

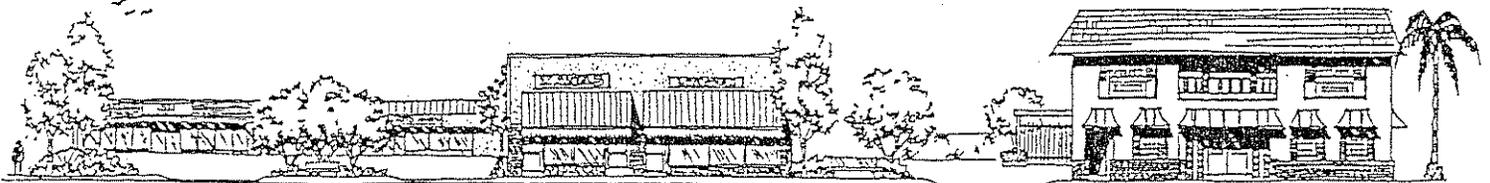
FINAL CITY HEIGHTS REDEVELOPMENT PLAN

REDEVELOPMENT AGENCY
OF THE
CITY OF SAN DIEGO

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REDEVELOPMENT PLAN
FOR THE
CITY HEIGHTS REDEVELOPMENT PROJECT

I. (Sec. 100) INTRODUCTION

- A. (Sec. 100.1) The Redevelopment Plan for the City Heights Redevelopment Project consists of the text (Sections 100 through 1100), the Map of Project Area Boundary (Exhibit "A"), the Legal Description of the Project Area Boundary (Exhibit "B"), the Public Facilities Projects List (Exhibit "C") and a Land Use Map (Exhibit D). This Plan has been recommended for circulation for comment by the City Heights Project Area Committee and the Agency Board pursuant to the Community Redevelopment Law of the State of California, and all applicable laws and ordinances.
- B. (Sec.100.2) The proposed redevelopment of the Project Area as described in this Plan conforms to the Progress Guide and General Plan for the City of San Diego adopted by Resolution No. 222918 of the City Council on February 26, 1979, as amended, and the Mid City Community Plan adopted by Resolution No. R-262091 of the City Council on December 4, 1984, as amended.
- C. (Sec. 100.3) This Plan is based upon a Preliminary Plan formulated and adopted by the Planning Commission of the City of San Diego (the "Planning Commission") on March 8, 1990, by Resolution No. PC-0687.
- D. (Sec. 100.4) This Plan provides the Agency with powers, duties and obligations to implement and further the program generally formulated in this Plan for the redevelopment, rehabilitation and revitalization of the Project Area. The Plan presents a process and basic framework within which specific redevelopment activities will be presented and priorities established. The Plan contains some provisions that are based upon the Redevelopment Law in effect on the adoption date of the Plan. This shall not be construed to limit the powers or duties of the Agency under the Redevelopment Law, which powers or duties shall be governed by the Redevelopment Law in effect at the applicable time, for the action taken, obligation incurred and/or requirement imposed.

II. (Sec. 200) GENERAL DEFINITIONS

A. (Sect. 201) Definitions

The following references will be used generally in this Plan unless the context otherwise requires:

1. "Agency" means the Redevelopment Agency of the City of San Diego or its successors.
2. "Agency Board" means the Redevelopment Agency Board.
3. "Area Planning Committee" means the community based planning committees recognized by the City of San Diego within the Project Area.
4. "Bonds" means bonds, notes, interim certificates, debentures, or other obligations.
5. "Business owners" and "business tenants" shall mean business license holders under City or State ordinances, regulations or laws.
6. "City" means City of San Diego, California.
7. "City Council" means the City Council of the City of San Diego, California.
8. "County" means the County of San Diego .
9. "Land Use Map" means the redevelopment plan map (Exhibit D) for the City Heights Redevelopment Project.
10. "Operating Agency" means a public non-profit corporation created by resolution or ordinance of the City Council and/or Redevelopment Agency of the City of San Diego for the purpose of implementing the City Heights Redevelopment Plan. The ordinance or resolution would establish the membership, terms of office and methods of appointment and removal of the board of directors of an Operating Agency.
11. "Person" means any individual, or any public or private entity.
12. "Plan" means the Redevelopment Plan for the City Heights Redevelopment Project.
13. "Planning Commission" means The Planning Commission of the City of San Diego.
14. "Project" means the City Heights Redevelopment Project.
15. "Project Area" means the area included within the boundaries of the Project.
16. "Project Area Committee" or "PAC" means the elected City Heights Project Area Committee established by Resolution Number 275331 of the San Diego City Council.
17. "Redevelopment Law" means the Community Redevelopment Law of the State of California (California Health and Safety Code, Section 33000 *et seq.*).
18. "State" means the State of California.
19. "Zoning Ordinance" means the Zoning Ordinance of the City of San Diego.

III. (Sec. 300) PROJECT AREA BOUNDARIES

The boundaries of the Project Area are illustrated on the map contained in Exhibit A. The legal description of the boundaries of the Project Area are as enumerated in Exhibit B, attached hereto.

IV. (Sec. 400) PURPOSE OF THE PLAN

This Plan provides the Agency with powers, duties and obligations to implement and further the program generally formulated within this Plan for the redevelopment, rehabilitation and revitalization of the Project Area. This Plan presents a process and basic framework within which specific redevelopment plans will be presented, phasing for specific projects will be established, and specific solutions will be proposed. The Plan also provides the tools which

the Agency will use to implement such plans, projects and solutions.

The Plan is intended to be used to eliminate conditions of blight within the City Heights Project Area. Without the Plan, blight cannot be reasonably expected to be reversed or alleviated by private enterprise acting alone.

V. (Sec. 500) GOALS AND OBJECTIVES

- I. In general, the goals and objectives of redevelopment in the City Heights Project Area are:
 - A. Provide for development in which a full range of activities and uses may occur and where a living and working environment exists for the use and enjoyment of all San Diegans;
 - B. Provide an environment where a socially balanced community can work and live by providing jobs and housing compatible with a modern urban center;
 - C. Eliminate blighting influences, including incompatible and obnoxious land uses, obsolete and deficient structures, and inadequate or surplus streets and rights-of-way;
 - D. Eliminate environmental deficiencies, including, among others, small and irregular lot and block subdivision, economic and social deficiencies and inadequate utilization of land and public facilities;
 - E. Provide appropriately sized parcels to encourage development of a type to implement the objectives of the Mid City area;
 - F. Minimize the conflict of pedestrian and automobile traffic and increase transportation efficiency;
 - G. Provide for the orderly development of a portion of the Mid City community in accordance with the Progress Guide and General Plan of the City of San Diego and the Mid City Community Plan;
 - H. Upgrade the quality of life in the Mid City area;
 - I. Establish and implement design standards which assure development of outstanding architectural and environmental quality with special regard to the spatial relationship of open areas to building structures (private and public), variety of building size, bulk and siting, activity areas, pedestrian spaces, circulation systems, and other design elements which provide unity, integrity and quality to the entire Mid City area;
 - J. Emphasize the development of the most intensive commercial/office land uses in the commercial area in order to encourage the development of neighborhood residential uses in the residential areas;

- K. Provide large community based institutional and cultural facilities such as parks, plazas, commercial recreational uses, open spaces, recreational centers and other community facilities which serve the needs of the entire Mid City area;
- L. Minimize the impact of vehicular traffic which passes through the Project Area by supporting public transportation options which reduce vehicular congestion in the Project Area, thereby enhancing the environment of residential neighborhoods;
- M. Accommodate Project Area parking needs either on-site or in off-site locations in a manner which will reduce the negative impact of parking needs on the environmental quality of the Project Area;
- N. Integrate and coordinate urban design standards of the Mid City Community Plan as they may be implemented in the adjoining areas in order to provide continuity in the application of design principles throughout the entire Mid City area;
- O. Provide strong physical linkages within the Project Area to create attractive vehicular and pedestrian connections;
- P. Encourage the cooperation and participation of residents, businesspersons, public agencies and community organizations in the revitalization of the Project Area;
- Q. Encourage dialogue and participation of the Project Area Committee and local community groups, as provided by City Council ordinances and resolutions, in the planning and review of redevelopment projects, programs and agreements;
- R. Encourage new and continuing investment of the private sector in redevelopment of the Project Area;
- S. Provide relocation assistance when necessary and relocate residents, businesses and organizations as required by law in accordance with approved relocation assistance guidelines.
- T. Coordinate revitalization efforts in the Project Area with other programs of the City, United States Federal Government, State of California, County of San Diego, local college and school districts, public and private utilities, and other public and private organizations providing, or capable of providing, services and facilities of benefit to residents, businesses, local community organizations and property owners of the Project Area.

2. Specific goals of the Plan are listed below:

A. (Sec. 501) NEIGHBORHOOD CHARACTER

1. reduce visible physical blight (e.g.: graffiti, dilapidated buildings, billboards, overhead utilities)
2. increase public awareness of community identity (e.g.: define boundaries and entryways while preserving the identity of separate neighborhoods--City Heights, Colina del Sol, Normal Heights, Lexington Park, Kensington, Talmadge, Terralta; promote positive characteristics of area-- convenient location, good transportation access, affordable housing, multi-cultural diversity)
3. support efforts to make area more safe and fun
4. support multi-cultural diversity
5. increase amount of local cultural, recreational, educational and entertainment resources
6. preserve and enhance historically and architecturally significant resources
7. enhance pedestrian orientation of University Ave., Fairmount Ave./43rd Street Couplet,, Euclid Ave., El Cajon Blvd. and Poplar Street.
8. support development of a multi-use community center in the Route 15 corridor (e.g. Visions Project).

GOAL

To preserve and promote cultural diversity and other positive characteristics of the community while improving physical deficiencies of the area.

B. (Sec. 502) BUSINESS CONDITIONS

1. establish and enforce design standards to upgrade appearance of commercial areas (esp. University Ave.)
2. upgrade streetscape and improve pedestrian orientation in commercial areas (e.g.: University Ave.)
3. increase and improve parking facilities for commercial areas
4. encourage more diversity of businesses, particularly those serving basic needs of the local population and those attracting new customers from outside of the area

5. support clustering of commercial development in mixed use projects at transportation nodes
6. promote local establishment of office and other uses to bring additional customers into the commercial areas
7. support improved communication and coordination efforts with Indochinese business leaders
8. support projects and programs to provide additional employment for local residents

GOAL

To support the vitality of local businesses and promote the growth of businesses which meet local service and employment needs.

C. (Sec. 503) HOUSING

1. improve existing housing in the Project Area while maintaining its affordability
2. promote good management of rental housing (e.g.: on-site managers, proper maintenance, tenant screening)
3. promote development of high quality housing which meets the special needs of the local population
4. enforce code and permit requirements of area housing projects
5. support increased home ownership in Project Area
6. support housing projects by local non-profit organizations
7. support establishment of a well-balanced mixture of housing types in the area (range of housing affordability)
8. protect the integrity of single family neighborhoods

GOAL

To improve existing housing stock and support a balance of various housing types which meet the needs of the community.

D. (Sec. 504) PARKS, RECREATION AND OPEN SPACE

1. increase and improve the supply of free or affordable recreational programs and facilities (e.g.: swimming pools, athletic fields, expanded programs at Copley

YMCA)

2. expand and improve local parks to meet specific needs of the community (e.g. parks adjacent to Route 15, security-conscious park design)
3. preserve and enhance existing canyons for public use.

GOAL

To increase and improve park facilities, open space and affordable recreation opportunities in the community.

E. (Sec. 505) CIRCULATION, TRANSIT AND PARKING

1. improve and increase availability of locally serving public transportation (e.g.: trolley lines, enhanced bus stops, senior and disabled transportation programs)
2. improve operability of local motor vehicle circulation systems (e.g.: widen narrow streets, make streets narrower to slow traffic, traffic signal interconnection)
3. reduce negative impacts of motor vehicle traffic (e.g.: residential street cul-de-sacs, improve pedestrian amenities on major streets, close off alleys)
4. increase supply of parking in commercial areas
5. increase and improve bike lanes and supporting facilities (e.g.: north/south and east/west Class II bike lanes)
6. support development of the Route 15 freeway in conjunction with a coordinated program of economic revitalization, increased public facilities, park and school space in the Route 15 corridor (e.g. Visions Project).

GOAL

To improve circulation, parking and public transportation facilities and services which support the vitality of the local community.

F. (Sec. 506) PUBLIC INFRASTRUCTURE

1. improve infrastructure standards for area
2. combine infrastructure improvements projects with private property improvements

and new private development projects

3. increase use of capital improvement projects (CIP's) and other funds as well as redevelopment funds to improve public infrastructure in area
4. enhance streetscape aesthetics in area
5. concentrate improvements in demonstration blocks and at community gateways
6. cover Route 15

GOAL

To improve infrastructure facilities which support public health and safety, enhance the community and support the vitality of local businesses.

G. (Sec. 507) EDUCATION

1. support projects and programs to provide a high quality education environment for local school children
2. support projects and programs to expand and improve academic and vocational education opportunities for local adult residents
3. support projects and programs to better meet the special educational needs of disadvantaged and at-risk local residents (e.g.: English as a Second Language, Head Start, Life Skills Training, Literacy, alternative classrooms for dropouts)
4. support projects and programs to provide self-help educational resources for local residents
5. promote cultural programs which reflect the area's ethnic diversity
6. promote cooperative programs and facilities which link libraries, schools, recreation and development projects

GOAL

To increase and improve the availability and delivery of educational services in the local community.

H. (Sec. 508) SOCIAL ISSUES

1. support projects and programs to prevent and control crime (e.g.: street lighting, crime watch programs, gang diversion, penalize drug-house landlords)
2. support projects and programs which assist the positive development of youth
3. support programs and projects to improve family well-being (e.g.: affordable child care and adult care, parenting education, latch-key programs, family planning)
4. support the coordination and efficient delivery of services to meet the social needs of a culturally diverse population
5. support projects and programs to improve health care services delivery to local residents (e.g.: prenatal counseling, urgent care, Mid-City Clinic, East San Diego Adult Center, etc.)

GOAL

To deter and control crime as well as increase and improve the delivery of health and social services needed by local area residents.

I. (Sec. 509) REDEVELOPMENT APPROACH

1. implement a comprehensive program of public infrastructure improvements and redevelopment and rehabilitation of public and private property in both commercial and residential neighborhoods
2. preserve neighborhood character
3. emphasize improvements to the Route 15 corridor, University Avenue, Fairmount Avenue/43rd Street Couplet and Euclid Avenue
4. authorize ability to use eminent domain but use with great discretion in single family neighborhoods
5. promote project implementation by local community organizations
6. leverage other public and private funds
7. coordinate with local schools, county, community college, state and federal programs and private financial institutions, foundations and community groups to urge an overall increase in investment and improvement in services provided in the area

GOAL

To Plan and implement a comprehensive set of redevelopment programs and projects in the most efficient, cost-effective and equitable manner possible.

VI. (Sec. 600) PROPOSED DEVELOPMENT

A. (Sec. 601) General

The Agency proposes to eliminate and prevent the spread of blight in the Project Area by:

1. Acquisition and disposition of property acquired for uses in accordance with this Plan;
2. Redevelopment of land by private enterprise, non-profit organizations and public agencies for uses in accordance with this Plan;
3. Financing of the construction of residential and commercial buildings and the permanent mortgage financing of residential and commercial buildings, to the extent permitted by applicable State and local laws, to increase the residential and commercial base of the City and the number of temporary and permanent jobs within the Project Area;
4. In appropriate cases, rehabilitation of structures and improvements or development of vacant land by present owners, their successors and the Agency for uses in accordance with this Plan;
5. Installation, construction, reconstruction, redesign, or reuse of streets, utilities, public transit facilities, park and recreation facilities, public lighting, public parking and other public improvements;
6. Provision for the creation of limited equity housing cooperatives as provided by section 33413.7 of Redevelopment Law;
7. Provision for loans to Tax-Exempt Organizations as provided by section 33740 et seq. of Redevelopment Law;
8. Implementation of consistent landscape, architectural and urban design through adoption of Project Area design guidelines prior to proceeding with redevelopment projects.
9. Enforcement of controls and restrictions to maintain land uses in accordance with

this Plan; and/or

10. Such other action as may be permitted by law.

B. (Sec. 602) Property Acquisition

1. (Sec. 603) Acquisition of Real Property

The Agency may purchase, lease, obtain option upon or otherwise acquire any interest in real property located in the Project Area by gift, devise, exchange, purchase, or any other means authorized by law, including the use of eminent domain for purposes of redevelopment, provided, however, that on commercially zoned parcels with exclusively residential uses on them, not fronting on El Cajon Boulevard, University Avenue, 40th Street, Central Avenue, 43rd Street, Fairmount Avenue, Euclid Avenue, 54th Street, Poplar Street, Home Avenue, 47th Street, Wabash Avenue, Lincoln Avenue and 33rd Street, and in residentially zoned areas, eminent domain shall only be allowed for: 1) public projects, 2) removal of chronic code violations, based upon findings of fact made by the Redevelopment Agency at a noticed public hearing, which findings shall be conclusive, 3) removal of chronic crime problems, based upon findings of fact made by the Redevelopment Agency at a noticed public hearing, which findings shall be conclusive, and 4) preservation of significant cultural and historical resources as determined by the San Diego Historical Sites Board. The Agency may further, to the greatest extent allowed by law, purchase, lease, obtain option upon or acquire any interest in real property within a survey area or for purposes of redevelopment by any means authorized by law. Any eminent domain proceedings must commence within twelve (12) years of the effective date of the ordinance approving and adopting this Plan. Such time limitation may be extended only by amendment of this Plan.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement unless provision for such acquisition is made in the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest in real property less than a fee interest.

The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner, unless (1) such building requires structural alterations, improvement, modernization or rehabilitation, or (2) the site or lot on which the building is situated requires modification in size, shape or use, or (3) it is necessary to impose upon such property any of the standards, restrictions and controls of the Plan and the owner fails or refuses to participate in the Plan by executing a participation agreement.

2. (Sec. 604) Acquisition of Personal Property

Generally, personal property will not be acquired, unless such acquisition is necessary in connection with the acquisition of real property. However, where necessary in the execution of the Plan, Agency is authorized to acquire personal property in the Project Area and, to the greatest extent allowed by law, within a survey area or for the purposes of redevelopment, by any lawful means, including eminent domain.

C. (Sec. 605) Participation by Owners and Tenants

1. (Sec. 606) Opportunities for Owner Participation

Owners of residential, commercial, and other types of real property will be allowed and encouraged to participate in the redevelopment of the Project. Participation in the Project Area may include requirements such as rehabilitation, retention of improvements, or new development. Participation may also include retention of all or a portion of properties, acquiring adjacent properties from the Agency, purchasing other properties within the Project Area, working with developers in the redevelopment of all or a portion of properties, or by other adequate means of improvement.

Participation opportunities in the Project Area are subject to factors such as, but not limited to, the following:

- (a) the elimination and changing of some land uses;
- (b) the removal, relocation and/or installation of public utilities and other public facilities;
- (c) the realignment, abandonment, widening, narrowing, opening and/or other alteration or elimination of rights-of-way;
- (d) the ability of owners and tenants to undertake and complete the proposed redevelopment;
- (e) the reduction or addition in the total number of individual parcels in the Project Area;
- (f) the construction or expansion of public improvements and facilities, and the necessity to assemble areas for such;
- (g) any change in orientation and character of the Project Area;
- (h) the necessity to assemble areas for public and/or private development;
- (i) the requirements of this Plan and applicable laws and regulations of the City of San Diego;
- (j) any design guidelines and/or landscape plan approved by the Agency;

- (k) the feasibility of the participant's proposal; and
- (l) the participant's demonstrated effectiveness in its program of property management.

2. (Sec. 607) Preferences for Residents and Persons Engaged in Business in the Project Area

The Agency will give preference to those persons residing in and engaged in business in the Project Area to re-enter in business or residential status within the redeveloped area if they meet requirements prescribed in this Plan.

3. (Sec. 608) Participation Agreements

The Agency may require that, as a condition to participate in redevelopment or to obtain a building permit, each participant shall enter into a binding written owner participation agreement by which the participant shall agree to rehabilitate, develop, or use the property in conformance with the Plan and be subject to the provisions hereof and such other provisions and conditions to which the parties may agree. As determined to be appropriate, solely by the Agency, owners will be required to provide proof to the Agency of their qualifications and financial ability to carry out their agreements with the Agency.

In the agreement, whenever it is appropriate to do so, participants who retain real property shall be required to join in the recordation of such documents as are necessary to make the provisions of this Plan applicable to their properties. In the event a participant breaches the terms of an owner participation agreement, the Agency may declare the agreement terminated and may acquire the real property or any interest therein.

Where the Agency determines that a proposal for owner participation is not feasible, is not in the best interests of the Agency or City, or that redevelopment can best be accomplished without affording an owner or tenant an opportunity to execute a participation agreement, the Agency shall not be required to execute such an agreement with that owner or tenant. The Agency may charge fees to persons or organizations and public bodies purchasing or leasing property from the Agency in the Project Area and from the persons benefiting directly from the redevelopment of the Project Area under a participation agreement to defray any costs under Section 33385.5 et seq. of the Redevelopment Law.

Whether or not a potential participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

4. (Sec. 609) Implementing Rules

Participation Agreements shall be prepared and implemented according to the rules approved by the Agency after the adoption of this Plan.

D. (Sec. 610) Cooperation with Community Groups and Public Bodies

The Agency will coordinate redevelopment planning and review activities with local community organizations, including, but not limited to, the Project Area Committee, the Area Planning Committees, business associations, community development corporations, and other organizations, as appropriate, as long as and provided such organizations remain in existence.

Certain public bodies are authorized by State law to aid and cooperate, with or without compensation, in the planning, undertaking, construction or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purpose of redevelopment and the highest public good.

The Agency currently is not authorized, by law, to acquire real property owned by public bodies without the consent of such public bodies. The Agency shall seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. Any public body which owns or leases property in the Project Area will be afforded all the privileges of owner and tenant participation if such public body is willing to enter into a participation agreement with the Agency. The Agency may impose on all public bodies the planning and design controls contained in and authorized by this Plan to ensure that present and future development by public bodies will conform to the requirements of this Plan. All plans for development of property in the Project Area by a public body shall be subject to Agency approval.

The Agency may provide for participation by non-profit community organizations in acquisition, management, development, rehabilitation and/or improvement of property in the Project Area, in accordance with the policies and procedures established in this Plan.

E. (Sec. 611) Payments to Taxing Agencies for In Lieu Taxes or to Alleviate Financial Burden

As provided for in Health and Safety Code Section 33401, the Agency may pay an amount of money in lieu of taxes in any year during which it owns property in the Project Area. Such payment may be made directly to a City, County or special district, including, but not limited to, a school district, or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt.

The Agency may also pay to any taxing agency with territory located within the Project

Area, other than the City, any amount of money which in the Agency's determination is appropriate to alleviate any financial burden or detriment caused to the taxing agency by the Redevelopment Project. The Agency and taxing agencies may enter into a formal agreement whereby Agency payments to the taxing agencies for in lieu taxes or to alleviate financial burden or detriment may be specifically allocated for the acquisition of land and improvements, development or rehabilitation of structures and public capital improvements, and/or the provision of additional and improved services to benefit the Project Area.

F. (Sec. 612) Property Management

During such time as property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. The Agency may rent or lease, maintain, manage, operate, repair and clear real property of the Agency. The rental or leasing of Agency property shall be carried out pursuant to such policies and procedures as the Agency may approve. The Agency may insure or provide for the insurance of any real property or personal property of the Agency. Property Management policies and procedures may be adopted by the Agency.

G. (Sec. 613) Relocation Assistance

1. (Sec. 614) Relocation Housing Requirements

No persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available within the community that is ready for occupancy by such displaced person or family at rents comparable to those in the community at the time of the displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe and sanitary and otherwise standard dwellings. The Agency shall not displace such person or family until such housing units are available and ready for occupancy.

Permanent housing facilities shall be made available within three years from the time occupants are displaced. 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 community at the time of the occupants' displacement. Such temporary housing shall meet the requirements found in the rules and regulations adopted by the Agency for implementation of the California Relocation Assistance Law. The Agency shall work with existing owners and developers of new projects to develop as many permanent replacement housing units within the Project Area as is feasible and appropriate, pursuant to carrying out the overall policies and procedures established in this Plan.

In the event permanent replacement housing, as defined in Federal and State law and in the rules and regulations adopted by the Agency for implementation of the

California Relocation Assistance Law cannot be found, the Agency shall, as a last resort, provide such housing utilizing its own resources within or outside the Project Area.

H. (Sec. 615) Relocation of Persons Displaced by the Project

1. (Sec. 616) Replacement Housing Plan

Not less than thirty days prior to the execution of an agreement for acquisition of real property, or the execution of an agreement for the disposition and development of property, or the execution of an owner participation agreement, which agreement would lead to the destruction or removal of dwelling units from the low and moderate housing market, the Agency shall adopt by resolution a replacement housing plan as provided by law.

A replacement housing plan shall include:

- a. findings specific to the Project Area under Section 33334.2(a) et seq. of the Redevelopment Law.
- b. the general location of housing to be rehabilitated, developed or constructed pursuant to Section 33413 of the Redevelopment Law;
- c. an adequate means of financing such rehabilitation, development or construction;
- d. a finding that the replacement housing does not require the approval of the voters pursuant to Article XXXIV of the California Constitution, or that such approval has been obtained;
- e. the number of dwelling units to house persons and families of low or moderate income which are planned for construction or rehabilitation;
- f. when feasible, provisions for participation in the Redevelopment Housing Plan by non-profit organizations and limited equity housing cooperatives; and
- g. the timetable for meeting the plan's relocation, rehabilitation and replacement housing objectives within the Project Area and the City of San Diego.

A dwelling unit whose replacement is required by Section 33413 but for which no replacement housing plan has been prepared, shall not be destroyed or removed from the low and moderate income housing market until the Agency has by resolution adopted a replacement housing plan.

Nothing in this section shall prevent the Agency from destroying or removing from the low and moderate income housing market a dwelling unit which the Agency owns and which is an immediate danger to health and safety. The Agency shall, as soon as practicable, adopt by resolution a replacement housing plan with respect to such dwelling unit.

2. (Sec. 617) Assistance in finding Other Locations

The Agency shall assist in the relocation of all persons (including families, business concerns, and others) displaced by Agency acquisition of property in the Project Area. To carry out the Project with a minimum of hardship to persons (including individuals and families), business concerns and others, if any, displaced from their respective places of residence or business, the Agency shall assist such persons, business concerns and others in finding new locations that are decent, safe and sanitary, within their financial means, in reasonably convenient locations, and otherwise suitable to their needs. The Agency is also authorized to provide housing outside the Project Area for displaced persons. may pursue policies which encourage balanced neighborhoods rather than concentration of the poor in a Project Area blighted neighborhoods.

3. (Sec. 618) Relocation Benefits and Assistance

In accordance with the provisions of the California Relocation Assistance Act (Government Code Section 7260 et seq.), the guidelines adopted and promulgated by the California Department of Housing and Community Development, and the relocation rules and regulations adopted by the Agency, the Agency shall provide relocation benefits and assistance to all persons (including families, business concerns, and others) displaced by acquisition of property in the Project Area either carried out by the Agency or by other public or private interests with Agency financial assistance. Such relocation assistance shall be provided in the manner required by the relocation rules and regulations as may be amended from time to time. The Agency may provide additional benefits or payments as it may deem appropriate from available funds to implement the objectives of this Plan and to alleviate hardship and/or to prevent concentration of the poor in Project Area blighted neighborhoods. The Agency may amend its relocation rules and regulations from time to time.

I. (Sec. 619) Demolition, Clearance, Public Improvements, Building and Site Preparation

1. (Sec. 620) Demolition and Clearance

The Agency may demolish, clear or move buildings, structures or other improvements from real property in the Project Area as necessary to carry out the purposes of this Plan.

2. (Sec. 621) Public Improvements

The Agency may acquire, install and construct or cause to be installed and constructed public improvements and public utilities (within or outside the

Project Area) as necessary to carry out this Plan. Such public improvements include, but are not limited to, overpasses or underpasses, bridges, streets, bikeways, guideway transit facilities, other transit improvements, public lighting, sewers, storm drains, traffic signals, electrical and telecommunication distribution systems, flood control facilities, natural gas distribution systems, water supply distribution systems, buildings, parks, off-street parking, plazas, playgrounds, landscaped areas, alleys, cul-de-sacs, curbs, gutters, sidewalks and any other public building, facility, structure or improvement deemed necessary or appropriate by the Agency to implement the Plan.

Public improvements of the nature as hereinafter set forth may be constructed or installed, or cause to be constructed or installed, in whole or in part by the Agency with twenty percent (20%) of the tax increment moneys that would otherwise be set aside pursuant to Health and Safety Code Section 33334.2 provided that such public improvements, pursuant to said Section 33334.2 of the Redevelopment Law, will be for the purpose of increasing and improving the supply of low and moderate income housing available at affordable housing costs within the City to persons and families of low or moderate income and very low income households.

The Agency currently contemplates paying all or part of the cost of the planning, design, acquisition, installation or construction of the publicly owned facilities provided for in this Plan, including those set forth in Exhibit C.

The Agency, with the consent of the City Council, may pay all or part of the value of the land and the cost of the installation and construction of any building, facility or other improvement which is publicly owned and identified in this Section, either within or outside the Project Area, upon a determination by resolution of the Agency and City Council: (1) that such buildings, facilities, structures and other improvements are of benefit to the Project Area or the immediate neighborhoods in which the Project Area is located; and (2) that no other reasonable means of financing such buildings, facilities, structures or other improvements are available to the community.

When the value of such land or the cost of the installation and construction of such building, facility or other improvement, or both, has been, or will be, paid or provided for initially by the City or other public corporation, the Agency may enter into a contract with the City, another public corporation or a qualified non-profit organization for all or part of the value of such land or all or part of the cost of such building, facility or other improvement, or both, by periodic payments over a period of years.

Any obligation of the Agency under such contract shall constitute an indebtedness of the Agency for the purpose of carrying out the Redevelopment

Project for the Project Area.

3. (Sec. 622) Preparation of Building Sites

The Agency may develop as a building site any real property owned or acquired by it. In connection with such development, it may cause, provide or undertake or make provisions with other agencies for the installation or construction of guideway transportation, community lighting, parking facilities, streets, utilities, parks, childcare facilities, playgrounds educational facilities and the public improvements necessary for carrying out in the Project Area the Redevelopment Plan. The Agency may construct foundations, platforms, and other like structural forms necessary for the provisions or utilization of air rights sites for private or public facilities.

J. (Sec. 623) Rehabilitation and Moving of Structures by the Agency

1. (Sec. 624) Rehabilitation

The Agency is authorized and directed to advise, encourage, and, with the consent of the owner, assist in the rehabilitation of property in the Project Area not owned by the Agency. The Agency is also authorized to rehabilitate or to cause to be rehabilitated buildings or structures owned by the Agency.

Rehabilitation in the Project Area shall be subject to the following provisions:

- The rehabilitation of the structure must be compatible with land uses as provided for in this Plan, the Mid-City Community Plan and the Mid-City Communities Planned District Ordinance as amended or their successors;
- The rehabilitation and conservation of the structure must be carried out in an expeditious manner and in conformance with the requirements of this Plan;
- The rehabilitation of structures must provide for any necessary expansion of public improvements, facilities and utilities;
- The rehabilitation of structures must conform to design standards and landscaping requirements as may be set by design guidelines;
- The rehabilitation of structures shall not interfere with or deter the Agency's authority to assemble and develop areas in accordance with this Plan;
- The Agency may adopt property rehabilitation standards for the rehabilitation of properties in the Project Area;

-- The Agency shall not assist in the rehabilitation or conservation of properties for which, in the Agency's opinion, rehabilitation or conservation is not economically and/or structurally feasible.

2. (Sec. 625) Moving of Structures

As necessary in carrying out this Plan, the Agency is authorized to move or cause to be moved any standard structure or building, or any structure or building which can be rehabilitated, to a location within or outside the Project Area.

K. (Sec. 626) Property Disposition and Development

1. (Sec. 627) Real Property Disposition

a. (Sec. 628) General

For the purpose of this Plan, the Agency is authorized to sell, lease, exchange, transfer, pledge, subdivide, assign, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property. Except as permitted by law, no real or personal property owned by the Agency, or any interest therein, shall be sold or leased to a private person for an amount less than its fair value for uses in accordance with the Redevelopment Plan and the covenants and controls recorded against the property by the Agency.

The Agency is authorized to dispose of real property by leases or sales by negotiation without public bidding, but only after public hearing as required by law.

All real property acquired by the Agency in the Project Area shall be sold or leased to persons or entities for development for the uses permitted in the Plan. Real property may be conveyed by the Agency to the City, as permitted by law, or any other public body without charge or for an amount less than fair market value. Such conveyances shall be subject to the provisions of participation agreements.

The Agency shall reserve powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to insure that development is carried out pursuant to this Plan.

All property purchased, leased and/or transferred shall be obligated to use the

property for the purposes designated by this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, to maintain the property to at least a minimum standard determined by the Agency, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

In the manner required and to the extent permitted by law, before any property of the Agency acquired in whole or in part, directly or indirectly, with tax increment monies is sold transferred or leased for development pursuant to this Plan, such sale, transfer, lease or other disposition shall first be approved by the City Council after a public hearing held in accordance with the provisions of Health and Safety Code, Section 33433.

b. (Sec. 629) Disposition and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased or conveyed by the Agency, as well as all property subject to participation agreements, is subject to the provisions of this Plan as well as any adopted design guidelines or other conditions imposed by the Agency through leases, deeds, contracts, agreements and declarations of restrictions, which may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this Plan.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, martial status, sexual preference, religion, national origin, or ancestry, in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of property in the Project Area. All property sold, leased, conveyed or subject to a participation agreement shall be made expressly subject by appropriate documents to the restriction that all deeds, leases or contracts for the sale, lease, sublease or other transfer of land in the Project Area shall contain such nondiscrimination and non-segregation clauses as are required by law, including Health and Safety Code Section 33436.

c. (Sec. 630) Development of Publicly Owned Improvements

To the greatest extent now or hereafter permitted by law, the Agency is authorized to pay for, develop or construct or otherwise assist any building, facility, structure or other improvement, either within or outside the Project Area, for itself or any public body or entity to the extent that such improvement would be of benefit to the Project Area and no other reasonable means of financing of such improvements are available to the community.

The Agency is authorized to financially and otherwise assist any public entity in the cost of public land, buildings, facilities, structures or other improvements within or outside the Project Area to the extent permitted by law.

During the period of development in the Project Area, the Agency shall insure that all provisions of this Plan and other documents formulated pursuant to this Plan are being observed, and that development of the Project Area is proceeding in accordance with development documents and time schedules.

All development must conform to this Plan and all applicable federal, state and local laws, including without limitation the City's zoning, building, environmental and other land use developments standards. Developments must conform to design guidelines established by the Agency.

2. (Sec. 631) Personal Property Disposition

For the purpose of this Plan, the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber or otherwise dispose of personal property which is acquired by the Agency. Such actions should directly benefit the Project Area.

L. (Sec. 632) Provision for Low and Moderate Income Housing

1. (Sec. 633) Definition of Terms

The terms "affordable rent," "replacement dwelling unit," "persons and families of low or moderate income" and "very low income households" as used herein shall have the meanings as defined by Redevelopment Law and other State and local laws and regulations pertaining thereto.

2. (Sec. 634) Authority Generally

The Agency may, inside or outside the Project Area, acquire a land, donate land, improve sites, or construct or rehabilitate structures in order to provide housing for persons and families of low or moderate income. Agency may issue bonds or take other actions so as to encourage the intent of section 33740 of the Redevelopment Law. Limited Equity Housing Cooperatives shall be encouraged to provide for home ownership by low and moderate persons. The Agency may also provide subsidies to, or for the benefit of, such persons and families or households to assist them in obtaining housing within the City. The Agency shall not concentrate housing for low or moderate income persons within the Project Area so as to cause an unbalanced community.

3. (Sec. 635) Increased and Improved Supply

Pursuant to Section 33334.2 of Redevelopment Law, not less than twenty percent

(20%) of all taxes which are allocated to the Agency pursuant to subdivision (b) of Section 33670 of Redevelopment Law shall be used by the Agency for the purposes of increasing and improving the City's supply of low and moderate income housing available at affordable housing cost to persons and families of moderate, low and very low income households on balanced basis throughout the total community.

The housing strategies of the Agency shall consist of: increasing home ownership in the Project Area, providing larger units for large families, encouraging neighborhood self-help housing, assisting the formation and ownership conversion of limited equity cooperative housing, ensuring the health and safety of residents, rehabilitating existing housing, providing affordable housing for senior citizens and building a new stock of affordable housing to replace dilapidated, older housing and creating a balanced community.

The Agency is required pursuant to Redevelopment Law, Section 33334.2 to create a separate segregated Low and Moderate Income Housing Fund for any tax increment revenues set aside for low and moderate income housing.

The Housing Fund will serve to increase and improve the supply of low and moderate income housing. In carrying out the purposes of this Section the Agency may exercise any or all of its powers, including, but not limited to, the following:

- a. acquire land or building sites;
- b. improve land or building sites with on-site or off-site improvements;
- c. donate land to private, public or nonprofit persons, corporations or entities;
- d. provide working capital, technical assistance or other assistance to public or non-profit entities for the purpose of increasing and improving the supply of affordable housing pursuant to this Plan;
- e. construct buildings or structures;
- f. acquire buildings or structures;
- g. assist the creation of limited equity cooperatives;
- h. provide subsidies to or for the benefit of persons or families of very low, low or moderate income;
- i. develop plans, pay principal and interest on bonds, loans, advances or other indebtedness, or pay financing or carrying charges;

- j. pay a portion of the principal and interest on bonds issued to finance low and moderate income housing; and
- k. preserve subsidized housing subject to conversion to market rate rental.

The Agency may use these funds to meet, in whole or in part, the replacement housing provisions. These funds may be used inside or outside the Project Area provided that funds may be used outside the Project Area if findings are made, concerning the Project Area, as required by Section 33334.2 et seq. of Redevelopment Law.

3. (Sec. 636) Replacement Housing

To the extent required by Health and Safety Code Section 33413 and 33413.5, whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low and moderate income housing market as part of a redevelopment project which is subject to a written agreement with the Agency or where financial assistance has been provided by the Agency, the Agency shall, within three or four years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed for rental or sale to persons and families of low or moderate income an equal number of replacement dwelling units at affordable housing costs as defined by Section 50052.5 of the Health & Safety Code, within the City of San Diego. To the extent required by law, seventy-five percent (75%) of the replacement dwelling units shall replace dwelling units available at affordable housing cost to the same income level of very low income households, lower income households and persons and families of low and moderate income as the persons displaced from those destroyed or removed units.

4. (Sec. 637) New or Rehabilitated Dwelling Units Developed Within the Project Area

To the extent required by Health and Safety Code Sections 33334.2, 33413 and 33413.5, at least thirty percent (30%) of all new or rehabilitated dwelling units developed by the Agency shall be for persons and families of low and moderate income; and of such thirty percent (30%), not less than fifty percent (50%) thereof shall be for very low income households. At least fifteen percent (15%) of all new or rehabilitated units developed within the Project Area by public or private entities or persons other than the Agency shall be for persons and families of low and moderate income; and of such fifteen percent (15%), not less than forty percent (40%) thereof shall be for very low income households. The percentage requirements set forth in this Section shall apply in the aggregate to housing in the Project Area and not to each individual case of rehabilitation,

development or construction of dwelling units.

The Agency shall require, by contract or other appropriate means, that whenever any low and moderate income housing units are developed within the Project Area, such units shall be made available on a priority basis for rent or purchase, whichever the case may be, to persons and families of low and moderate income displaced by the Project; provided, however, that failure to give such priority shall not affect the validity of title to the real property upon which such housing units have been developed. New or rehabilitated dwelling units developed within the Project Area shall conform to the Project Area design guidelines.

5. (Sec. 638) Duration of Dwelling Unit Availability

The Agency shall require that the aggregate number of dwelling units rehabilitated, developed or constructed pursuant to Sections 636 and 637 of this Plan remain available at affordable housing cost to persons and families of moderate, low and very low income to the extent and for the period(s) required by Health and Safety Code, Section 33413.

VII. (Sec. 700) USES PERMITTED IN THE PROJECT AREA

A. (Sec. 701) Redevelopment Plan Land Uses

The "Land Use Map", attached hereto as Exhibit D and incorporated herein by reference, sets forth the proposed public rights-of-way and land uses to be permitted in the Project Area. Except as inconsistent with the Plan, all development shall conform to the requirements of applicable State statutes and local codes as they now exist or are hereafter amended. Without limiting the foregoing, development in the Project Area shall comply with the regulations and standards contained in the Mid-City Communities Planned District Ordinance. The land uses permitted in each portion of the Project Area, as illustrated on the Land Use Map, and as further refined by the regulations, standards, and exceptions in the Mid-City Community Plan and the Mid-City Communities Planned District Ordinance, shall be as follows:

1. Residential: In the areas shown on the Land Use Map as "Residential", the general development pattern will be residential uses at a small scale and at medium density with small single-family and apartment units predominating. Revitalization of the existing housing in the Project Area will be emphasized. Infill housing and replacement of substandard housing will be permitted where compatible with the neighborhood character. In order to meet the current existing deficiencies by General Plan Standards and to carry out the projects proposed by this Plan, commercial, residential and industrial property may be converted to school, park, and other

public uses.

2. Commercial: In the areas shown on the Land Use Map as "Commercial", the emphasis will be on retail, service and office uses which serve the residents of the Project Area and local community. Neighborhood-oriented commercial uses will be focused in nodes of various scales, accessible to local residents. Specialty commercial centers will be located at some major intersections. Offices will also be encouraged in concentrations in a manner coordinated with the retail and service commercial nodes. Residential uses are allowed throughout the area designated as Commercial. Residential uses at densities higher than the prevailing neighborhood pattern may be permitted in mixed-use nodes, when compatible with adjacent housing. In order to meet the current existing deficiencies by General Plan standards and to carry out the projects proposed by this Plan, Agency is authorized to change commercial, residential, open space and industrial land uses to school, park, and other public uses.
3. Industrial: In the area shown on the Land Use Map as "Industrial", residential use is permitted, and commercial retail, service, and/or office may be allowed if compatible with adjacent residential neighborhoods, and when developed with adequate access. In order to meet the current existing deficiencies by General Plan standards and to carry out the projects proposed by this Plan, commercial and residential property may be converted to school, park, and other public uses. Agency is authorized to change commercial, residential, open space and industrial land uses to school, park, and other public uses.
4. Parks: Existing parks are designated as such on the Land Use Map, and will be retained. Additional parks will be provided in the Project Area as described under "Park and Recreation Projects" in the Public Facilities Projects List (Exhibit C) of this Plan.
5. Open Space: In the area shown on the Land Use Map as "Open Space", the landform of the canyons and slopes will be preserved and the canyons and slopes will be retained as open space except for public facilities approved by the Agency for recreational or educational purposes. Public access may be provided as appropriate. Open space areas may be improved and landforms changed so as to compliment or encourage the creation of parks, schools or other public facilities. Agency is authorized to change commercial, residential, open space and industrial land uses to school, park, and other public uses.
6. Institutional and Public Land Uses: This Plan calls for the construction, rehabilitation, and possible relocation of public facilities. When necessary and appropriate, the underlying zoning of such properties will change to be compatible with the zoning existing for adjacent properties. Agency is authorized to change commercial, residential, open space and industrial land uses to school, park, and other public uses.

7. Route 15: The State of California Department of Transportation (CALTRANS) plans to construct a major highway or freeway with a north/south alignment centered between 40th Street and Central Avenue. Final designs for this major project have not been completed; but plans currently under consideration would require street closures, major fillings of natural features, creation of parks and open space, and changes to current land uses. Construction would result in public facilities and commercial or mixed uses within the air and ramp spaces of the roadway. CALTRANS current plan calls for cul-de-sacs on Central, Terrace, and 40th. The City Council's intention, if financially feasible, is to create a redevelopment mixed use town center with partial clover leaf ramps at University and El Cajon Blvd. Schematic diagrams for these current proposals are presented in Exhibits E and F. Agency shall be permitted to take such actions as are necessary to carry out these projects. Nothing herein shall limit the City and the Agency from formulating, approving, and implementing revised plans for the development of the area referred to in this paragraph, as necessary or appropriate to carry out this Plan.

B. (Sec. 702) Public Uses

1. (Sec. 703) Public Rights of Way

The street layout in the Project Area, as illustrated on the Land Use Map (Exhibit D), shall remain substantially in its existing configuration but completion of the Route 15 highway project, presented in Exhibits E and F, will require changes to the current street and public right of way configuration. Route 15, streets and alleys may be widened, altered, realigned, abandoned, depressed, decked, cul-de-saced, or closed as necessary for proper development of the Project. Additional public streets, rights-of-way and easements may be created in the Project Area as needed for development. Any changes in the existing street layout shall be in accordance with the General Plan and Progress Guide, the Mid-City Community Plan, and the goals and objectives of this Plan, shall be effectuated in the manner prescribed by state and local law, and shall be guided by the following criteria:

- a. A balancing of the needs of any proposed and potential new, rehabilitated, or remodeled developments for adequate pedestrian and vehicular access, vehicular parking and delivery loading docks with the similar needs of existing developments permitted to remain;
- b. The requirements imposed by such factors as topography, traffic safety and aesthetics; and
- c. The potential need to serve not only the Project Area and new or existing developments, but to also serve areas outside the Project Area by providing convenient and efficient vehicular access and movement.

It is contemplated that the Agency will construct, or aid in the construction of, certain highways or freeways, or certain streets designated in the Plan which are now constructed or which may require further widening, narrowing, diverting, terminating or any other engineering improvement. It is contemplated that the Agency will aid in the construction of public transit facilities, including transit guideways. Public transit facilities shall also be developed in the Project Area in accordance with the City's General Plan and Progress Guide and Zoning Ordinance and coordinated with the adopted transit plans of the Metropolitan Transit Development Board or other for-profit or non-profit organizations which could provide transportation facilities within the Project Area.

Public rights-of-way within the Project Area may be used for vehicular and/or pedestrian traffic, as well as for public improvements, private development, public and private activities that may be placed in public rights-of-way. In addition, all necessary easements for public uses, public facilities and public utilities or other public benefit uses may be retained or erected.

The air rights over public rights-of-way may be used for private uses, buildings, platforms, decks and other uses subject to Agency approval. The public rights-of-way may further be used for transportation systems, public and private utilities, and activities typically found in public rights-of-way.

2. (Sec. 704) Other Public Uses

Parking, open space, public and semi-public uses may be interspersed with other uses in any area. Such uses must conform to Project Area design guidelines.

C. (Sec. 705) Other Public, Semi-Public Institutional and Nonprofit uses

In any area the Agency is authorized to permit the maintenance, establishment or enlargement of public, semi-public, institutional or nonprofit uses, including park and recreational facilities, parking facilities, libraries, educational, fraternal, employee, philanthropic, religious and charitable institutions, utilities, multi-modal transit facilities, and facilities of other similar purposes, associations or organizations. All such uses shall conform so far as possible to the provisions of this Plan applicable to the uses in the specific area involved. The Agency may impose such other reasonable restrictions as are necessary to protect the development and uses in the Project Area as provided in Sections 725 and 726. Such uses shall comply with area design guidelines unless specifically exempted on a project basis as provided under existing State Codes.

D. (Sec. 706) Private Uses

All real property in the Project Area is hereby made subject to the controls and

requirements of this Plan. No real property shall be developed, rehabilitated or otherwise changed after the date of the adoption of the Plan, except in conformance with the provisions of this Plan. The Agency reserves the right to condition any development which requires a building permit with such conditions as to make the proposed development consistent with the overall purposes of this plan. The Agency shall generally encourage the expansion and improvement of private uses which provide employment opportunities for Project Area residents, provide basic goods and services for Project Area residents, are generally compatible with the goals, objectives and projects list of this Plan and contribute positively to the health, safety and general welfare of residents of the Project Area and the community.

E. (Sec. 707) General Controls and Limitations

In any area of the Project Area, the Agency is authorized to permit the maintenance, establishment or enlargement of commercial, residential or other private uses which conform to the provisions of this Plan. Private uses allowed shall generally be those uses allowed by the City General Plan and Progress Guide, the City Zoning Ordinance, the Mid-City Community Plan and the Mid-City Communities Planned District Ordinance, as amended from time to time as provided in sections 725 and 726. It is anticipated that the Agency and/or City subsequent to CALTRANS adoption of a final Route 15 highway design, will need to conduct detailed studies of the Project Area transportation and environmental effects thereof in the Project Area. The effects of construction of this roadway, although beyond the control of the Agency, may require modification to local land use plans. Agency shall be permitted to conduct studies of traffic, transportation and land use as necessary to carry out the projects proposed by this Plan.

1. (Sec. 708) New Construction

Except as otherwise permitted or required by the Agency all new construction shall comply with all applicable State and local laws in effect from time to time, including without limitation the Building, Electrical, Heating and Ventilating, Housing and Plumbing Codes of the City and City Zoning Ordinance. Projects must conform to the Project Area design guidelines.

Off-street parking spaces and loading facilities shall be designated to comply with the City's Zoning Ordinance, as amended from time to time. The number of off-street parking spaces required shall be regulated by the City's Zoning Ordinance. All off-street parking spaces and loading areas shall be paved and lighted in accordance with the City's Zoning Ordinance, as amended from time to time. Subsidized housing units shall comply with the same parking requirements as non-subsidized units unless an exemption is granted by Agency. Subsidized units shall include units created with density bonus programs or under local, state or federal subsidizes.

2. (Sec. 709) Existing Nonconforming Uses

Subject to the requirements of the Municipal Code, existing nonconforming uses may remain in an existing building, until destroyed or otherwise altered under the municipal code requirements, provided that: such uses are generally compatible with the developments and uses in the Project Area; the uses are in good condition; and abatement of such uses is not required by applicable City codes. The owner of such property shall be required to enter into a participation agreement to record a covenant of restriction against the property and agree to the imposition of such reasonable restrictions as may be necessary to protect the community's development and uses in the Project Area.

The Agency may, but shall not be required to, authorize additions, alterations,

repairs or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project where, in the determination of the Agency, such improvements would be compatible with surrounding uses and development and are permitted under applicable City codes and design guidelines.

3. (Sec. 710) Buildings of Historic Significance

Prior to any development, redevelopment or rehabilitation of any parcel within the Project Area, the Agency will determine whether the structure located on such parcel is of historic significance. To the extent practical, special consideration will be given to the protection, rehabilitation or restoration of any structure determined to be historically significant.

4. (Sec. 711) Limitations on the Number of Buildings

The number of buildings in the Project Area shall not exceed fifteen thousand (15,000). The approximate number of dwelling units in the Project Area will be thirty-six thousand three hundred fifty (36,350).

5. (Sec. 712) Limitation of Type, Size and Height of Buildings

Except as set forth in this Plan, the type, size and heights of buildings shall be limited by applicable state statutes and local codes and ordinances. Without limiting the foregoing, development in the Project Area shall comply with the regulations and standards contained in the Mid-City Planned District Ordinance and Project Area design guidelines. The type, size and height of buildings shall be as follows:

- a. A range of low- and mid-rise residential structures shall be permitted within the areas designated for Residential use on the Land Use Map (Exhibit D);
- b. A range of low- and mid-rise retail, service and office commercial, and residential structures shall be permitted within the areas designated for

- Commercial use on the Land Use Map (Exhibit D); and
- c. A range of low- and mid-rise residential, commercial retail, service and/or office structures shall be permitted within the area designated for Industrial Use on the Land Use Map (Exhibit D).

6. (Sec. 713) Open Space and Landscaping

The approximate amount of open space to be provided in the Project Area is the total of all areas which will be in the public rights-of-way, the public grounds, the space around buildings and all other outdoor areas not permitted through limits on land to be covered by buildings as permitted by this Plan. This amount includes open space to be provided as described under "Park and Recreation Projects" in the Public Facilities Projects List (Exhibit C). All new public and private development and redevelopment may be required to provide landscaping and landscaped open space. All new public and private development and redevelopment shall be required to conform to the City Landscape Ordinance, Municipal Code, Sections 101.0 through 101.0701 through 101.0714, and the City Landscape Technical Manual as they may be amended from time to time. City and Agency officials and regulatory bodies shall review and approve all open space and landscape plans and designs prior to construction or rehabilitation. In no case shall increased land coverage be permitted unless Project Area design guidelines and a plan for Agency activities are in place to address and remedy current deficiencies in open space and park land within the Project Area.

7. (Sec. 714) Land Coverage

Land coverage by structures in the Project Area shall not exceed the land coverage permitted by the City Zoning Ordinance, as amended from time to time, and as provided in Sections 725 and 726.

8. (Sec. 715) Light, Air and Privacy

In all areas of the Project Area, sufficient space shall be maintained between buildings and improvements to provide adequate light, air and privacy. Consistent with Project Area design guidelines, adequate landscaping, screening, open space and traffic control measures shall be provided to create a buffer between those areas designated for residential use and those areas designated for commercial uses.

9. (Sec. 716) Signs

All signs shall be subject to the provisions of the Municipal Code, as amended from time to time. Non-conforming signs including billboards shall be phased out so as to eliminate visual blight under Project Area design guidelines. The Agency shall require that, prior to installation, the design of proposed new signs shall be

submitted to the Agency and/or City for review and approval pursuant to the policies and procedures permitted by this Plan. New signs must contribute to a reduction in sign blight currently existing in the Project Area. Signs shall include all forms of outdoor advertising including billboards, transit shelters and bus benches.

10. (Sec. 717) Utilities

The Agency shall require that all utilities be placed underground when physically and economically feasible. All structures built or rehabilitated after adoption of the plan shall be required to encourage and accommodate the economical undergrounding of utilities.

11. (Sec. 718) Parking and Loading Facilities

Parking shall be provided in a manner consistent with standards for contemporary development practices, but in no case shall parking be less than the requirements of City plans, codes and ordinances. No parking shall be located in a setback area except with prior written approval of the Agency. Parking spaces shall be paved and drained so that the storm and surface waters will not pond or obstruct public sidewalks. Screening and landscaping shall be incorporated into off-street parking facilities as appropriate to prevent unsightly or barren appearance.

Off-street loading facilities for commercial and industrial uses shall be located in a manner to avoid interference with public use of sidewalks and in conformance with City codes and ordinances. The Agency shall also establish screening and landscaping standards for off-street loading areas. Parking and loading facilities shall be included in the Project Area design guidelines.

12. (Sec. 719) Resubdivision of Parcels

No parcel in the Project Area, including any parcel retained by a participant, shall be subdivided without the approval of the Agency and/or City.

13. (Sec. 720) Incompatible Uses

No use, or structure which by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors would be incompatible with the surrounding areas or structures, shall be permitted in any part of the Project Area. Within the Project Area, except with the approval of the Agency, there shall be no extraction of oil, gas or any other mineral substance, nor any opening or penetration for any purpose connected therewith within 500 feet of the surface.

14. (Sec. 721) Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses not in conformity with the uses permitted in this Plan. Interim uses for periods in excess of one year must be reviewed by the Agency.

15. (Sec. 722) Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based upon race, color, creed, sex, marital status, sexual preference, religion, national origin, or ancestry permitted in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area.

16. (Sec. 723) Employees and Trainees from the Community

Contractors and others engaged in construction and rehabilitation activities in the Project Area shall be encouraged to hire and train the maximum number of employees and trainees from among residents of the Project Area, consistent with the goals and objectives of this Plan. The Agency may assist in the coordination of training and job placement of local Project Area residents and may assist with the establishment of vocational training and employment placement programs in the Project Area.

17. (Sec. 724) Minor Variations

The Agency is authorized to permit minor variations from the limits, restrictions and controls established by this Plan. To permit such variation, the Agency must determine that:

- (1) The application of certain provisions of the Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan; or
- (2) There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions and controls; and
- (3) Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and
- (4) Permitting a variation will not be contrary to the objectives of the Plan or of the general Plan and Progress Guide of the City.

In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public health, safety, and welfare, and to assure compliance with the purpose of the Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under City codes and ordinances nor the Project Area design guidelines.

18. (Sec. 725) Consistency with Community Plans and Zoning Ordinances

All development within the Project Areas shall be consistent with the Zoning Ordinance and the Community Plans or its successors. Nothing in this section shall inhibit implementation of the Project Area design guidelines.

Within the limits, restrictions, and controls established in the Plan, the Agency is authorized to establish traffic circulation, traffic access, and other development controls necessary for proper development of both private and public areas within the Project Area.

New improvements in this area shall be reviewed in accordance with all of the City's zoning, building, planning and environmental ordinances, rules, regulations and requirements. The Agency's review and approval of development within the Project Area shall be undertaken in accordance with guidelines and procedures adopted from time to time by the Agency. After adoption of this Plan, the Agency shall diligently proceed to carry out a comprehensive transportation and urban design study which will result in Project Area design guidelines.

G. (Sec. 726) Building Permits

No permit shall be issued for the construction of any new building or for any construction on an existing building in the Project Area from the date of adoption of this Plan until the application for such permit has been processed and, in the case of property which is the subject of a disposition and development or participation agreement with the Agency and any other property in the discretion of the Agency Board, unless and until the application for such permit has been approved by the chief executive officer or his/her designee. Any such permit that is issued must be in conformance with the provisions of this Plan and any applicable disposition and development agreement or participation agreement.

Within the limits, restrictions, and controls established in the Plan, the Agency is authorized to establish traffic circulation, traffic access, and other development controls necessary for proper development of both private and public areas within the Project Area.

New improvements in this area shall be reviewed in accordance with all of the City's zoning, building, planning and environmental ordinances, rules, regulations and

requirements. The Agency's review and approval of development within the Project Area shall be undertaken in accordance with guidelines and procedures adopted from time to time by the Agency. Agency guidelines shall define the types of projects and/or plans that will be reviewed by the Agency Board or delegated to the Executive Director (or his/her designee).

No permits shall be issued for the construction of any new building or any addition to or rehabilitation of an existing building in the Project Area until the application for such permit has been processed in the manner provided. Any permit issued hereunder must be in conformance with the provisions and intent of this Plan.

Upon receipt of such an application, the City shall request the Agency to review the application to determine what effect, if any, the issuance thereof would have upon the Plan for the Project. Within forty-five (45) days thereafter, the Agency shall notify the City of its approval or disapproval, taking into consideration the following:

- A. Whether the applicant has entered into an agreement with the Agency for the development of said improvements and has previously submitted the architectural, landscape and site plans to the Agency; and
- B. Whether the proposed improvements would be compatible with the standards and requirements set forth in the Plan; and
- C. Whether modifications, if any, in the proposed improvements would be necessary in order to meet the requirements of the Plan.

The City shall withhold the issuance of the permit if the proposed improvements do not meet the requirements of the Plan as determined by the Agency.

No new improvement shall be constructed and no existing improvement shall be substantially altered, repaired or rehabilitated except in accordance with architectural, landscape and site plans submitted to and approved in writing by the Agency.

H. (Sec. 727) Implementation Strategies

After adoption of this Plan, and from time to time during the period of the Plan, the Agency shall proceed with reasonable diligence to identify strategies obtained through public input for implementation, which may include more specific plans and programs, and which shall include geographical and topical focus areas. Without limiting its ability to initiate and respond to opportunities and to revise the focus of its activities as circumstances warrant, the Agency shall emphasize the use of implementing actions, including those set forth in Section 600 of this Plan, in the identified topical and geographical areas as necessary and appropriate to make the most efficient use of its resources, and so that the impact of its activities stimulate private redevelopment.

The Agency's review and approval of development within the Project Area shall be undertaken in accordance with guidelines and procedures adopted from time to time by Agency.

VIII. (Sec. 800) METHODS FOR FINANCING THE PROJECT.

A. (Sec. 801) General Description of Proposed Financing Methods

Upon adoption of this Plan by the City Council, the Agency is authorized to finance the Project with property tax increments, interest income, Agency bonds, loans from private institutions, donations, proceeds from the sale or lease of property, financial assistance from the City, County, State of California, Federal Government, or any other public agency or any other legally available source.

The City may, in accordance with the law, make advances and expend money as necessary to assist the Agency in carrying out this Project. Such assistance shall be on terms established by an agreement between the City and the Agency.

As available, gas tax funds from the State of California and the County will be used for the street improvements and public transportation facilities. A portion of the parking, landscape, and lighting facilities may be installed through a parking, lighting or landscape authority or other public or private entities. As available, federal loans and grants will be used to finance portions of Project costs. Available transient occupancy tax and other locally imposed taxes, local and regional development impact fees may be used to finance public facilities project costs.

The Agency is authorized to issue bonds if appropriate and feasible in an amount sufficient to finance all or any part of the Project.

The Agency is authorized to obtain advances, borrow funds and create indebtedness in carrying out this Plan. The principal and interest on such advances, funds, and indebtedness may be paid from tax increments or any other funds available to the Agency.

The Agency is authorized to finance this Project with financial assistance from the City, State and federal government of the United States of America, property tax increments, special assessment districts, sales and transient tax funds, donations, interest income, Agency bonds, mortgage loans from private financial institutions, the lease of Agency-owned property, sale of Agency-owned property, and/or any other available source.

As available, funds from the City's capital improvement program derived from gas tax funds from the state and county may be used for street improvements and public transit facilities. The Agency may enter into joint powers authorities and other mechanisms for

cooperative development of public facilities or arrange for other public entities to provide the facilities.

It is estimated that the total Project cost to the Agency will not exceed revenues derived from the Project or obtained by the Agency on behalf of the Project. Revenues will be received from the sale of land. The remaining balance will come from the following: tax increments, revenue from the lease of Agency-owned lands and buildings, participation agreements, repayments of loans and interest earned thereon, capital improvement funds from the City, sales and transient occupancy tax funds, and other special use taxes and other sources which are now or may become available to the Agency.

B. (Sec. 802) Tax Increments

All taxes levied upon taxable property within the Project Area each year by or for the benefit of the State of California, County of San Diego, City of San Diego, any district, or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving this Plan, shall be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Redevelopment Project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of the ordinance approving this Plan, shall be allocated to and when collected shall be paid to the respective taxing agencies as taxes by or for the taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory of the Project on the effective date of the ordinance but to which that territory is annexed or otherwise included after that effective date, the assessment roll last equalized on the effective date of the ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and
2. Except as provided in paragraphs (3) and (4) below, that portion of the levied taxes each year in excess of that amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on bonds, loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Project. Unless and until the total assessed value of the taxable property in the Project exceeds the total assessed value of the taxable property in the Project as shown by the last equalized assessment roll referred to above, all of the taxes levied and collected upon the taxable property in the Project shall be paid the respective

taxing agencies. When the bonds, loans, advances and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

3. That portion of the taxes identified in paragraph (2) above, which are attributable to a tax rate levied by any of said taxing agencies for the purpose of providing revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness for the acquisition or improvement of real property shall be allocated to, and when collected shall be paid into, the fund of that taxing agency. This paragraph shall only apply to taxes levied to repay bonded indebtedness approved by the voters of said taxing agency or agencies on or after January 1, 1989.

4. That portion of tax revenues allocated to the Agency pursuant to paragraph (2) above

which is attributable to increases in the rate of tax imposed for the benefit of any affected taxing agency whose levy occurs after the tax year in which the ordinance adopting this plan becomes effective, shall be allocated to such affected taxing agency to the extent the affected taxing agency has elected in the manner required by law to receive such allocation.

Any advanced moneys are hereby irrevocably pledged for the payment of the principal of and interest on the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part.

The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the Project.

Taxes shall be allocated and paid to the Agency consistent with the provisions of this Plan only to pay the program administration, principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the Redevelopment Project.

5. Tax increment funds may be made available to non-profit organizations and to encourage limited equity cooperatives as provided by Sections 33413.7 and 33740 et seq. of Redevelopment Law.
6. The total number of dollars of taxes which may be divided and allocated to the Agency for the Project pursuant to this Section 802 shall not exceed one billion, four hundred seventy-six million dollars (\$1,476,000,000), except by amendment of this Plan.
7. No loan, advance or other indebtedness to finance, in whole or in part, the Project

and to be repaid from the division and allocation of taxes to the Agency pursuant to Section 802 shall be established or incurred by the Agency after June 30, 2032, except by amendment of this Plan. No loan, advance or indebtedness to finance, in whole or in part, the Project and which is to be repaid from the division and allocation of taxes to the Agency pursuant to Section 802 shall be repaid beyond June 30, 2047, except by amendment of this Plan.

8. The amount of bonded indebtedness of the Agency to be repaid from the division and allocation of taxes to the Agency pursuant to Section 802, which may be outstanding at any one time shall not exceed four hundred ten million dollars (\$410,000,000), except by amendment of this Plan.

C. (Sec. 803) Other Loans and Grants

Any other loans, grants, guarantees or financial assistance from the United States or any other public or private source will be utilized if available as appropriate in carrying out the Project. The Projects proposed in Attachment C generally assume companion funding from other sources.

I X. (Sec. 900) ACTIONS BY THE CITY

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Action by the City may include but not be limited to, the following:

A. (Sec. 901) Proceedings for Public Right-of-ways

Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-ways, and for other necessary modifications of the streets, the street layout, and other public rights-of-way in the Project Area. Such action by the City shall include the requirements of abandonment and relocation by the public utility companies of their operations in public rights-of-way as appropriate to carry out this Plan.

B. (Sec. 902) Proceedings for Utilities

Institution and completion of proceedings necessary for changes and improvements in private and publicly-owned public utilities within or affecting the Project Area.

C. (Sec. 903) Revision of Zoning

Revision of zoning within the Project Areas to permit the land uses and development authorized by this Plan.

D. (Sec. 904) Processing of Plans and Permits

Processing of plans and permits necessary for development and redevelopment projects in the Project Area.

E. (Sec. 905) Enforcement of Regulations

Enforcement of City codes, regulations and ordinances pursuant to accomplishing the goals and objectives of this Plan.

F. (Sec. 906) Coordination with Public and Private Organizations

Coordination with the Federal, State and County governments, local school and college districts, and other public and private organizations, as appropriate, to remove blighted conditions and generally improve facilities and services in the Project Area.

G. (Sec. 907) Provision of Financial Assistance

Provision of financial assistance in accordance with the provisions set forth in this Plan.

H. (Sec. 908) Performance Related to Public Health, Safety and Physical Development

Performance of the above, and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.

I. (Sec. 909) Annually Make Findings

Annually make findings by resolution concerning Project Area housing for low and moderate income persons under Sections 33334.2(a) 1, 2 and 3, if appropriate.

J. (Sec. 910) Other Proceedings Required

The undertaking and completing of any other proceedings necessary to carry out the Project.

X. (Sec. 1000) ADMINISTRATION, ENFORCEMENT AND AMENDMENT OF THE PLAN

A. (Sec. 1001) Administration and Enforcement

The administration and enforcement of this Plan or other documents implementing this Plan shall be performed by the Agency. The City Council constitutes the Agency Board. The Agency and/or City Council may designate an Operating Agency to carry out activities to implement this Plan. The activities and responsibilities of the Operating Agency would be governed by an Operating Agreement between the Agency and the Operating Agency, which would be approved by resolution or ordinance of the Agency and the board of directors of the Operating Agency. The Operating Agency board of directors should include representation by Project Area residents, Project Area business owners and community organizations operating in the Project Area.

Subject to City Council approval, the Agency, at its discretion, shall be permitted to expend funds to meet the support needs of the Project Area Committee, as long as they are in existence by local policy or law. Agency support shall be permitted as provided under Sections 33385, 33385.5, and 33388 of Redevelopment Law or as otherwise deemed appropriate and lawful by the City Council.

The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions, or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.

B. (Sec. 1002) Participation of the Project Area Committee and Area Planning Committees

The Agency shall encourage participation in the planning and review of Agency plans, policies, procedures, agreements and proposed projects and programs by the Project Area Committee, Area Planning Committees and other community organizations, provided and as long as said organizations are in existence. The Agency shall provide an opportunity, within a reasonable time period, for the Project Area Committee and Area Planning Committees to review and comment on discretionary actions pertaining to the Project prior to their consideration by the Agency Board or City Council. These actions may include, but are not limited to the following:

- a. adoption or amendment of design guidelines;
- b. adoption or amendment of a transportation plan;
- c. adoption of property management policies and procedures;
- d. adoption of property rehabilitation standards;

- e. approval of exemptions from design guidelines or property rehabilitation standards for development or rehabilitation projects;
- f. approvals to modify locations of proposed land uses, streets or easements;
- g. approval of the use of eminent domain to acquire property;
- h. approvals to exempt low or moderate income housing projects from Agency or City parking requirements;
- i. approval of owner or tenant participation agreements;
- j. approval of disposition and development agreements;
- k. approvals to dispose of Agency-owned real property for development;
- l. approval to dispose of Agency-owned real property without a public bidding;
- m. approvals of public property development plans;
- n. approvals to move or demolish structures and/or improvements;
- o. approval of replacement housing plans;
- p. determinations that property considered for development, redevelopment or rehabilitation is or is not of historic significance;
- q. approval of exploration or extraction of oil, gas or other minerals;
- r. approval of open space or landscaping plans for proposed development or redevelopment projects.

In addition, the Agency shall provide an opportunity for the Project Area Committee, provided and as long as it is in existence, to review and comment on the following discretionary actions pertaining to the Project prior to consideration by the Agency Board and/or City Council:

- a. adoption or amendment of participation agreement rules and regulations;
- b. adoption or amendment of relocation assistance rules and regulations;
- c. approval of implementation and/or phasing plans;
- d. approval of agreements with taxing agencies providing for payment of funds in lieu

- of taxes or for alleviation of financial burden or detriment;
- e. approvals to finance and/or implement public improvement projects;
- f. approvals to spend Agency funds outside of the Project Area;
- g. approvals to acquire real property;
- h. approvals to sell, lease, exchange, transfer or otherwise dispose of personal property;
- i. approval of annual budgets for the Project.

In addition, the Agency shall provide an opportunity for Area Planning Committees(s), as appropriate by jurisdiction, provided and as long as it/they is/are in existence, to review and comment on the following discretionary actions pertaining to the Project prior to consideration by the Agency Board and/or City Council:

- a. approval of additions, alterations, repairs or other improvements for uses not in conformance with this Plan or the Mid-City Community Plan;
- b. approval of interim uses, which are not in conformance with uses permitted by this Plan, for a period longer than one year;
- c. approval of developments not in conformity with the Mid-City Community Plan;
- d. approval of amendments to the City Zoning Ordinance, Mid-City Planned District Ordinance and the Mid-City Community Plan;

Nothing in this section shall limit the Agency's ability to provide opportunities for other organizations or bodies to review and comment on proposed discretionary actions pertaining to this Project of the Agency Board or City Council.

C. (Sec. 1003) Amendments to the Plan

This Plan may be amended by means of the procedure established in Sections 33385.5, and 33450 through 33458 of the Redevelopment Law or by any other procedure hereinafter established by Law.

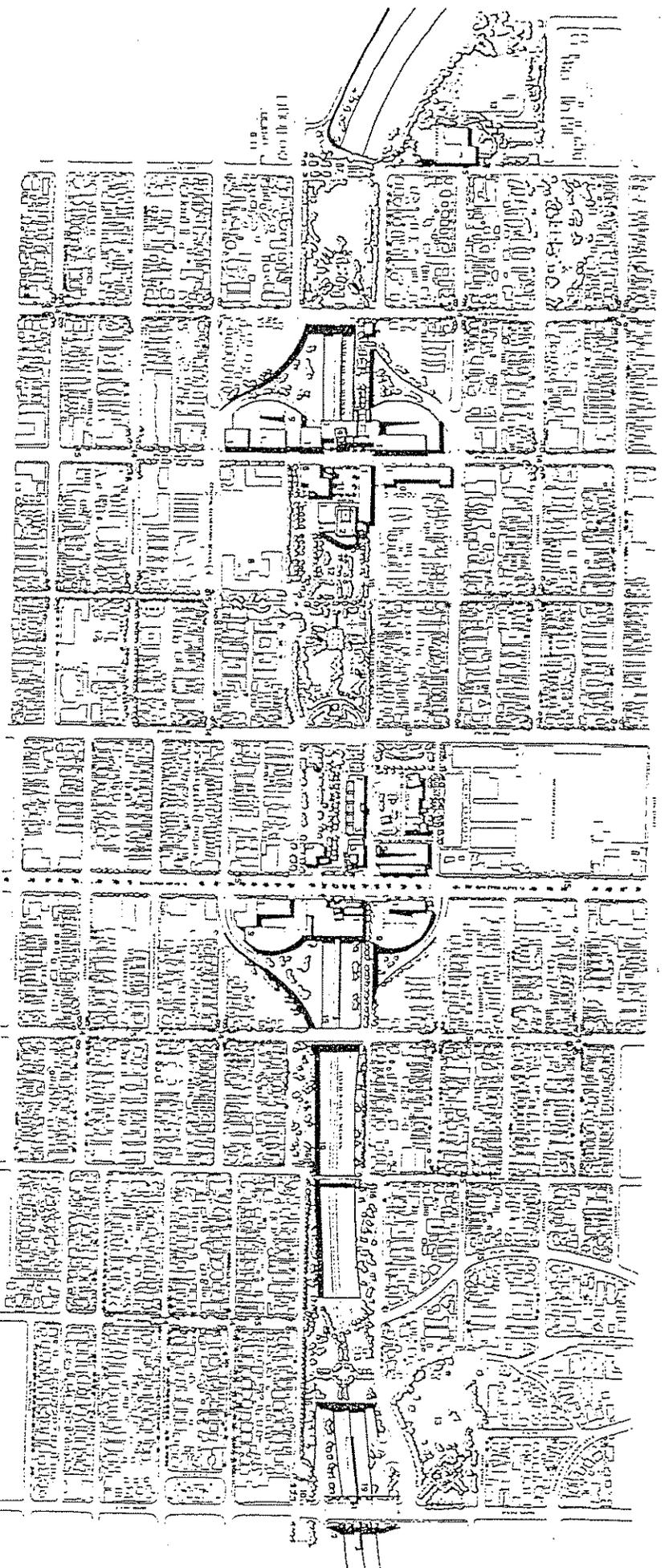
XI. (Sec. 1100) LENGTH OF THIS PLAN

Except for the nondiscrimination and nonsegregation provisions, which shall run in perpetuity, the provisions of this Plan shall be effective and the provisions of other documents formulated pursuant to this Plan may be made effective for the period ending on June 30,

2032; except that provisions in documents providing for the payment of loans, advances or other indebtedness may be made effective for any time needed for the purpose of repaying in full such loans, advances or other indebtedness, but not beyond June 30, 2047 for loans, advances or other indebtedness to be repaid from the division and allocation of taxes to the Agency pursuant to Section 802.

Attachments:

- Exhibit A. Map of the Project Area Boundary
- Exhibit B. Legal Description of the Project Area Boundary
- Exhibit C. Public Facilities Projects List
- Exhibit D. Land Use Map
- Exhibit E. CALTRANS Preliminary Schematic Route 15 Design
- Exhibit F. Visions Preliminary Schematic Route 15 Design



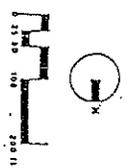
The Vision Plan illustrating proposed development and landscape improvements.

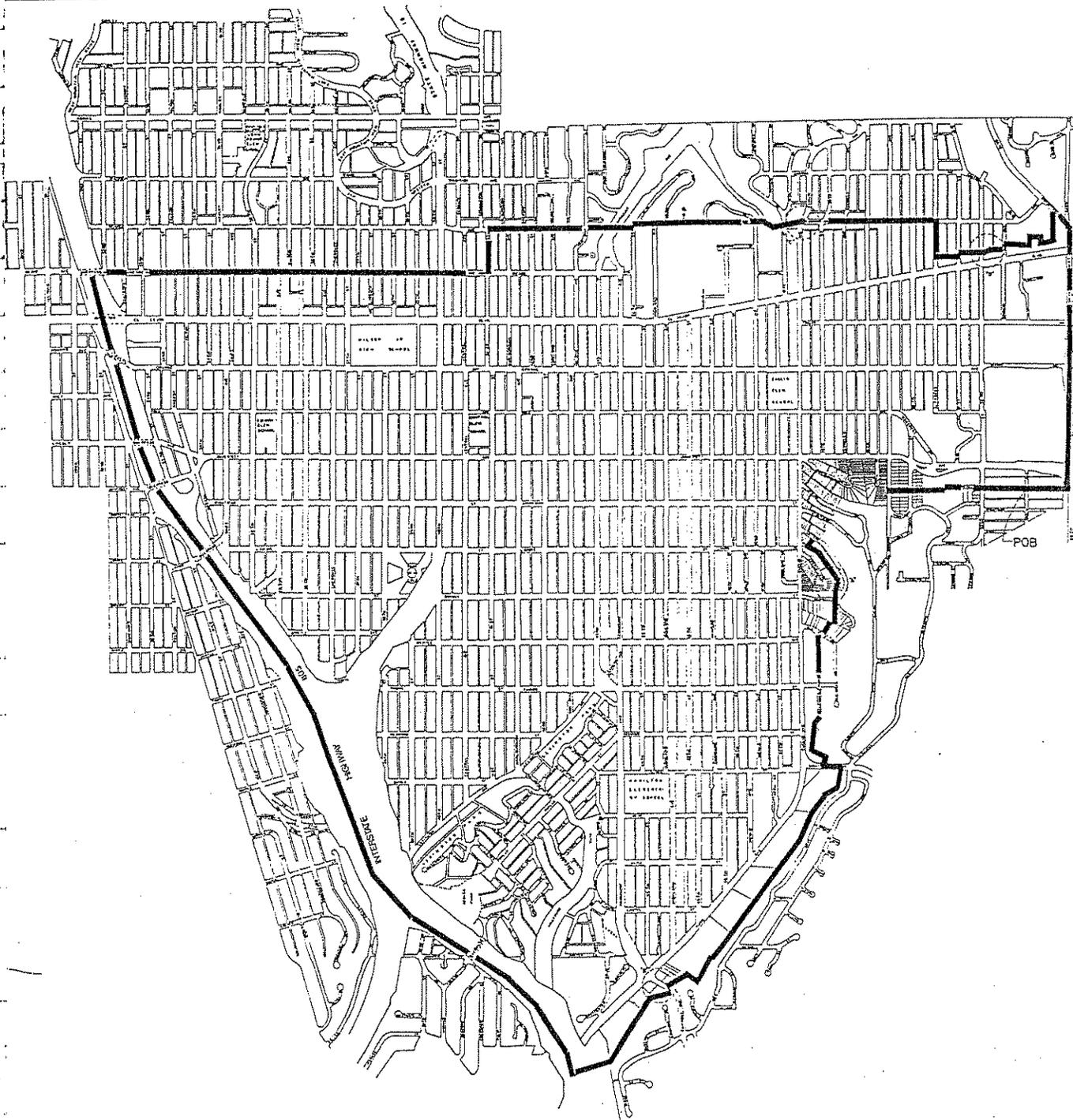
State Route 15 Visions Project

Design Concept

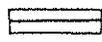
- Key**
1. Commercial/Retail
 2. Library
 3. Community College/Rec Center
 4. Transit Station
 5. Police Station
 6. Post Office
 7. Daycare Center
 8. Elementary School
 9. Parking Garage
 10. Surface Parking Lot
 11. Town Square
 12. Town Green
 13. Public Park
 14. Pocket Park
 15. Streetscape Improvements
 16. Surface Landscape Improvements
 17. Pedestrian Bridge
 18. El Cajon Center Gateway
 19. Open to Freeway Below

EXHIBIT F





City Of San Diego
CITY HEIGHTS REDEVELOPMENT PROJECT

 Project Area Boundary



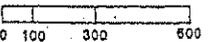
SCALE 

EXHIBIT A

LEGAL DESCRIPTION OF THE PROJECT AREA BOUNDARY **EXHIBIT B**
CITY HEIGHTS REDEVELOPMENT PROJECT

Beginning at the intersection of the centerlines of Shiloh Road and Rex Avenue which was formerly known as Arnott Avenue; thence along said centerline of Rex Avenue N87°39'48"W a distance of 645.020 feet to a point on the centerline of 52nd street which was formerly known as Lemona Avenue; thence along said centerline of 52nd street N02°30'12"E a distance of 25.350 feet to a point on the centerline of Rex Avenue which was formerly known as King Court; thence along said centerline of Rex Avenue N 87°32'48" W a distance of 454.500 feet to a point; thence S34°56'42"W a distance of 33.98 feet to a point; thence N88°54'48"W a distance of 123.520 feet to a point; thence 582°13'12" W a distance of 120.800 feet to a point; thence N 87°39'48" W a distance of 510.230 feet to a point on the centerline of Winona Avenue; thence along said centerline of Winona Avenue N02°18'12"E a distance of 154.900 feet to a point; thence N87°34'08"W a distance of 205.230 feet to a point on the westerly right-of-way line of 49th street which was formerly known as Vine Court; thence along said westerly right-of-way line of 49th street N02°25'52"E a distance of 25.000 feet to a point; thence N87°34'08"W a distance of 341.090 feet to a point on the easterly right-of-way line of Estrella Avenue which was formerly known as Acacia Drive; thence S84°21'52"W a distance of 25.000 feet to a point on the centerline of said Estrella Avenue; thence along said centerline of Estrella Avenue S05°38'08"E a distance of 50.950 feet to the beginning of a curve to the right; thence continuing along said centerline of Estrella Avenue southwesterly along said curve to the right of radius 48.970 feet and central angle of 123°41'00" a distance of 105.711 feet to a point on the centerline of Reno Drive which was formerly known as Acacia Drive; thence along said centerline of Reno Drive N61°57'08"W a distance of 457.730 feet to the beginning of curve to the right; thence continuing along said centerline of Reno Drive northwesterly along said curve to the right of radius 174.670 feet and central angle of 11°02'20.6" a distance of 33.653 feet to a point; thence S39°05'12.6"W a distance of 25.000 feet to a point on the southerly right-of-way of said Reno Drive; thence S37°25'52"W a distance of 251.450 feet to a point on the northerly right-of-way line of Auburn Drive; thence along said northerly right-of-way line of Auburn Drive S45°54'08"E a distance of 131.543 feet to a point; thence S44°05'52"W a distance of 50.000 feet to a point on the southerly right-of-way line of said Auburn Drive; thence S27°35'52"W a distance of 111.005 feet to a point; thence S55°01'08"E a distance of 88.235 feet to a point; thence S37°35'52"W a distance of 96.510 feet to a point on the northerly right-of-way line of Wightman Street which was formerly known as South Auburn Drive, said point lies on a curve to the right with a Local Tangent Bearing of S70°34'36.7"E; thence along said northerly right-of-way line of Wightman Street southeasterly along said curve to the right of radius 480.000 feet and central angle of 08°20'28.7" a distance of 69.88 feet to a point; thence S23°47'15"W a distance of 50.111 feet to a point on the southerly right-of-way line of said Wightman Street; thence S31°25'52"W a distance of 118.700 feet to a point; thence S58°34'08"E a distance of 50.000 feet to a point; thence S31°25'52"W a distance of 116.330 feet to a point on the northerly right-of-way line of Lantana Drive which was formerly known as Highland Avenue; thence along said northerly right-of-way line of Lantana Drive S54°34'08"E a distance of 126.690 feet to a point; thence S35°25'52"W a distance of 175.000 feet to a point; thence S54°34'08"E a distance of 140.980 feet to a point; thence S32°34'08"E a distance of 522.800 feet to a point; thence S12°51'52"W a distance of 157.770 feet to a point; thence

"A" line of State Highway 805 N18°38'34"W a distance of 1,318.361 feet to the beginning of a curve to the left; thence continuing along said "A" line of State Highway 805 northwesterly along said curve to the left of radius 8,000.000 feet and central angle of 16°06'26" a distance of 2,248.992 feet to a point; thence continuing along said "A" line of State Highway 805 N34°45'00"W a distance of 2,070.600 feet to the beginning of a curve to the right; thence continuing along said "A" line of State Highway 805 northwesterly along said curve to the right of radius 3,000.000 feet and central angle of 19°01'00" a distance of 995.710 feet to a point; thence continuing along said "A" line of State Highway 805 N15°44'00"W a distance of 2,647.143 feet to a point on the centerline of Meade Avenue which was formerly known as Olive Avenue; thence along said centerline of Meade Avenue S89°05'25"E a distance of 5,686.671 feet to a point on the centerline of 41st Street which was formerly known as Conklin Avenue; thence along said centerline of 41st Street N00°28'30"E a distance of 641.240 feet to a point on the centerline of Monroe Street; thence along said centerline of Monroe Avenue S89°32'30"E a distance of 1,496.900 feet to a point on the easterly right-of-way line of Van Dyke Avenue; thence along said easterly right-of-way line of Van Dyke Avenue S00°27'30"W a distance of 30.000 feet to a point; thence S89°32'30"E a distance of 665.420 feet to a point on the centerline of 44th street; thence along said centerline of 44th street N01°37'00"W a distance of 81.650 feet to a point; thence continuing along said centerline of 44th street N38°44'30"E a distance of 55.260 feet to a point on the centerline of Monroe Avenue; thence along said centerline of Monroe Avenue S89°32'30"E a distance of 1,861.160 feet to the beginning of a curve to the right; thence continuing along said centerline of Monroe Avenue southeasterly along said curve to the right of radius 125.000 feet and central angle of 27°03'22" a distance of 59.027 feet to a point; thence continuing along said centerline of Monroe Avenue S62°29'08"E a distance of 49.770 feet to the beginning of a curve to the left; thence continuing along said centerline of Monroe Avenue southeasterly along said curve to the left of radius 125.000 feet and central angle of 27°03'22" a distance of 59.027 feet to a point; thence continuing along said centerline of Monroe Avenue S89°32'30"E a distance of 181.610 feet to a point; thence continuing along said centerline of Monroe Avenue N64°12'20"E a distance of 83.910 feet to the beginning of a curve to the right; thence continuing along said centerline of Monroe Avenue northeasterly along said curve to the right of radius 125.000 feet and central angle of 26°15'10" a distance of 57.275 feet to a point; thence continuing along said centerline of Monroe Avenue S89°32'30"E a distance of 113.750 feet to a point on the centerline of Euclid Avenue which was formerly known as Palisades Drive; thence along said centerline of Euclid Avenue N39°55'17"E a distance of 6.476 feet to a point on the centerline of Monroe Avenue; thence along said centerline of Monroe Avenue S89°32'30"E a distance of 1,030.790 feet to a point; thence continuing along said centerline of Monroe Avenue S74°32'39"E a distance of 52.240 feet to a point; thence continuing along said centerline of Monroe Avenue S89°28'40"E a distance of 871.030 feet to a point on the centerline of Altadena Avenue which was formerly known as Winn Avenue; thence along said centerline of Altadena Avenue S01°31'20"W a distance of 525.000 feet to a point; thence S89°28'40"E along the southerly right-of-way line of an alley connecting said Altadena Avenue with 51st street which was formerly known as Molino Avenue a distance of 360.000 feet to a point on the easterly right-of-way line of said 51st street; thence along said easterly right-of-way line of 51st street N00°31'20"E a distance of 50.000 feet to a point on the southerly right-of-way line of an alley connecting said 51st street with 52nd Street which was formerly known as Lemona Avenue; thence along said southerly alley right-of-way line S89°28'40"E a distance of 330.000 feet to a point on the

EXHIBIT C

CITY HEIGHTS REDEVELOPMENT PLAN
PUBLIC FACILITIES PROJECTS LIST

EDUCATIONAL AND GOVERNMENTAL PROJECTS

Public Schools Improvement Program
Community College Facility
Reconfigure Central Elementary School
Assist Programs to Provide More Before and After School Activities
for Youth
Assist Private School Development
Justice Center (Police, Courts and/or Jails)
Government Services Center (Employment Assistance Center,
Redevelopment administration, permit center, other assorted
government services offices)

PARK, RECREATION AND OPEN SPACE PROJECTS

Youth Recreation and Services Center
Streetscape along Project Area Roads (e.g.: landscaping,
decorative lighting, street furniture, community identity
signage)
State Route 15 Corridor Park Improvements
Modifications to Colina del Sol Community Park, Including a Seniors
Center
Add Park Acreage to Address General Plan Standards Deficiencies
Expand City Heights Mini-park (39th Street south of Redwood)
City Heights Recreation Center Expansion
Support Public Art Projects
Acquire and Preserve Open Space
Turf Local School Yards

TRANSPORTATION FACILITY IMPROVEMENTS

Light Rail Extension in State Route 15 Corridor

Other Local Trolley Lines

Transportation Mitigation Program (to mitigate traffic impacts of specific redevelopment projects)

Address Euclid Avenue Traffic and Parking Needs Without Diminishing the Quality of Life

Class II Bicycle Routes

State Route 15 Covers, Ramps and Related Public Improvements

Transit Center

Add Public Parking

Bus Stop Enhancements

Residential Street Improvements

OTHER PUBLIC FACILITY IMPROVEMENTS

Community Lighting Program

Child Care/Family Development Centers

City Heights Libraries

Multi-Ethnic Cultural Center

New Mid-City Community Clinic

Expand and Improve the East San Diego Adult Center



City Heights Redevelopment Project Area

Land Use Map

EXHIBIT D

LEGEND

- RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- PARKS
- OPEN SPACE