

(O-92-127)

ORDINANCE NUMBER O-17767 (NEW SERIES)

ADOPTED ON MAY 11 1992

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND ADOPTING THE MERGER AND EXPANSION AMENDMENTS TO THE REDEVELOPMENT PLANS FOR THE COLUMBIA, MARINA AND GASLAMP QUARTER REDEVELOPMENT PROJECTS, AS INCORPORATED IN THE REDEVELOPMENT PLAN FOR THE CENTRE CITY REDEVELOPMENT PROJECT.

WHEREAS, the Council of The City of San Diego (the "Council") on December 29, 1976 by Ordinance No. 11976 (New Series) approved and adopted the Redevelopment Plan for the Columbia Redevelopment Project, and thereafter approved and adopted a First Amendment (August 4, 1980, Ordinance No. O-15306 (New Series)), Second Amendment (July 23, 1985, Ordinance No. O-16476 (New Series)), Third Amendment (July 23, 1985, Ordinance No. O-16477 (New Series)), Fourth Amendment (June 30, 1986, Ordinance No. O-16682 (New Series)), Fifth Amendment (October 24, 1988, Ordinance No. O-17168 (New Series)), and Sixth Amendment (March 20, 1989, Ordinance No. O-17268 (New Series)); and

WHEREAS, The Council on December 29, 1976 by Ordinance No. 11977 (New Series) approved and adopted the Redevelopment Plan for the Marina Redevelopment Project, and thereafter approved and adopted a First Amendment (August 4, 1980, Ordinance No. O-15307 (New Series)), Second Amendment (September 23, 1985, Ordinance No. O-16508 (New Series)), Third Amendment (June 10, 1986, Ordinance No. O-16668 (New Series)), Fourth Amendment (April 20, 1987, Ordinance No. O-16847 (New Series)), and Fifth

Amendment (August 1, 1988, Ordinance No. O-17124 (New Series)) to the Redevelopment Plan for the Marina Project; and

WHEREAS, the Council on July 26, 1982 by Ordinance No. O-15781 (New Series) approved and adopted the Redevelopment Plan for the Gaslamp Quarter Redevelopment Project, and thereafter approved and adopted a First Amendment (January 22, 1985, Ordinance No. O-16360 (New Series)) to the Redevelopment Plan for the Gaslamp Quarter Project; and

WHEREAS, it is desirable and in the public interest to further amend and modify the Columbia, Marina and Gaslamp Quarter Redevelopment Plans to merge the three Project areas, which will result in substantial benefit to the public and will contribute to the revitalization of the blighted areas through the increased economic vitality of the areas and through increased and improved housing opportunities in or near the areas; and

WHEREAS, it is also desirable and in the public interest to expand the merged redevelopment project area, and to make certain other related revisions to the compiled redevelopment plan, to create a merged and expanded redevelopment project (the "Centre City Redevelopment Project"); and

WHEREAS, in order to accomplish the merger and expansion, and related revisions, the Redevelopment Agency of The City of San Diego (the "Agency") has prepared and submitted to this City Council for review and approval, amendments (the "Merger and Expansion Amendments") to the Redevelopment Plans for the Columbia, Marina and Gaslamp Quarter Redevelopment Projects, as incorporated in the Redevelopment Plan for the Centre City

Redevelopment Project (the "amended Redevelopment Plan"), a copy of which is on file in the office of the City Clerk as Document No. 00-17767; and

WHEREAS, under the amended Redevelopment Plan, the area formerly covered by the separate Columbia Redevelopment Project is referred to as the Columbia Sub Area, the area formerly covered by the separate Marina Redevelopment Project is referred to as the Marina Sub Area, the area formerly covered by the separate Gaslamp Quarter Redevelopment Project is referred to as the Gaslamp Quarter Sub Area, the area added by the Merger and Expansion Amendments is referred to as the Expansion Sub Area, and the entire area covered by the amended Redevelopment Plan is referred to as the Centre City Redevelopment Project Area or the "Project Area"; and

WHEREAS, Rules Governing Owner Participation by Property Owners and Preference for Businesses to Reenter in the Centre City Redevelopment Project, a copy of which Rules is on file in the office of the Secretary to the Agency as Document No. 1893 have been prepared and adopted by the Agency; and

WHEREAS, a Progress Guide and General Plan for the City of San Diego and a Centre City Community Plan have been prepared and adopted as a guide for the general development of the City and the Centre City area; and

WHEREAS, the Planning Commission of The City of San Diego has approved a Preliminary Plan for the Centre City Redevelopment Project, and has submitted to the Council its report and recommendations respecting the amended Redevelopment Plan, and

has found that the amended Redevelopment Plan conforms to the General Plan and Progress Guide of the City and the Centre City Community Plan, 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 Centre City Redevelopment Project, which report contains, among other things, the Planning Commission's report and recommendations, the Final Environmental Impact Report with respect to the proposed amended 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 amended 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 Centre City Redevelopment Project held hearings and submitted a report to the Agency on its opinion of the financial effects of the Centre City Redevelopment 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 Centre City Redevelopment

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 Centre City Project Area Committee with respect to the amended Redevelopment Plan, and the Project Area Committee submitted to the Council its report and recommendations respecting the amended Redevelopment Plan, which the Council has duly considered and evaluated; and

WHEREAS, the Agency and the Council have certified that the Final Master Environmental Impact Report for the Centre City Redevelopment Project (and addressing the Centre City Community Plan and Related Documents) 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 that the Agency and Council have reviewed and considered the information contained therein, and adopted findings with respect to the environmental impacts of the Centre City Redevelopment Project as required by law; and

WHEREAS, there has been presented to the Council information and data respecting the possible relocation needs and resources which have been identified by the Agency as a result of studies, surveys and analyses about conditions in the Project Area; and

WHEREAS, the Agency has prepared and submitted a method and plan for the relocation of individuals and families which may be displaced as a result of carrying out the Centre City

Redevelopment Project in accordance with the amended Redevelopment Plan; and

WHEREAS, after due notice as provided by the California Community Redevelopment Law, a joint public hearing was held by the Council and the Agency to consider the proposed Merger and Expansion Amendments to the Columbia, Marina and Gaslamp Quarter Redevelopment Plans, as incorporated in the proposed amended Redevelopment Plan; and

WHEREAS, the Council has considered all aspects of the amended Redevelopment Plan, and has received, considered and evaluated all written and oral evidence and testimony presented for or against all aspects of the Merger and Expansion Amendments, as incorporated in the amended 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 this Council with respect to the Project Area, and each Sub Area thereof, are to:

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

B. Insure, as far as possible, that the causes of 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 patterns in currently under utilized areas to increase choice in housing types;

F. Provide for the development of commercial 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; and

I. Cure the remaining blighting influences in the existing Sub Areas and add a program to address the serious adverse conditions in the Expansion Sub Area in order to (in addition to reversing its own decline) prevent the spillover effects from reversing progress in the existing Sub Areas;

J. Increase the economic vitality of each Sub Area by addressing their problems in a concerted and coordinated manner designed to establish mutually supportive environmental and financial conditions;

K. Increase and improve housing opportunities in each Sub Area, particularly by completing the Marina residential neighborhood, and by creating the environment to strengthen and establish viable residential neighborhoods in the Expansion Sub Area supported by the adjacent emerging commercial core;

L. Provide for the orderly development of the Centre City community in accordance with the Progress Guide and General Plan for The City of San Diego and the Centre City Community Plan.

Section 2. The Merger and Expansion Amendments to the Columbia, Marina and Gaslamp Quarter Redevelopment Plans, as incorporated in the amended Redevelopment Plan a copy of which is on file in the office of the City Clerk as Document No. 00-17767, is hereby approved and adopted. The amended Redevelopment Plan is incorporated herein by reference and made a part hereof, as if set out in full herein.

Section 3. The amended Redevelopment Plan is hereby designated as the official redevelopment plan for the Centre City Redevelopment Project Area.

Section 4. The Council hereby finds and determines that:

A. The Expansion Sub Area (and the existing Sub Areas to the extent not redeveloped) is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in the California Community Redevelopment Law;

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



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

D. The amended Redevelopment Plan conforms to the Progress Guide and General Plan of The City of San Diego and the Centre City Community Plan;

E. The carrying out of the amended 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 California Community Redevelopment Law;

F. The condemnation of real property, as provided for in the amended Redevelopment Plan is necessary to the execution of the amended 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 the 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 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 California Community Redevelopment Law without other substantial justification for its inclusion;

J. The elimination of blight and the redevelopment of the Project area can not 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 amended Redevelopment Plan will not cause significant financial burden or detriment on any taxing agency deriving revenues from the Project area.

Section 5. The Council is satisfied that if any families or persons are displaced by the Centre City Redevelopment 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 the 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 amended Redevelopment Plan, it will be necessary for the Council to take certain official actions with reference, among other things, to changes in zoning, 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, the Council hereby:

A. Pledges its cooperation in helping to carry out the amended Redevelopment Plan;

B. Requests the various officials, departments, boards and agencies in the locality having administrative responsibilities in the Project area likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the amended Redevelopment Plan, including the expenditure of money in accordance with the provisions of the amended Redevelopment Plan to effectuate the amended Redevelopment Plan; and

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

Section 8. The City Clerk is hereby directed to record with the County Recorder of San Diego County, a description of the

land within the Project area (including the land added to the Project Area pursuant to this Ordinance) and a statement that the proceedings for the redevelopment of the Project area are continuing in the existing Sub Areas and have been instituted in the Expansion Sub Area under the California Community Redevelopment Law. The Agency is hereby directed to effectuate recordation in compliance with the provisions of Section 27295 of the Government Code to the extent applicable.

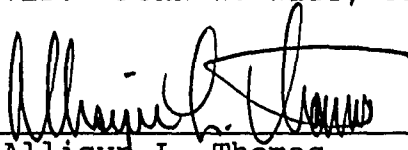
Section 9. The Department of Building Inspection of The City of San Diego is hereby directed for a period of two (2) years after the effective date of this ordinance (and thereafter in accordance with the amended Redevelopment Plan), to advise all applicants for building permits within the Project area 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 description and a map or plat showing the boundaries of the Project area (including the land added to the Project area pursuant to this ordinance), 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 effective date of this ordinance shall be ninety (90) days after adoption of this ordinance, however the

provisions of this ordinance shall not be applicable within the Coastal Zone until the thirtieth (30th) day following the date the California Coastal Commission unconditionally certifies this ordinance as a local coastal program amendment. If this ordinance is not certified, or is certified with suggested modifications by the California Coastal Commission, the provisions of this ordinance as applicable to the Coastal Zone shall be null and void. Ordinance No. 11976 (New Series), as heretofore amended, Ordinance No. 11977 (New Series), as heretofore amended, and Ordinance No. O-15781 (New Series), as heretofore amended, shall remain in full force and effect except to the extent they are changed by this amending ordinance.

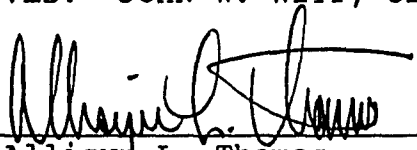
APPROVED: JOHN W. WITT, City Attorney

By   
Allisyn L. Thomas  
Deputy City Attorney

ALT:lc:pev  
04/02/92  
Or.Dept:CCDC  
O-92-127  
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Passed and adopted by the Council of The City of San Diego on MAY 11 1992,  
 by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfshoimer	<input type="checkbox"/>	<input checked="" 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"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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 *James Olin*, 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 APR 28 1992, and on MAY 11 1992.

~~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 *James Olin*, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-17767</u>	MAY 11 1992
Adopted .....	

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CITY CLERKS OFFICE  
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