the redevelopment of the Project area cannot be reasonably expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency; and

K. The effect of tax increment financing, as provided for in the Redevelopment Plan will not cause significant financial burden or detriment on any taxing agency deriving revenues from the Project area.

Section 5. This Council is satisfied that if any families or persons are displaced by the Project, permanent housing facilities will be available within three (3) years from the time occupants of the Project area are displaced and that pending the development of such facilities there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the City of San Diego at the time of their displacement.

Section 6. In order to implement and facilitate the effectuation of the Redevelopment Plan hereby approved and adopted, it will be necessary for the Council to take action with reference, among other things, to the vacating and removal of streets, alleys, and other public ways, the establishment of street patterns, the location and relocation of sewer and water mains and other public facilities, and other public actions; and accordingly, this Council hereby:

A. Pledges its cooperation in helping to carry out the Redevelopment Plan, including the expenditures of money in accordance with the provisions of the Redevelopment Plan to effectuate the Redevelopment Plan;

B. Requests the various officials, departments, boards and agencies in the locality having administrative responsibilities in the Project likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Redevelopment Plan;

C. Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Redevelopment Plan, and hereby declares its intention to undertake and complete any proceedings necessary to be carried out by the community under the provisions of the Redevelopment Plan.

Section 7. The City Clerk is hereby directed to send a certified copy of this ordinance to the Agency and the Agency is hereby vested with the responsibility for carrying out the

Redevelopment Plan subject to the provisions of the Redevelopment Plan.

Section 8. The City Clerk hereby is directed to record with the County Recorder of San Diego County, a description of the land within the Project area and a statement that proceedings for the redevelopment of the Project area have been instituted under the California Community Redevelopment Law. The Agency hereby is directed to effectuate recordation in compliance with the provisions of Section 27295 of the Government Code to the extent applicable.

Section 9. The Building Department of The City of San Diego is hereby directed for a period of two (2) years after the effective date of this ordinances to advise all applicants for building permits within the Project area that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment project area.

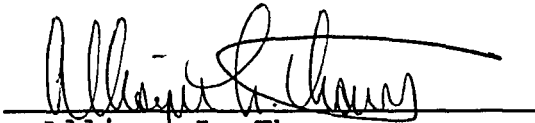
Section 10. The City Clerk is hereby directed to transmit a copy of the description and statement recorded by the City pursuant to Section 8 of this ordinance, a copy of this ordinance, and a map or plat showing the boundaries of the Project area to the auditor and tax assessor of San Diego County, to the governing body of each of the taxing agencies which levies taxes upon any property in the Project area, and to the State Board of Equalization.

Section 11. The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be published once in the newspaper of general circulation of the City of San Diego.

Section 12. This ordinance shall take effect and be in force on the thirtieth day from and after the date the California Coastal Commission unconditionally certifies this ordinance as a local coastal program amendment. If this ordinance is not certified, or it is certified with suggested modifications by the California Coastal Commission, the provisions of this ordinance shall be null and void.

Section 13. No permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date the California Coastal Commission unconditionally certified this ordinance as a local coastal program amendment.

APPROVED: JOHN W. WITT, City Attorney

By 
Allisyn L. Thomas
Deputy City Attorney

ALT:lc
04/23/91
Or.Dept:Prop.
O-91-159
Form=o+t

by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Maybell L. Portlewood, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAY 07 1991

MAY 20 1991

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Maybell L. Portlewood, Deputy.

Office of the City Clerk, San Diego, California

Ordinance 0-17644
Number

Adopted MAY 20 1991

MAY 20 1991

Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Mayfield L. Portlewood, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAY 07 1991

MAY 20 1991

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Mayfield L. Portlewood, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17644

Adopted MAY 20 1991

C. Stands ready to consider and take action on proposals and measures designed to effectuate the Plan and do as its intention to undertake and complete proceedings necessary to be carried out by the community consistent with the Plan;

Section 7. The City Clerk is directed to send a certified copy of this ordinance to the Agency so that the Agency shall carry out the Plans.

Section 8. The City Clerk is directed to record with the County Recorder of San Diego County, a description of the land in the Project area and a statement that proceedings for redevelopment have been instituted pursuant to the California Community Redevelopment Law. The Agency shall record in compliance with Section 27295 of the California Government Code.

Section 9. The Building Department of the City, for a period of two (2) years, shall advise all applicants for building permits in the Project area, that the building permit sought is within a redevelopment project area.

Section 10. The City Clerk is directed to transmit a copy of the description and statement recorded pursuant to Section 8 of this ordinance, a copy of the ordinance, and a map or plat showing the boundaries of the Project area to the County auditor and tax assessor and to the State Board of Equalization.

Section 11. The City Clerk shall certify the adoption of this ordinance and shall cause it to be published in a newspaper of general circulation in The City of San Diego.

Section 12. This ordinance shall take effect on the thirtieth day from and after the date the Coastal Commission unconditionally certifies this ordinance as a local coastal program amendment.

Section 13. No development permits which are inconsistent with this ordinance shall be issued unless application was made prior to Coastal Commission certification.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

INTRODUCED ON MAY 7, 1991

Passed and Adopted by the Council of The City of San Diego on MAY 20, 1991

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, CA

CHARLES G. ABDELNOLIR

City Clerk of The City of San Diego, CA

By MAYDELL L. PONTECORVO, Deputy. (SEAL)

Pub. June 10

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STATE OF PUBLICATION

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SAN DIEGO, CALIF.

NO.

DIGEST OF AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND ADOPTING...

ORDINANCE NUMBER O-17644 (NEW SERIES)

DIGEST OF AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND ADOPTING THE REDEVELOPMENT PLAN FOR THE BARRIO LOGAN REDEVELOPMENT PROJECT

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. Purposes and Intent of Project:

A. Eliminate conditions of blight in the Barrio Logan Redevelopment Project (the "Project") area;

B. Insure, as far as possible, that the causes of blight are eliminated or protected against;

C. Strengthen and assist existing business enterprises in the redevelopment project;

D. Conserve, facilitate rehabilitation or redevelopment of residential areas;

E. Encourage development of additional housing in currently underutilized areas;

F. Provide for the development of retail and industrial uses to create or improve employment opportunities;

G. Encourage development of a complimentary mixture of land uses;

H. Redevelop, build, and rebuild public facilities in the Project area;

I. Provide for development of the Barrio Logan community in accordance with the Progress Guide and General Plan for The City of San Diego (the "City") and the Barrio Logan/Harbor 101 Community Plan;

Section 2. The Redevelopment Plan for the Project (the "Plan") on file in the office of the City Clerk as Document No. 00-17644, is incorporated herein by reference and made a part hereof.

Section 3. The Plan is hereby approved and adopted and designated the official redevelopment plan for the Project.

Section 4. The Council finds and determines that:

A. The Project area is blighted and redevelopment is necessary to effectuate the purpose declared in the Community Redevelopment Law of the State of California;

B. The Plan will redevelop the Project area in conformance with the California Community Redevelopment Law;

C. The adoption and carrying out of the Plan is economically sound and feasible;

D. The Plan conforms to the General Plan of the City and the Barrio Logan/Harbor 101 Community Plan;

E. The Plan will promote public peace, health, safety and welfare of the City;

F. Condemnation of real property, as contemplated in the Plan is necessary to the Plan's execution and adequate provisions have been made for payment for property to be acquired as provided by law;

G. The Redevelopment Agency of the City (the "Agency") has a method and plan for relocation of families and persons, both temporary or on a permanent basis;

H. There are, or are being provided, in the Project area or in areas as desirable in regard to public utilities, public and commercial facilities and at affordable rents or prices, sanitary dwellings equal in number to the number of and available to displaced families and persons;

I. Inclusion of lands within the Project area which are not detrimental to public health, safety, or welfare are included only because they are necessary for effective redevelopment of the Project area;

J. Blight and redevelopment of the Project area cannot be accomplished by private enterprise acting alone;

K. Tax increment financing will not cause significant financial burden or detriment on any taxing agency deriving revenues from the Project area;

Section 5. This Council is satisfied that if families or persons are displaced by the Project, permanent housing will be available within three (3) years, and that pending the development of such facilities, comparable temporary housing shall be provided.

Section 6. In order to implement and facilitate the Plan, Council shall take action with reference, among other things, vacating and removal of streets, alleys, and other public ways, establishment of street patterns, location and relocation of sewer and water mains and other public facilities and actions; accordingly, the Council hereby:

A. Pledges to cooperate in helping to carry out the Plan;

B. Requests that officials, departments, boards and agencies having administrative responsibilities in the Project locality, also cooperate in a manner consistent with the Plan;

I, Thomas D. Kelleher, am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

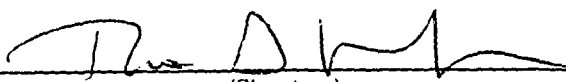
ORDINANCE NUMBER O-17644 (NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

JUNE 10

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 10TH day of JUNE, 19 91.


(Signature)

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