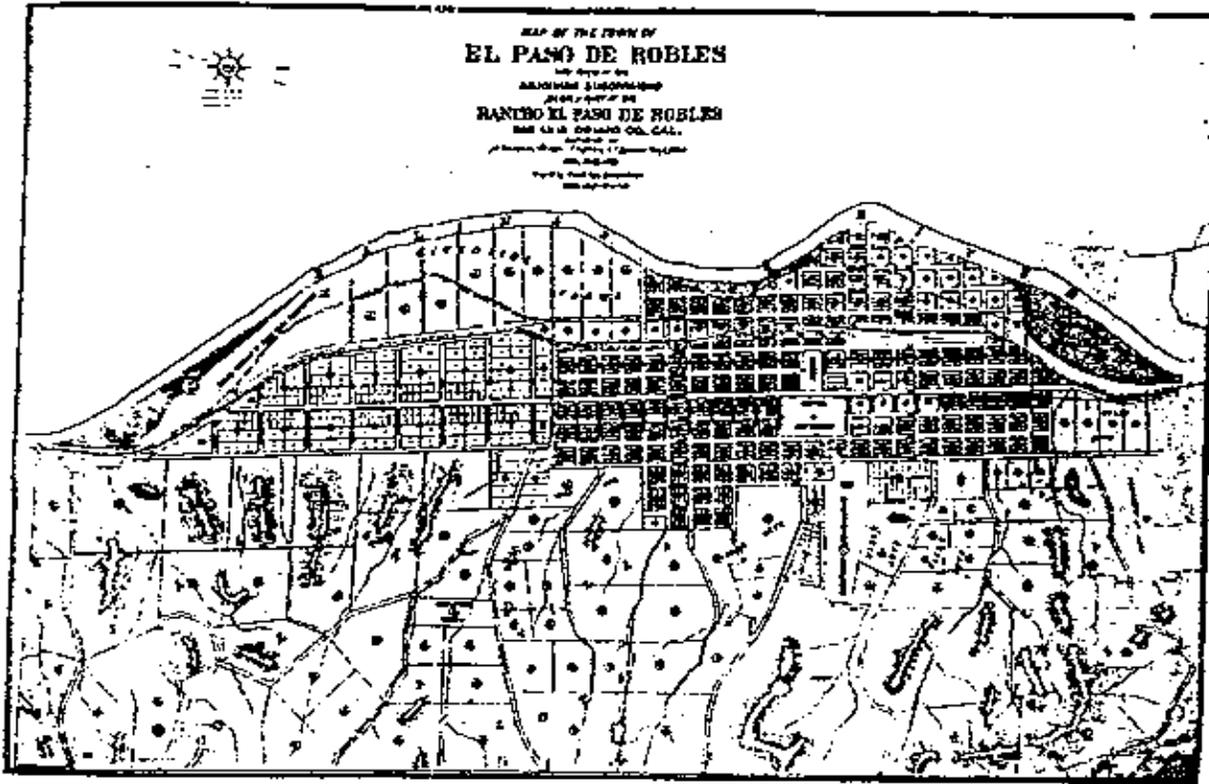


1  
CITY of EL PASO de ROBLES



**FINAL REDEVELOPMENT PLAN**

**PASO ROBLES  
REDEVELOPMENT PLAN**



ORDINANCE NO. 786 N.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES,  
CALIFORNIA, AMENDING ORDINANCE NO. 540 N.S. APPROVING AND  
ADOPTING THE AMENDMENT TO THE REDEVELOPMENT PLAN FOR  
THE REDEVELOPMENT PROJECT

WHEREAS, the City Council of the City of Paso Robles (the "City Council"), adopted by Ordinance No. 540 N.S. on November 30, 1987, the Redevelopment Plan (the "Redevelopment Plan") for the Paso Robles Redevelopment Project (the "Project"); and

WHEREAS, the Redevelopment Agency of the City of Paso Robles (the "Agency") has been designated as the official redevelopment agency to carry out in the City of Paso Robles the functions and requirements of the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 *et seq.*) and to implement the Redevelopment Plan; and

WHEREAS, the Agency has proposed an Amendment No. 1 to the Redevelopment Plan for the Redevelopment Project (the "Amendment") to extend for twelve (12) years the power of eminent domain; and

WHEREAS, the Planning Commission of the City of Paso Robles (the "Planning Commission") has reviewed the Amendment and recommended the approval and adoption of the Amendment, together with its certification that the Amendment conforms to the General Plan of the City of Paso Robles; and

WHEREAS, the City Council has received from the Agency the proposed Amendment, together with the Report of the Agency to the Council and the Negative Declaration on the Amendment; and

WHEREAS, the City Council and the Agency held a joint public hearing on December 7, 1999, on the adoption of the Amendment and on approval of the Negative Declaration Amendment, in the City Council Chambers, City Hall, 1000 Spring Street, Paso Robles, California 93446; and

WHEREAS, a notice of said hearing was duly and regularly published in the Telegram Tribune, a newspaper of general circulation in the City of Paso Robles, once a week for three successive weeks prior to the date of said hearing, and a copy of said notice and affidavit of publication are on file with the City Clerk and the Secretary of the Agency; and

WHEREAS, copies of the notice of public hearing, together with a statement concerning acquisition of property by the Agency, were mailed by first-class, certified mail with return receipt requested to the last known address of each assessee of each parcel of land in the Project Area, as shown on the last equalized assessment roll of the County of San Luis Obispo; and

WHEREAS, copies of the notice of public hearing were mailed by first-class, certified mail with return receipt requested to the governing body of each taxing agency which receives taxes from property in the existing Project Area; and

WHEREAS, copies of a statement concerning acquisition of property by the Agency were mailed by first-class, certified mail with return receipt requested to the last known address of each assessee of each parcel of land in the Project Area, as shown on the last equalized assessment roll of the County of San Luis Obispo; and

WHEREAS, copies of the notice of public hearing were mailed by first-class, certified mail with return receipt requested to the residents and businesses within the Project Area; and

WHEREAS, the Council has considered the Report of the Agency to the Council, the report and recommendation of the Planning Commission, the Amendment, and the Negative Declaration, and provided an opportunity for all persons to be heard, and has received and considered all evidence and testimony presented for or against any and all aspects of the Amendment;

WHEREAS, the Agency and the City Council have reviewed and considered the Negative Declaration, and determined that the Amendment will not have a significant effect on the environment;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PASO ROBLES DOES HEREBY  
ORDAIN AS FOLLOWS:

**SECTION 1.** The purposes and intent of the City Council with respect to the Amendment are to extend the Agency's power to acquire by eminent domain property in the Project Area. The Redevelopment Plan, as originally adopted, provides that the Agency's power to acquire property through the use of eminent domain expires twelve (12) years from the effective date of the Ordinance adopting the Redevelopment Plan. The Amendment will extend the time limit for the Agency to acquire property in the Project Area through the use of eminent domain for an additional twelve (12) year period. Extension of the Agency's power to acquire property by eminent domain will enable the Agency to continue its efforts to implement the existing Redevelopment Plan.

**SECTION 2.** The City Council does hereby specifically find and determine that:

a. At the time the Redevelopment Plan was originally adopted, the City Council found and determined that the Project Area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in the Community Redevelopment Law. Many of the blighting conditions that existed at that time still exist within the Project Area. The Amendment will not add additional area to the Project Area, but will merely extend the time limit for the Agency to acquire property in the Project Area through the use of eminent domain to enable the Agency to continue its efforts to implement the existing Redevelopment Plan.

b. The Amendment will enable the Project Area to continue to be redeveloped in conformity with the Community Redevelopment Law and in the interests of the public peace, health, safety and welfare. This finding is based upon the fact that adoption of the Amendment will enable the Agency to continue to implement the goals and objectives of the Community Redevelopment Law by aiding in the elimination and correction of the conditions of blight and deterioration in the Project Area; provide for planning, development, redesign, clearance, reconstruction or rehabilitation of properties which need improvement; providing affordable housing, including housing for low- and moderate-income persons; provide additional employment opportunities, and provide for higher economic utilization of potentially useful land.

c. The adoption and carrying out of the Amendment is economically sound and feasible. This finding is based upon the fact that under the Redevelopment Plan the Agency is authorized to seek and utilize a variety of potential financing resources, including tax increments; that the nature and timing of public redevelopment assistance depends on the amount and availability of such financing resources, including tax increments generated by new investment in the Project Area; and that under the Redevelopment Plan no public redevelopment activities will be undertaken unless the Agency can demonstrate that it has adequate revenue to finance the activity. The Amendment will extend the time limit for the Agency to acquire property in the Project Area through the use of eminent domain for an additional twelve (12) year period. Extension of the Agency's power to acquire property by eminent domain will enable the Agency to continue its efforts to implement the existing Redevelopment Plan.

d. The Amendment is consistent with the General Plan of the City of Paso Robles, including, but not limited to, the housing element, which substantially complies with the requirements of the State housing laws. This finding is based on the report of the Planning Commission that the Amendment conforms to the General Plan of the City of Paso Robles.

e. The carrying out of the Amendment will promote the public peace, health, safety and welfare of the City of Paso Robles and will effectuate the purposes and policies of the Community Redevelopment Law. This finding is based upon the fact that the continued implementation of the Redevelopment Plan, as amended by the Amendment, will benefit the Project Area by correcting conditions of blight and by coordinating public and private actions to stimulate development and improve the economic, social and physical conditions of the Project Area.

f. The condemnation of real property within the Project Area, as provided for in the Amendment, is necessary to the execution of the Redevelopment Plan, and adequate provisions have been made for the payment for property to be acquired as provided by law. This finding is based upon: (1) the need to ensure that the provisions of the Redevelopment Plan will continue to be carried out; and (2) the need to continue existing efforts to prevent the recurrence of blight; and (3) the fact that the Agency will utilize its authority to acquire property by eminent domain only as a last resort.

g. The Agency has a feasible method and plan for the relocation of families and persons who may be displaced, temporarily or permanently, from housing facilities in the Project Area. This finding is based upon the fact that the existing Redevelopment Plan provides for relocation assistance according to law.

h. There are, or are being provided, within the Project Area or within other areas not generally less desirable with regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons who might be displaced from the Project Area, decent, safe and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment. This finding is based upon the fact that the existing Redevelopment Plan provides that no person or family will be required to move from any dwelling unit in the Project Area until suitable replacement housing is available.

i. Families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to Sections 33411 and 33411.1 of the Community Redevelopment Law; and dwelling units housing persons and families of low or moderate income within the Project Area shall not be removed or destroyed prior to the adoption of the replacement housing plan pursuant to Sections 33334.5, 33413, and 33413.5. This finding is based upon the fact that the existing Redevelopment Plan provides for a replacement housing plan according to law.

j. The elimination of blight and the redevelopment of the Project Areas could not be reasonably expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency. This finding is based upon the continued existence of blighting influences, including the lack of adequate public improvements, and the inability of individual developers to economically remove these blighting influences without public assistance to acquire and assemble sites for development, and the provisions of public improvements, facilities and utilities, and the inadequacy of other governmental programs and financing mechanisms to eliminate blight, including the provision of necessary public improvements and facilities.

**SECTION 3.** The City Council is satisfied that all written objections received before or at the noticed public hearing have been responded to in writing. In addition, written findings have been adopted in response to each written objection of an affected property owner or taxing entity which has been filed with the City Clerk either before or at the noticed public hearing.

**SECTION 4.** The Redevelopment Plan for the Paso Robles Redevelopment Project, as adopted by Ordinance No. 540 N.S., is hereby amended as set forth in the proposed "Amendment No. 1 to the Redevelopment Plan for the Paso Robles Redevelopment Project", incorporated herein and made a part hereof by reference. As so amended, the Redevelopment Plan is hereby incorporated by reference herein and designated as the official Redevelopment Plan for the Paso Robles Redevelopment Project.

The Executive Director of the Agency is hereby authorized to combine the Redevelopment Plan, as amended by this Amendment, into a single document, and said document, when filed with the City Clerk and the Secretary of the Agency, shall constitute the official Redevelopment Plan in place of the document currently constituting said Redevelopment Plan.

**SECTION 5.** The findings and determinations, as identified in Council Resolution No. 99-195, adopted on October 19, 1999, approving and adopting the Negative Declaration on the Amendment to the Redevelopment Plan, are incorporated into this Ordinance by reference and made a part of the Amendment. The Council is satisfied that written findings have been adopted in response to each written objection received from affected taxing entities or property owners either before or at the noticed public hearing. Having considered all evidence and testimony presented for or against any aspect of the Redevelopment Plan Amendment, the Council hereby overrules all written and oral objections to the Redevelopment Plan Amendment.

**SECTION 6.** Ordinance No. 540 N.S. is continued in full force and effect as amended by this Ordinance.

**SECTION 7.** In order to implement and facilitate the effectuation of the Amendment hereby approved, it may be necessary for the City Council to take certain actions, and accordingly, this City Council hereby (a) pledges its cooperation in helping to carry out the Amendment; (b) requests the various officials, departments, boards and agencies of the City having administrative responsibilities in the Project Area likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the redevelopment of the Project Area pursuant to the Amendment; (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Amendment; and (d) declares its intention to undertake and complete any proceedings necessary to be carried out by the City under the provisions of the Amendment.

**SECTION 8.** The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, whereupon the Agency is vested with the responsibility for carrying out the Redevelopment Plan as amended by the Amendment.

**SECTION 9.** The City Clerk is hereby directed to record with the County Recorder of the County of San Luis Obispo a notice of the approval and adoption of the Amendment pursuant to this Ordinance containing a statement that proceedings for the redevelopment of the Project Area pursuant to the Amendment have been instituted under the California Community Redevelopment Law.

**SECTION 10.** The City Clerk is hereby directed to transmit a copy of this Ordinance Amending the Redevelopment Plan, to the auditor, assessor and tax collector of the County of San Luis Obispo, to the governing body of each of the taxing agencies which levies taxes upon any property in the Project Area and to the State Board of Equalization.

**SECTION 11.** This Ordinance shall be in full force and effect thirty (30) days after its passage.

**SECTION 12.** The City Clerk is hereby ordered and directed to certify to the passage of this Ordinance and to cause the same to be published once in the Telegram Tribune, a newspaper of general circulation, published and circulated in the City of Paso Robles, California.

**SECTION 13.** If any part of this Ordinance, or the Amendment which it approves, is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or of the Amendment, and this City Council hereby declares that it would have passed the remainder of the Ordinance, or approved the remainder of the Amendment, if such invalid portion thereof had been deleted.

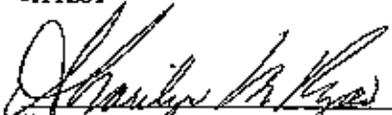
**SECTION 14.** The City Clerk is hereby authorized to take any additional actions necessary, as approved by Special Counsel, to implement this Ordinance.

Introduced at a regular meeting of the City Council held on December 21, 1999 and passed and adopted by the City Council of the City of El Paso de Robles on the 4th day of January 2000 by the following roll call vote, to wit:

AYES: Baron, Macklin, Swanson and Picanco  
NOES: Mecham  
ABSENT: None  
ABSTAIN: None

  
\_\_\_\_\_  
Duane Picanco, Mayor

ATTEST

  
\_\_\_\_\_  
Sharilyn M. Ryan, Deputy City Clerk



FINAL REDEVELOPMENT PLAN  
FOR THE  
PASO ROBLES REDEVELOPMENT PROJECT AREA

PREPARED FOR  
THE EL PASO DE ROBLES REDEVELOPMENT AGENCY  
CITY OF EL PASO DE ROBLES  
1030 Spring Street  
Paso Robles, California 93446

ADOPTED BY

City of El Paso de Robles  
City Council Ordinance No. 540 N.S.

November 30, 1987

EL PASO DE ROBLES REDEVELOPMENT AGENCY

RESOLUTION NO. RA 87-08

A RESOLUTION OF THE EL PASO DE ROBLES REDEVELOPMENT AGENCY APPROVING THE EL PASO DE ROBLES REDEVELOPMENT PLAN AND PROJECT AREA; AND DIRECTING THE SECRETARY OF THE AGENCY TO TRANSMIT REQUIRED REDEVELOPMENT PLAN AND DOCUMENTS TO THE EL PASO DE ROBLES CITY COUNCIL

WHEREAS, the El Paso de Robles Redevelopment Agency has prepared a proposed Redevelopment Plan for the Paso Robles Redevelopment Project Area and has submitted same to the Planning Commission and the Project Area Committee of the City of El Paso de Robles and

WHEREAS, the proposed Redevelopment Plan for the Paso Robles Redevelopment Project Area, including the Project Area's legal description, is on file in the office of the City Clerk of the City of El Paso de Robles and is incorporated herein by reference; and

WHEREAS, the City of El Paso de Robles has prepared an Environmental Impact Report pursuant to the Environmental Quality Act, as amended, regarding the environmental impact of the proposed Redevelopment Plan and Project Area; and

WHEREAS, said Environmental Report was approved and certified as being complete after a public hearing by the Redevelopment Agency on October 15, 1987;

WHEREAS, the Planning Commission on the 26st day of May, 1987, considered and reviewed said Environmental Impact Report and the proposed Paso Robles Redevelopment Plan and Project Area and prepared a report to the Redevelopment Agency containing their comments and recommendations; and

WHEREAS, the Project Area Committee on the 26th day of May, 1987, considered and reviewed said draft Environmental Impact Report and the proposed Paso Robles Redevelopment Plan and Project Area and prepared a report to the Redevelopment Agency containing their comments and recommendations; and

WHEREAS, the El Paso de Robles Redevelopment Agency on the 19th day of November, 1987, at the hour of 7:00 p.m., held a public hearing to consider the Paso Robles Redevelopment Plan and Project Area; and

WHEREAS, pursuant to Section 33352 of the California Health and Safety Code, the Redevelopment Plan submitted by the El Paso de Robles Redevelopment Agency to the City Council has been accompanied by a Report of the Redevelopment Agency.

WHEREAS, the Agency has recommended and the Planning Commission has reported, recommended, and approved the deletion from the Project Area of certain real property described on Exhibit A to this Resolution.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE EL PASO DE ROBLES REDEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency approves the amendment of the Project Area to exclude from the Project Area that real property described in Exhibit A and the proposed Redevelopment Plan shall be amended to exclude that area from the legal description and from the map of the Project Area.

Section 2. The legal description of the El Paso de Robles Redevelopment Project Area, as amended, is on file in the Office of the City Clerk of the City of El Paso de Robles and incorporated herein by reference, is hereby received and approved.

Section 3. The Paso Robles Redevelopment Plan and Project Area, is on file in the office of the City Clerk of the City of El Paso de Robles and incorporated herein by reference, is hereby received and approved, as amended by Section 1 of this Resolution.

Section 4. The Secretary of the Redevelopment Agency is hereby authorized and directed to transmit a copy of this Resolution, with all of its attachments, to the City Council for such action as it may wish to take.

\* \* \* \* \*

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Redevelopment Agency of the City of El Paso de Robles at a special meeting thereof held on the 19th day of November, 1987, by the following vote:

AYES : Agency Members: Ovitt, Dolan, Martin and Russell

NOES : Agency Members: None

ABSENT : Agency Members: Cousins

ABSTAIN : Agency Members: None

Nick Russell  
CHAIRMAN of the Redevelopment Agency  
of the City of El Paso de Robles

ATTEST:

Jerry Bankston  
SECRETARY of the Redevelopment Agency of the  
City of El Paso de Robles, California

STATE OF CALIFORNIA )  
COUNTY OF SAN LUIS OBISPO)ss  
CITY OF EL PASO DE ROBLES)

I, JERRY BANKSTON, Secretary of the Redevelopment Agency of the City of El Paso de Robles, hereby certify that I have compared the foregoing copy with the original RESOLUTION NO. RA 87-08 passed and adopted by said Redevelopment Agency at a special meeting thereof, at the time and by the vote therein stated, which original resolution is now on file in my office, and that the same is a full, true and correct copy thereof and has not been amended or repealed.

WITNESS my hand and the seal of said Redevelopment Agency of the City of El Paso de Robles this 19th day of November, 1987.

Jerry Bankston  
SECRETARY of the Redevelopment Agency  
City of El Paso de Robles, California



PASO ROBLES PROJECT AREA  
REDEVELOPMENT PLAN

City/Council/Agency Members

Nick Russell, Chairman  
Betty Cousins, Vice Chairman  
Kevin Dolan, Member  
Harry Ovitt, Member  
Steve Martin, Member

Planning Commission Members

Tom Baron, Chairman  
Bob Bryant, Vice Chairman  
Chris Iversen, Commissioner  
Rick Minton, Commissioner  
Duane Ficano, Member  
Ralph McCarthy, Member  
Valerie Warnke

Project Area Committee Members

Nick Gilman, Chairman  
Glen Rediger, Vice Chairman  
Leona Thomas, Secretary  
Norma Duncan  
Bruce Eisengart  
Bill Hoppert  
Anthony Horzen  
Margaret Jennings  
Patricia Johnson  
Anthony Joordens  
Dee Lacey  
Kathleen Lathrop  
Jim Liptak  
Ed Railsback  
Timothy Roberts  
Allen Rowe  
Ruben Tate, Jr.  
E.J. Casper  
Roger Eikins  
Thomas Lynn  
Norma Mann  
David K. Rowe, Jr.  
Bruce Woodworth

Jerry Bankston, Executive Director  
Robert Lata, Community Development Director  
Michael LeSage, City Attorney  
Tom Parrington, Special Counsel

Prepared by:

COMMUNITY SYSTEMS ASSOCIATES, INC.  
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Anaheim, California 92806  
(714) 978-8887



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**APPENDICES**

**I LEGAL DESCRIPTION PROJECT BOUNDARIES MAP**

- Exhibit A - Legal Description Project Boundaries Map
- Exhibit B - Legal Description Project Boundaries Narrative

**II GENERAL PLAN/REDEVELOPMENT PLAN LAND USE MAP**

- Exhibit A - General Plan/Redevelopment Plan Land Use Map

**III PROJECT DEVELOPMENT**

- Exhibit A - Project Matrix
- Exhibit B - Anticipated Initial Projects List
- Exhibit C - Design Objectives

**IV BLIGHT CHARACTERISTICS MARTIX**

- Exhibit A - Blight Characteristics Matrix



I

PASO ROBLES REDEVELOPMENT PLAN INTRODUCTION

OVERVIEW

This is the Redevelopment Plan (the "Plan") for the Paso Robles Redevelopment Project (the "Project") in the City of El Paso de Robles (the "City"), County of San Luis Obispo, State of California, and consists of the Text, the Legal Description of the Project Area Boundaries, the Project Area Map, the Redevelopment Plan Map, anticipated initial projects, and other appropriate attachments. This Plan was prepared by the El Paso de Robles Redevelopment Agency (the "Agency") pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 et. seq.), the California Constitution, and all applicable local laws and ordinances.

The proposed redevelopment of the Project Area as described in this Plan conforms to the General Plan of the City of El Paso de Robles adopted by the City Council.

This Plan is based upon a Preliminary Plan formulated and adopted by the Planning Commission of the City of El Paso de Robles (the "Planning Commission") on February 10, 1987, and subsequently accepted by the Redevelopment Agency (the "Agency") on February 10, 1987.

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 area within the boundaries of the project (the "Project Area"). This Plan does not present a specific plan or establish specific projects for the redevelopment, rehabilitation, and revitalization of any area within the Project Area, nor does this Plan present specific proposals in an attempt to solve or alleviate the concerns and problems of the community relating to the Project Area. Instead, this Plan presents a process and a basic framework within which specific plans will be presented, specific projects will be established, and specific solutions will be proposed, and by which tools are provided to the Agency to fashion, develop, and proceed with such specific plans, projects and solutions.

It is the intent of the City Council and the Redevelopment Agency by adoption of this Plan to establish, adopt and implement standards, requirements, conditions and procedures that would conform and comply with the City's General Plan and Municipal Code. In that regard the Plan shall be interpreted to comply with and follow the normal standards, requirements, conditions and procedures of the City, except as specifically provided for herein and accordance with this plans procedures.

Summary

The Paso Robles Redevelopment Project is located in the City of El Paso de Robles and is comprised of 1036(+) acres.

El Paso de Robles is a growing rural type City located at the intersection of U.S. Highway 101 and State Highway 46. It is located 27 miles north of San Luis Obispo, the County seat, and is experiencing a steady growth in population.

Since 1970 the population has increased from 7,168 to 13,824. It is estimated that by 1990 the population will increase to an estimated 16,800.

The economy of the City is also experiencing growth mainly due to the rapid expansion of the wine industry and in recent years the City has seen numerous new wineries constructed. The City serves as a retail center for the area and has experienced a growing tourist and visitors industry. The City has a balance between residential, commercial and industrial land uses and retains the intimate atmosphere usually found in smaller communities. The City's early California heritage is evident in much of its architecture.

The General Plan of the City of El Paso de Robles is the official long-range planning program for the City, and as such provides the basis for the land uses of the Project Area. The City General Plan is presently being reviewed and will be revised according to State Planning Law. The Redevelopment Plan will conform to any and all revisions, up-dates and amendments to the City's General Plan, as applicable.

In summary, the General Plan performs the following functions:

1. The Plan integrates the environmental, social and economic needs and aspirations of the community with the community's natural setting.
2. The Plan allows the collection of a wide range of ideas and considerations into a single comprehensive document.
3. The Plan simplifies the decision making responsibilities of Planning Commissioners and City Council members by enabling the review of all proposals in light of a clear picture of desirable future development.
4. The Plan provides a common base of understanding which enables public agencies and private property owners to relate their projects to a common goal.

In addition, the General Plan identified specific concerns or constraints within the community that affect the physical, social, economic, and environmental character of the community.

The General Plan is implemented through various vehicles, including the City's Annual Budget, Zoning Ordinance, Municipal Code, and other authorizations of State and local laws. One such additional implementation vehicle, is the use of the California Community Redevelopment Law, Section 33000 et. seq. of the California Health and Safety Code.

It has been brought to the attention of the City Council, that detrimental physical, social, and economic conditions exist in certain areas of the community which adversely affect the entire community, and which cannot reasonably be expected to be reversed or alternated by the private enterprise acting alone. These conditions which relate to circulation, parking, infrastructure, land use compatibility, civic facility inadequacies, disuse of properties, structural integrity, and economic stability in the commercial industrial, and central residential areas of the community have provided the basis for the section of the Paso Robles Redevelopment Project Area and the preparation of the Redevelopment Plan.

The Project Area boundaries have been selected to adequately accommodate the activities and actions which may be required by the Redevelopment Agency in order to eliminate or alleviate the blight conditions that predominate the Project Area and surrounding public properties. For that purpose the Project Area is limited to specifically designated public and private properties.

Properties included within the Project Area include those which have been highlighted in the City's General Plan or have been identified by the City as needing attention.

The primary purpose of the Redevelopment Plan is to provide the authority that would enable the City to use the California Community Redevelopment Law as a financing tool and administrative vehicle to a) implement the goals and objectives of the General Plan; b) address the constraints and conditions which preclude the effective utilization of public and private properties; and c) eliminate and/or alleviate blighting physical, social, and economic conditions in the Project Area that adversely affect the entire community.

The Project Area boundaries provide the geographical area wherein which the Redevelopment Agency can utilize the financial and administrative authority of the California Community Redevelopment Law, that is necessary for the planning, development, replanning, redesign, clearance, reconstruction, or rehabilitation, or any combination of these, of all or part of the Project Area, and the provision of such commercial, industrial, residential, public, or other structures or spaces as may be appropriate or necessary in the interest of the general welfare, including recreational and other facilities incidental or appurtenant to them. The attainment of the redevelopment of the Project Area and the configuration of the Project Area boundaries are further based upon the redevelopment constraints associated with the properties within the Project Area. It is further substantiated by the need to formulate a partnership between the owners of properties within the Project Area and the City or Redevelopment Agency, whereby the present and future reduction or lack of proper utilization of the area and the resultant serious physical, social and economic burden which cannot reasonably be expected to be reversed or alleviated by the property owner acting alone, can be alleviated or eliminated. Without this public/private partnership the scale and scope of the redevelopment and revitalization of the public and private properties within the Project Area may be substantially less, resulting in fewer overall benefits to the City, community and region.

It is these past identified conditions in the General Plan, together with the detrimental physical, social and economic conditions of the area which are the reasons for the selection of the Project Area.

By revitalizing and redeveloping the public and private properties and facilities within Project Area the Project Area employment opportunities would be expanded; the social, economic and psychological environment would be enhanced; flooding and circulation constraints would be mitigated permitting more efficient use of public and private properties; parking constraints would not preclude the use of existing structures or the development of properties within the Central Business District; property tax revenues would increase, enabling up to twenty percent (20%) to be spent by the Agency to expand and improve the supply of low- and moderate-income housing; new sales tax and other City revenues would be placed in the City's General Fund for the well-being of all El Paso de Robles citizens; the City's older housing stock would be improved; and the overall economic and physical environment of the project area would be enhanced, creating an overall quality that is consistent with the goals and objections of the community.

The redevelopment of the Paso Robles Redevelopment Project will be undertaken in order to carry out the intent and purpose of the Redevelopment Law and the redevelopment objectives broadly defined herein.

The Redevelopment Plan has been prepared by the Redevelopment Agency in order to promote redevelopment that is viable, both physically and economically, within the designated Project Area boundaries. The primary reason for the Paso Robles Project Area is the need to correct problems within the Project Area boundaries including problems relative to circulation and parking, structural dilapidation and deterioration, inadequate community infrastructure and facilities, inappropriate lot size and configuration and to assist the private sector in providing the type of redevelopment, revitalization and area improvements which will maximize the use of property within the Project Area boundaries and prevent the recurrence of the blight conditions.

New and/or revitalized developments can be expected to occur through enhancement of substandard and underdeveloped areas and structures, as well as the development of undeveloped properties. In these areas there exists the inefficient or lack of use of certain properties due to inadequate or obsolete circulation, parking, infrastructure and public facilities. The Agency's mission as defined in this Redevelopment Plan is to eliminate and prevent the spread of blight and deterioration in these areas through on-and off-site improvements, disposition of property in accordance with the Plan, and redevelopment of land by private or public entities for uses in accordance with this Plan.

The conditions of blight existing within the Redevelopment Project Area represent physical, social, economic, and environmental liabilities to the community in general, and the Project Area in particular. The adoption of the Redevelopment Plan properly provides for the development of properties in order to deal with these liabilities in a manner which is consistent with, and in the interest of, the health, safety, and general welfare of the people and property owners of

the community. The Redevelopment Plan is an action plan and guideline for implementing the objectives of the Community Redevelopment Law and the intent of the General Plan, so as to ensure that the policies, goals, and objectives of the City and the Redevelopment Agency and the laws of the State of California are complied with and implemented in a manner which is most in keeping with the community's general welfare. This preamble is consistent with the standards, requirements, and criteria of the California Community Redevelopment Law as contained in the Health and Safety Code of the State of California, Sections 33000 et. seq.

#### Land Use Characteristics of the Redevelopment Project Area

The Redevelopment Project Area is intended to develop in accordance with the General Plan of the City as appropriate, and the land use designations included within that document and the adopted Redevelopment Plan.

The Project area is comprised of 1036 (+) acres.

It should be noted that this area represents the traditional central business district and other business, older residential, and industrial activity centers of the community, and is approximately seventy percent (70%) developed. The Project Area has a land use distribution according to the following land use classifications:

PASO ROBLES PROJECT AREA  
 STATISTICAL LAND USE SUMMARY



<u>Land Use</u>	<u>Acres(+)</u>
<u>PRIVATE PROPERTY - ASSESSED PROPERTY</u>	
(Excluding River)	
<u>INDUSTRIAL</u>	111
CL1	
M	<u>104</u>
SUB-TOTAL	215
<u>COMMERCIAL</u>	
GR	24
HC	<u>53</u>
SUB-TOTAL	77
<u>RESIDENTIAL</u>	
LD	7
MD	43
MHD	52
HD	<u>22</u>
SUB-TOTAL	124
<u>OTHER</u>	
HCT	5
RD	5
R	<u>41</u>
SUB-TOTAL	51
TOTAL	<u>467</u> Acres
<u>PUBLIC PROPERTY - NON-ASSESSED PROPERTY</u>	
Schools	24
Parks	16
Public Facilities	42
(Including Fair Grounds)	
Railroad	<u>47</u>
SUB-TOTAL	129
ROADS	406
(Including Freeways)	
SALINAS - RIVER	<u>34</u>
SUB-TOTAL	<u>569</u> Acres
PROJECT AREA TOTAL	<u>1,036</u> Acres

### Tax Increment Procedures and Bonds

The Redevelopment Agency has the authority to undertake redevelopment projects under the California Community Redevelopment Law and the Redevelopment Plan for the Redevelopment Project. It is the intent of the redevelopment program to utilize tax increment financing as a supplement to other public and private primary sources of revenue for implementation of the project improvements. In addition to establishing the procedures for the conduct of redevelopment activities, the law and the Redevelopment Plan also provide for a method of producing revenues that may be used to reimburse the Redevelopment Agency for costs incurred on behalf of, or for the benefit of, the redevelopment project. The financing method includes the repayment of direct Agency indebtedness or advances to the Agency by another public entity, either in the form of cash or benefiting public improvements.

The benefits derived from redevelopment in the form of increased tax receipts from the higher assessed valuations may be used to repay the costs of redevelopment or the costs of certain beneficial public facilities within the redevelopment projects. When a Redevelopment Plan is formally adopted, the assessment valuation within the Project Area is frozen for taxing purposes. When valuations rise above the base, as a result of new improvements and redevelopment, taxes levied against the incremental assessed valuations are allocated to the Redevelopment Agency to repay any advances or indebtedness incurred on behalf of a project. Taxes levied against the frozen base continue to be paid to all taxing agencies levying a tax in the Project Areas.

More specifically, the tax increment generated by a Redevelopment Project may be pledged directly to the payment of obligations of the Agency (i.e., tax increment bonds, contractual obligations, etc.), or to the City for project cost reimbursement. After all costs, obligations, or indebtedness have been retired, the allocation of the incremental taxes ceases and the total tax levy reverts to the local taxing agencies in the normal manner. Thus, the tax increment procedure does not involve a levy of additional taxes.

When the Redevelopment Law was amended by the State Legislature in 1976, it further provided that twenty percent (20%) of the generated tax increment from a Project Area shall be allocated towards increasing and improving the community's supply of housing for persons and families of very-low, low-, and moderate-income, unless specific conditions exist as are stated in the law and the Redevelopment Plan.

The State Redevelopment Law provides for the issuance of bonds secured by the increments in taxes arising out of a project. Such bonds may be authorized and issued in any amount deemed necessary upon adoption of a resolution by the governing body of a Redevelopment Agency. In most cases, tax increment bonds are issued as term bonds rather than serial bonds.

Specific limitations as required by law relating to the: 1) duration of the Redevelopment Plan; 2) number of dollars of taxes which may be divided and allocated to the Agency; 3) time for establishment of loans, advances, and indebted-

ness; 4) time for the commencement of eminent domain proceedings; and 5) amounts of bond indebtedness outstanding at any one time are set forth in the Redevelopment Plan.

With regard to the security for bonds, the Agency may pledge: 1) income and revenues exclusive of tax increment revenues from specified redevelopment projects in the community, whether or not they are financed with tax increment bonds; 2) tax allocations from the project financed; or 3) any other revenue accruable to the Redevelopment Agency,

The issuance and repayment of tax increment bonds are governed by the provisions of the resolution of issuance adopted by the Redevelopment Agency. These governing provisions are established in order to provide for the orderly payment of the bonds and ensure sound fiscal operation necessary to fund a community's direct participation in a redevelopment project, or when the community wishes to recover the cost of local expenditures made on behalf of a project.

Probably the major advantages of this method of financing are: 1) the flexible type of debt retirement schedule which may be provided by the issuance of term bonds so that the payment of principal is a function of actual tax increment income each year; 2) the fact that the creation or financial participation of a separate public entity is not required; 3) the indebtedness may be authorized by action of the governing body of the Agency; and 4) the financial liability of the Redevelopment Plan is placed with the Redevelopment Agency and does not become a liability of the City or the community. Tax increment and tax exempt bond financing has a definite place in the redevelopment of the project and is the primary financing mechanism for the Redevelopment Agency.

II  
PASO ROBLES REDEVELOPMENT PLAN

SECTION 100.00 INTRODUCTION

The Redevelopment Plan for the Redevelopment Project Area, consists of Part I (text) and Part II (map), including Appendices I, II, III, and IV. This Redevelopment Plan has been prepared by the Redevelopment Agency in accordance with the provisions of the Community Redevelopment Law of the State of California, the California Constitution, and all applicable local laws and ordinances.

This Redevelopment Plan has been prepared by the Redevelopment Agency in order to promote development and redevelopment that is viable, both physically and economically, within the Project Area boundaries. The primary reason leading to the preparation of the Redevelopment Plan for the Project Area is the need to correct problems within the Project Area boundaries, including problems relative to circulation and parking, infrastructure and public facilities' inadequacies, and to assist the private sector in providing the type of development which will maximize the redevelopment of property within the Project Area boundaries and prevent the recurrence of the blight conditions.

The Paso Robles Redevelopment Project Area encompasses 1036(+) acres. All properties, parcels, or areas of the Project Area are an integral part of the overall program to alleviate and/or mitigate existing physical, social, and economic conditions of blight in the community. These conditions of blight in the Project Area are identified in the Blight Characteristics Matrix as set forth in Appendix VI, Exhibits A, and the purpose of the California Community Redevelopment Law would be attained within the proposed Project Area, by undertaking activities that could address the following:

1. Inadequate street system to serve potential parking, circulation, and loading demand of the Central Business District along Spring Street and the industrial sections of the City;
2. Inadequate street lighting, lack of curbs and gutters, and poor public improvements and facilities;
3. The need for additional public and private utilities in order to accommodate the development of properties within the Project Area boundaries, including the need for additional storm drain facilities and infrastructure;
4. The lack of proper utilization of many properties within the Project Area boundaries resulting in development constraints on a number of these properties, thus producing a stagnant and unproductive condition of land which is otherwise potentially useful and valuable.
5. The unimproved, defective, and/or inadequate construction of some street improvements and public/private utilities within the Project

Area which has resulted from the uncoordinated development pattern of certain of the properties within the Project Area.

6. The lack of development or redevelopment within the Project Area which has resulted because of the inadequacy of the required public facilities and services necessary to accommodate the redevelopment of the area in cooperation with the private sector.
7. The presence of vacant and viable residential, industrial and commercial property whose development has been impeded due to a community infrastructure system which is not fully designed and developed to a standard acceptable for development.
8. Inadequate planning of the major highways and railroad which traverse the Project Area with the corresponding failure to provide for the physical and social needs of those persons and properties which are adjacent to, and in close proximity with, the major highways. In this regard, it is obvious that the noise, debris, and other pollutants which are generated by the major highways and the railroad are blighting conditions which negatively impact the property within the Project Area. Provision must be made to minimize or eliminate those conditions and to insure compatibility between the properties adjacent, and in close proximity, to the major highways.
9. The inability of the City and/or County to wholly finance and construct a Civic Center for El Paso de Robles. Without such a facility, the governmental, and social needs of the City of El Paso de Robles and the surrounding sphere of influence will not be met.
10. Severely dilapidated housing structures in which individuals and families are forced to live. Said housing condition is characterized by unsafe structures, insufficient space, poor ventilation, and inadequate sized lots.

The Redevelopment Agency has determined that the Redevelopment Project Area is characterized by the conditions of blight which have been set forth above which cannot reasonably be expected to be reversed or alleviated by private enterprise acting alone. These conditions represent physical, social, and economic liabilities which require a Redevelopment Plan in order to properly provide for the redevelopment of these properties in a manner which is consistent with, and in the interest of, the health, safety, and general welfare of the people and property owners within the Project Area in particular, and the community in general. It is, therefore, the intent of the redevelopment program to remedy and/or mitigate the conditions of blight through the planning, replanning, design, redesign, clearance, construction, reconstruction, or rehabilitation, or any combination of these, of the properties which are hereinafter described and the providing of commercial, industrial, public, or other structures, improvements and/or developments as may be deemed appropriate and/or necessary in the interests of the general welfare.

In addition, the Redevelopment Plan shall be a guideline for implementing the objectives set forth hereinafter so as to ensure that the policies, goals and objectives of the Redevelopment Agency, the City Council, and the laws of the State of California are complied with and implemented in a manner which is most in keeping with the general welfare.



SECTION 200.00      GENERAL DEFINITIONS

As used in this Plan, the following terms are defined to mean:

1. "Agency" means the El Paso de Robles Redevelopment Agency, El Paso de Robles, California.
2. "City" means the City of El Paso de Robles, California.
3. "City Council" means the City Council of the City of El Paso de Robles, California.
4. "Community" means the City of El Paso de Robles, California.
5. "County" means the County of San Luis Obispo, California.
6. "Federal Government" means the United States or any of its agencies or instrumentalities.
7. "General Plan" means the General Plan Map and Text of the City of El Paso de Robles, California as adopted and including any additions, amendments, revisions, and/or modifications thereto (Appendix II, Exhibit A).
8. "Legislative Body" means the City Council of the City of El Paso de Robles, California.
9. "Map" means the Redevelopment Land Use Plan Map for the Paso Robles Redevelopment Project (Appendix II, Exhibit B).
10. "Municipal Code" means the current Municipal Code of the City of El Paso de Robles including any additions, amendments, revisions, and/or modifications thereto.
11. "Owner" means any individual or entity owning "real property" as defined herein.
12. "Person" means any individual, or any public or private entity.
13. "Persons and Families of Low- or Moderate-Income" means persons or families whose income does not exceed the qualifying limits as set forth in Section 50093 of the California Health and Safety Code.
14. "Persons and Families of Very-Low Income" means persons or families whose income does not exceed the qualifying limits as set forth in Section 50105 of the California Health and Safety Code.
15. "Plan" means the Redevelopment Plan for the Paso Robles Redevelopment Project Area.

16. "Planning Commission" means the Planning Commission of the City of El Paso de Robles, California.
17. "Project" means the Paso Robles Redevelopment Project.
18. "Project Area" means the area included within the boundaries of the Paso Robles Redevelopment Project.
19. "Real Property" means land, including buildings, structures, fixtures, and improvements on the land; property appurtenant to, or used in connection with, the land; every estate, interest, privilege, easement, franchise, and right in land, including rights-of-way and liens, charges or encumbrances by way of judgement, mortgage, or otherwise, and the indebtedness secured by such liens.
20. "Redevelopment" means the planning, development, replanning, redesign, clearance, reconstruction, or rehabilitation, or any combination of these, of all or part of, a survey area, and the provision of such residential, commercial, industrial, public, or other structures or spaces as may be appropriate or necessary in the interest of the general welfare, including recreational and other facilities incidental or appurtenant to them.
21. "Redevelopment Law" means the Community Redevelopment Law of the State of California (California Health and Safety Code, Section 33000 et. seq.)
22. "State" means the State of California.

SECTION 300.00      LEGAL DESCRIPTION OF THE BOUNDARIES OF THE PROJECT AREA

The Redevelopment Project Area is shown and designated on the Legal Description Project Boundaries Map, designated as Appendix I, Exhibit A, and is more particularly described in the Legal Description, designated as Appendix I, Exhibit B, both attached hereto and incorporated herein by reference.

SECTION 400.00 REDEVELOPMENT OBJECTIVES

Section 400.10 General Project Objectives

The Agency proposes to use the process of redevelopment to eliminate and mitigate the aspects of existing and anticipated visual, economic, physical, social, and environmental blight within the Project Area.

Within the broad goals, and as an indicator in the evaluation and determination of project priorities, the following specific redevelopment objectives are established by the Agency:

1. The elimination of existing blighted conditions, be they properties or structures, and the prevention of recurring blight in and about the Project Area.
2. The development and redevelopment of property within a coordinated land use pattern of commercial, industrial, residential, and public facilities in the Project Area consistent with the goals, policies, objectives, standards, guidelines, and requirements as set forth in the City's adopted General Plan.
3. The development of public services and facilities including, but not limited to, police and fire, city administration, cultural recreational, maintenance, and operational services and facilities as are necessary and required for the redevelopment of the Project Area.
4. The elimination of environmental deficiencies including inadequate street and freeway improvements, inadequate utility systems, and inadequate public services; and mitigation of the potential social, physical, and environmental characteristics of blight.
5. The development of a more efficient and effective circulation corridor system free from hazardous vehicular, pedestrian, and bicycle interfaces and designed to their ultimate circulation flow.
6. The implementation of techniques to mitigate blight characteristics resulting from exposure to freeway, railroad and public right-of-way corridor activity and affecting adjacent properties within the Project Area.
7. Beautification activities to eliminate all forms of blight including, but not limited to, visual blight, in order to encourage community identity.

8. The encouragement, promotion, and assistance in the development and expansion of local commerce and needed commercial and industrial facilities, increasing local employment prosperity, and improving the economic climate within the Project Area, and the various other isolated vacant and/or underdeveloped properties within the Project Area.
9. The acquisition, assemblage, and/or disposition of sites of usable and marketable sizes and shapes for commercial, and public facility development within the Project Area.
10. The creation of a more cohesive and unified community by strengthening the physical, social, and economic ties between residential, commercial, industrial, and recreational land uses within and adjacent to the Project Area.
11. To provide for very low-, low- and moderate-income housing availability as required by County, Region, or State law and requirements, as necessary and desirable, consistent with the goals and objectives of the community.
12. To encourage the coordination, cooperation, and assistance of other local agencies, as may be deemed necessary, to ensure that projects undertaken by this Agency are implemented to their fullest and practical extent.
13. The achievement of a physical environment reflecting a high level of concern for architectural and urban design principles deemed important by the community and property owners.
14. To encourage community and property owner involvement and citizen participation in the adoption of policies, programs, and projects so as to ensure that the Redevelopment Plan is implemented in accordance with the objectives and goals of the General Plan.
15. To provide a procedural and financial mechanism by which the Agency can assist, complement, and coordinate public and private development, redevelopment, revitalization, and enhancement of the community.

Section 400.20 Project Alternatives

It is anticipated that the Agency may undertake a variety of physical, social, economic and environmental projects to ensure that the goals of this Redevelopment Plan are fulfilled. It is, therefore, the intent of this Section to set forth possible and/or anticipated projects which shall be considered in the development of the Project Area. They are neither all encompassing nor limiting. The Project Matrix (Appendix III, Exhibit A) is not all inclusive, but rather sets forth the general projects and programs and the parameters by which the redevelopment will occur within the Project Area.

Projects anticipated to be pursued at adoption of the Redevelopment Plan are set forth in the Anticipated Initial Projects List (Appendix III, Exhibit B). They are identified for planning purposes and shall not be construed as a limitation on the Agency to carry out and implement the Redevelopment Plan.

Section 400.30      Applicability

The provisions and requirements of this Redevelopment Plan shall apply to all properties and structures in the Redevelopment Project Area, except as herein exempted.

Any and all reference herein stated which refers to the City, its authority, documents, legislative bodies, etc., shall be applicable to the entire Project Area.

If a conflict in the regulation, standards, requirements, conditions or procedures of this Plan occurs with regard to the City's General Plan, Municipal Code or Zoning Ordinance, the regulations, standards, conditions or procedures of the General Plan, Municipal Code of Zoning Ordinance shall apply, except as may be specifically varied by the procedures of this Plan.



## SECTION 500.00 LAND USE PROVISIONS

### Section 500.10 Conformity with the General Plan

The Plan for redevelopment of the Project Area as ordered is based upon the Paso Robles Preliminary Redevelopment Plan which was approved by the Planning Commission and was considered and reviewed through the public hearing process as required by law, and conforms and complies with the goals, objectives, and policies of the General Plan. Properties which are developed in accordance with the land use designations of the General Plan as that General Plan may be amended from time to time and the land use provisions as are hereinafter set forth, are declared to be conforming land uses within the Project Area. The Agency shall not change the land use designations of these properties declared to be conforming land uses within the Project Area. However, the Agency may request the City Council to consider General Plan land use designation changes in order to effectuate the intent of the Redevelopment Plan. That portion of the General Plan Land Use Map for the City of El Paso de Robles containing land uses within the Project Area, is set forth in Appendix II, Exhibit A.

### Section 500.20 Permitted Land Uses

#### Section 500.21 Overview and General Objectives

The redevelopment program is intended to alleviate blight and improve the physical, social, and economic character of the project area. In conjunction with the overall redevelopment objectives, the following general land utilization objectives are established by the Agency:

1. To encourage the development of a well-planned and quality-designed Central Business District which meets the adopted high standards of the community.
2. To provide for sufficient land area within the Project Area for appropriate types of commercial, housing and industrial uses and development, properly located to provide services and goods to meet the commercial, housing and industrial needs of the area, the community, and the region.
3. To provide for required community facilities and public services including recreational facilities and governmental services.
4. To provide an adequate traffic circulation and control system within the Project Area, so as to provide for efficient and safe movement of people, goods, and services in conformance with the General Plan.
5. To provide for the installation and improvement of streets, public utilities, sewer, and water services necessary to the ultimate redevelopment of the Project Area.

6. To provide the direction, purpose, and climate for combined public and private investment which will result in benefits to the community as a whole.
7. To provide for the beautification and revitalization of the Project Area enabling the community to further establish an identity and a quality of life which is desired by its citizens and businesspersons.
8. To provide assistance, enticements, and encouragement to ensure that the Project Area is developed to its fullest and ultimate usage, ensuring that the standards and requirements of the Municipal Code and the policies, goals, and objectives of the General Plan are met.
9. To provide a smooth plan that implements the transitional character of the Project Area from a blighted area to an economically viable area.

The redevelopment of the El Paso de Robles Redevelopment Project will be undertaken in order to carry out the intent and purpose of the Redevelopment Law and the redevelopment objectives broadly defined herein.

By implementing these objectives through the use of the California Redevelopment Law and the redevelopment techniques as are hereinafter set forth, the Redevelopment Agency will be able to respond to the blight conditions which presently and/or potentially exist in the Project Area.

#### Section 500.22 Land Use Plan Map

The Land Use Plan Map designates the permitted land uses and principal streets located within the Project Area and is designated as attached Appendix II, Exhibit A, which by this reference becomes a part hereof. Land uses different from those designated in said Land Use Map may be authorized by the Agency if these land uses are consistent with the then adopted General Plan as amended, and if the Agency finds that these land uses are compatible with the goals and purposes of this Redevelopment Plan. In addition, the map illustrates immediate adjacent streets, public rights-of-way, easements, and other public, semi-public, and private permitted land uses.

#### Section 500.23 Commercial

Areas designated for commercial uses on the Map attached hereto shall be developed according to the regulations, requirements, restrictions, and provisions of the Municipal Code, as amended, pertaining to the development of said commercial land use designations as adopted under the General Plan, as amended.

The permitted commercial uses shall be in compliance with, and consistent with, the appropriate chapters of the Municipal Code, as same may be amended from time to time, setting forth said permitted uses.

Section 500.24 Industrial

Areas designated for industrial uses on the Map attached hereto shall be developed according to the regulations, requirements, restrictions, and provisions of the Municipal Code, as amended, pertaining to the development of said industrial land use designations as adopted under the General Plan, as amended.

The permitted industrial uses shall be in compliance with, and consistent with, the appropriate chapters of the Municipal Code, as same may be amended from time to time, setting forth said permitted uses.

Section 500.25 Residential

Areas designated for residential uses on the Map attached hereto shall be developed according to the regulations, requirements, restrictions, and provisions of the Municipal Code pertaining to the development of said residential land use designations as adopted under the General Plan as amended.

The permitted residential uses shall be in compliance with, and consistent with the appropriate chapters of the Municipal Code, as same may be amended from time to time, setting forth said permitted uses.

Section 500.26 Property Devoted to Public Purposes and the Nature of Such Public Purpose

Public, semi-public, institutional, and non-profit uses, public rights-of-way and easements shall conform to the provision of this Plan, and shall not be permitted on privately owned property except as expressly consented to by mutual agreements between the owner of said property and the City/Agency.

1. Public Uses

Any public uses, be they those which are designated on the General Plan, as amended, and/or this Redevelopment Plan, as proposed for specific parcels of property; those contemplated uses which are set forth hereinafter and which are not designated as to specific sites; or those which may later be deemed to be required, shall be permitted on any property within the Project Area, or on property outside the Project Area, if it is determined that the proposed public use benefits the Project Area, and the proposed location is best suited for this intended use.

In addition to the public uses which are set forth in the General Plan, it is anticipated that certain other public improvements which are of benefit to the Project Area shall be constructed. These improvements include, but are not limited to, community safety service facilities which may include City and County Civic facilities, police, fire, civil defense, and related structures; park and recreational facilities; school and related facilities; and other public facilities which serve and benefit the Project Area. The location for these proposed improvements has been and will continue to be determined in light of the physical, social, environmental, developmental, and economical considerations which exist when the public use is proposed to be developed. Said public uses may be developed on any property within the Project Area, or outside of the Project Area, if it is determined that the public use and the proposed site are of benefit to the Project Area, and appropriate for the proposed development. The Agency agrees that before a decision is made as to the exact location for these public uses, it will conduct a public hearing and give notice of same:

- a. By publishing one time in a newspaper of general circulation in the City; and
- b. By posting in three public places; and
- c. By mailing to all persons on property within 500 feet of the boundaries of the property upon which the project is proposed to be developed, as shown on the last equalized assessment roll; and
- d. In such other manner as the Agency determines.

It is anticipated that certain other public uses may be developed within the Project Area under agreements with taxing jurisdictions. Such development, if it proceeds, may be located on property owned by the taxing authorities and will be developed in accordance with the agreement between the Agency and the taxing jurisdictions, and as provided by the Community Redevelopment Law. Prior to the designation of any site for the development of such joint projects, the Agency and the affected taxing jurisdiction shall conduct hearings in order to assess the environmental and other development considerations, and shall proceed in the manner set forth in the Municipal Code relative to the conduct of public hearings.

Generally, the approximate amount of open spaces to be provided in the Project Area is the total of all areas which will be in the public rights-of-way, public grounds, space around buildings, and all other amounts of outdoor areas not permitted through limits on land coverage by this Plan to be covered by buildings in accordance with the General Plan, which may be amended from time to time.

2. Public Rights-of-Way and Easements

Areas designated for public rights-of-way and street on the map attached hereto as Exhibit A, Appendix II, shall be used for vehicular, bicycle, and/or pedestrian traffic as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way. Such streets and rights-of-way may be widened, altered, abandoned, vacated or closed by the Agency and the City as necessary for proper development of the Project. Additional public streets, alleys, and other rights-of-way, overpasses, underpasses, vehicle, pedestrian, rail, and bikeway bridges, and traffic control devices including, but not limited to, median strips and signalization may be created and constructed by the Agency and the City in the Project Area as needed for proper development.

Some of the existing rights-of-way within the Project Area may be redesigned, altered, or reconstructed, so as to mitigate negative visual impacts that presently exist. The reconstruction may include the installation of landscaping, modifications of wall construction and/or sidewalks, undergrounding of public utilities, and/or other measures as may be deemed appropriate and necessary to eliminate blighted characteristics and conditions within the Project Area.

Areas designated for easements on the map attached hereto shall be used for public improvements, public and private utilities and facilities, and activities typically found in easements. Such easements may be retained, widened, altered, abandoned, vacated or closed by the Agency and the City as necessary for proper development of the project. Additional easements may be created by the Agency and the City in the Project Area as needed for proper development.

3. Other Semi-public, Institutional and Nonprofit Uses

In any area designated on the map attached hereto, the Agency is authorized to permit the establishment, development or enlargement of public, semi-public, institutional, or non-profit uses, including park and recreational facilities, libraries, hospitals, educational, fraternal, employee, philanthropic and charitable institutions, and facilities of other similar associations or organizations. All such uses shall be developed according to the regulations, requirements, restrictions, and provisions of the Municipal Code and shall conform as far as possible to the provisions of this Plan applicable to the uses in the specific area involved. The Agency may impose reasonable restrictions consistent with the General Plan and Municipal Code as are necessary to protect the development and use of the Project Area.

4. Other Public Property

School District properties, if any, and other public buildings may remain in their present locations and may expand as necessary. If any

part of said public property is not used for public, semi-public, institutional, or non-profit facilities, then the alternative use shall be as permitted by the Municipal Code of the City, as amended from time to time.

Section 500.30      Planning and Development Comments, Criteria and Design Objectives

Section 500.31      General

It is the intent of this Plan to establish, adopt and implement the standards, requirements, conditions, and procedures of the City's General Plan and Municipal Code. In that regard the Plan shall be interpreted to comply with and follow the standards, requirements, conditions and procedures adopted by the City and generally contained in the City's General Plan and Municipal Code, except as specifically provided for or authorized herein and in accordance with the procedures of this Plan.

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 City's General Plan, and the Municipal Code.

The Agency shall be responsible for assuring that the goals, objectives, and provisions of the Redevelopment Plan are conformed to, and applied to, all real property within the Project Area. In order to ensure that Project Area development and rehabilitation is undertaken effectively and efficiently, the Agency may delegate all or a portion of its responsibilities as set forth in Section 500.30, to the City Council, Planning Commission, Development and/or Design Review Board, staff, or other entity of the City which may be presently or hereafter designated.

The Agency shall delegate or maintain its responsibilities, or portion thereof, by resolution. The Agency may adopt said resolution(s) at any time deemed appropriate to effectively implement the Plan. In lieu of said resolution, or in the interim of a resolution being approved by the Agency, the review, approval, and/or denial of plans for the construction, development, redevelopment, and/or rehabilitation of improvements and properties within the Project Area shall be in conformance with the normal review and approval process of the City and Agency as may presently exist or be hereafter modified.

Section 500.32      Site Plans

No new improvement shall be constructed and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated after the date

of the adoption of this Plan except in accordance with an application, permit, and plans, including, appropriate architectural, landscape, and/or site plans, submitted to and approved by the Agency, unless allowed pursuant to the procedures of the following Section 500.51 or 500.54. One of the objectives of this Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space, and other amenities to enhance the aesthetic quality of the Project Area, as provided for in the general controls stated below, including the Design Objectives, Appendix III, Exhibit C. The Agency shall not approve any plans that do not comply with this Plan and the Design Objectives, and all other applicable State and local laws, codes, and ordinances in effect from time to time.

Section 500.33      Development Regulation

Except as specifically stated in this Plan, the Agency shall adopt the requirements, restrictions, standards, guidelines, and regulations as are prescribed in the Municipal Code of the City.

Section 500.34      State and Local Laws

All new construction shall also comply with all applicable State and local laws in effect from time to time including but not limited to, the Building, Electrical, Heating and Ventilating, Housing, and Plumbing Codes of the City. If, however, a conflict in regulations occurs, the regulations of this Plan shall govern.

Section 500.35      Existing Nonconforming Uses

The Agency is directed and authorized to provide for the reasonable continuance, modification, and/or termination of nonconformities in order to promote compatibility of uses, eliminate blighting conditions, effectuate the purposes, goals, and objectives of this Plan, and to protect the public health, safety, and general welfare within the Project Area. The Agency may not impose or enforce procedures, standards, and requirements which exceed those set forth in the Municipal Code pertaining to said nonconformities, except with the prior approval and authorization of the City Council or as set forth in this Plan. The procedures, standards, and requirements set forth in the Municipal Code pertaining to said nonconformities shall apply to all properties, structures, and uses within the Project Area. The owner, and if the owner is not the user, then the owner and the user of said nonconforming properties, shall enter into a participation agreement with the Agency in order to effectuate compliance with the provisions of the Municipal Code, and the purposes, goals, objectives, and provisions of this Plan.

Section 500.36      Rehabilitation

The Agency may impose the provisions of the Municipal Code pertaining to the rehabilitation of building structures, and/or properties which: 1) have inadequate egress; 2) constitute a fire hazard or are otherwise dangerous to human life; or 3) in relationship to existing uses, constitute a hazard to the public health, safety and general welfare of the Project Area by means of inadequate maintenance, dilapidation, obsolescence, abandonment, or any other unsafe condition. The Agency does hereby declare any such structure, building, or property to be a public nuisance, and may abate such condition or conditions by repair, rehabilitation, demolition, or removal in accordance with the provisions of the Municipal Code and with the prior approval and authorization of the City Council. The owner, and if the owner is not the user then the owner and the user of said public nuisance structures, buildings or properties, shall enter into a participation agreement with the Agency in order to effectuate compliance with the Municipal Code and the purposes, goals, objectives, and provisions of this Plan.

Section 500.37      Limitations on Type, Size, Height of Buildings and  
Number of Dwelling units

The type, size, and height of buildings and structures shall be limited by the applicable State and local statutes and codes including, but not limited to, the Development, Building, and other applicable codes and ordinances of the Municipal Code of the City, as amended. The approximate number of total buildings to be permitted in the Project Area is 2,500. The approximate number of dwelling units to be permitted in the Project Area is 1,500.

Section 500.38      Setbacks

The Agency may establish setbacks and other development requirements for all development within the Project Area which may exceed, modify, or otherwise alter the requirements of the City's current Zoning Ordinances, provided, however, that a) in no instance shall the standards be less than that required by the City except as approved by the City Council; and b) all modified setbacks and other development requirements are approved by the City Council.

Section 500.39      Parking

The Agency may establish parking requirements for all development within the Project Area which may exceed, modify, or otherwise alter the requirements of the City's current Zoning Ordinance provided, however, that a) in no instance shall the standards be less than that required by the City except as approved by the City Council; and b) all modified parking requirements are approved and authorized by the City Council. Parking spaces shall be paved and drained so that storm and surface waters draining from parcels will not cross public sidewalks. Parking spaces visible from streets shall be reasonably landscaped as necessary to prevent unsightly or barren appearance.

Section 500.40 Off-Street Loading

The Agency has established that off-street loading spaces shall be located in a manner to avoid interference with public use of sidewalks and streets.

Off-street loading spaces shall be paved and drained so that storm and surface waters draining from other parcels will not cross public sidewalks. Loading spaces visible from streets shall be reasonably landscaped to prevent an unsightly or barren appearance. Whenever feasible, loading spaces shall be located to avoid fronting on public streets.

Section 500.41 Light, Air, and Privacy

In all areas, sufficient space shall be maintained between buildings to provide adequate light, air and privacy.

Section 500.42 Screening and Landscaping

The Agency may require owners of existing structures in the Project Area to landscape and/or screen their property if, in the opinion of the Agency, the structure is detracting substantially from the improved appearance of the surrounding area. In addition, the Agency may require additional landscaping requirements which exceed the requirements of the Zoning Ordinance, provided, however, that all modified landscaping requirements are approved and authorized by the City Council. All outdoor storage of materials or equipment shall be enclosed or screened by walls, landscaping, or other enclosure to the extent and in the manner conducive to a quality environment and consistent with the City's Zoning Ordinance.

Section 500.43 Rights-of-Way

Rights-of-Way, public or private, for streets, pedestrian paths, malls, vehicular access to parking and loading areas, service roads, and easements for utilities may be established by the Agency or by others upon approval of the Agency.

Section 500.44 Easements

No structure shall be built upon an easement without review and approval by the Planning Commission and the prior written consent of the Agency and City Council.

Should construction be permitted, the Agency and the City must be held harmless from any subsequent damage to either the improvement or the easement.

Section 500.45 Utilities

The Agency shall require that all utilities be placed underground whenever physically and economically feasible.

Section 500.46 Open Spaces and Landscaping

The approximate amount of open space to be provided in the Project Area includes, but is not limited, to, the total of all areas which will be in the public rights-of-way, parks and recreational areas, the space around buildings, and all other outdoor areas not permitted to be covered by buildings as generally shown on the Land Use Map Appendix II, Exhibit A, and generally consist of all street right-of-ways, the City Park, the Fairgrounds, the Salinas River, and Highway 101. Landscaping plans may be required to be submitted to the Agency for review and approval to ensure optimum use of living plant material.

Section 500.47 Signs

Signs in the Project Area are subject to the regulations and limitations set forth in those chapters and sections of the Municipal Code of the City regulating signs. Exterior signs necessary for identification of buildings, premises, and uses of particular parcels shall be permitted within the Project Area, provided the design and specifications for such designs shall be approved prior to their erection or installation. When reviewing said designs, and specifications, the approving authority shall determine, before approval, that said signs will not create hazards because of their characteristics. All signs shall be compatible with the aesthetic standards of the redevelopment project.

Section 500.48 Incompatible Use

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. Except as permitted by the City, within 500 feet of the surface of the Project Area there shall be no opening or penetration or extraction of oil, gas, or other mineral substance or for any other purpose connected therewith. These provisions may be varied by the Agency if in the best interest of the community. This section shall not prohibit the opening, penetration, or extraction of water.

Section 500.49 Resubdivision of Parcels

After rehabilitation and development pursuant to this Plan, no parcel in the Project Area, including any parcel retained by a conforming owner or participant, shall be resubdivided without the prior approval of the Agency.

Section 500.50      Nondiscrimination and Nonsegregation

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

Section 500.51      Variations

Under certain circumstances the Agency is authorized to permit minor variations from the limits, restrictions, and controls established by this Plan. In order to permit such a variation, the Agency must determine that:

1. The application of one or more of the provisions of this Plan would result in unnecessary hardship or practical difficulties to the property owner inconsistent with the general purposes and intent of this Plan; and
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 from the limits, restrictions, or controls of this Plan 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 this Plan.
5. Permitting a variation is not contrary to the goals and objectives of the General Plan of the City.

No such variation shall be granted which permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public health, safety, or welfare, and to assure compliance with the objectives of this Plan.

The Agency may permit such variation after it first has been submitted to the Planning Commission for their consideration and report, and upon approval by the City Council.

Section 500.52      Design Objectives

In order to promote a functional, attractive, and visually appealing environment in the Redevelopment Project Area, Design Objectives, attached hereto as Appendix III, Exhibit C, shall guide the development in the

Project Area. The Agency shall utilize the Design Objectives in their consideration of redevelopment proposals. The Design Objectives are intended to conform to the City's General Plan and Municipal Code. If, however, a conflict in these objectives occur, the regulations and provision of the General Plan and Municipal Code shall apply, except as approved by the City Council.

Section 500.53 Standards for Development .

The Agency may pursue and/or encourage the development, redevelopment, and/or rehabilitation of particular and/or unique integral areas of the Project Area, which require design and development standards different or more than those set forth in the Municipal Code of the City.

If the Agency desires to establish specific requirements for heights of buildings, land coverage, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public improvements within these areas of the Project Area which are different than or more restrictive than the General Plan or Municipal Code, the following procedures shall apply:

1. Prior to establishing said development and design controls, the Agency shall by resolution designate the boundaries of the area where said development and design controls shall apply and shall make the finding that said controls are necessary to ensure a coordinated and comprehensive development or redevelopment of the area.
2. The City Council shall effectuate the development and design controls by the approval of a Specific Plan for the area.
3. Review and approval of the Specific Plan shall be in accordance with the provisions of the City and State law, and after a public hearing.
4. The development and design controls in a Specific Plan shall not be more restrictive than those controls typically imposed for similar Specific Plan developments, if any within the City and outside of the Redevelopment Project Area.
5. Prior to any approval by the City Council of any Specific Plan for development and design controls, not less than ten (10) days written notice shall be given to property owners within the Project Area.

Section 500.54 Review of Applications for Issuance of Building and Development Permits

In order to determine conformity of the development of property within the Project Area to the provisions of the Municipal Code and the purposes,

goals, objectives, and provisions of this Plan, the procedures as are hereinafter set forth shall apply.

1. Procedures Relative to the Review and Approval of Developments for Issuance of Permits

Upon the adoption of this Plan, no permit shall be issued for construction of any new building or any addition to an existing building in the Project area until the application for such permit has been processed in the manner herein provided. Any permit that is issued hereunder must be for construction which conforms to the provision of this Plan.

Upon receipt of an application for a building permit, the Building Department of the City shall request the Executive Director of the Agency (or such other person or persons as may be designated by the Agency) to review the application to determine if the proposed improvements will conform to this Plan. Within 15 working days thereafter said Executive Director, or designate, shall file a written report with the Building Department setting forth findings of fact including, but not limited to, the following:

- a. Whether the proposed improvements would be compatible with the standards and other requirements set forth in this Plan in terms of design requirements of the Agency; and
- b. What modifications, if any, in the proposed improvements would be necessary in order to meet the requirements of this Plan and the design requirements of the Agency, and
- c. Whether the applicant has entered into an agreement, as appropriate, with the Agency for the development of said improvements and submitted architectural, landscape, and site plans to the Agency.

After receipt of said report or after said 15-day period, whichever occurs first, the Building Department may issue the permit with conditions, if any, required by the Executive Director and approved by the Agency; or it shall withhold the issuance of the permit, if the Executive Director has found that the proposed improvement does not meet the requirements of this Plan and the design requirements of the Agency. Within 7 working days after allowing or withholding issuance of the permit, the Building Department shall notify the applicant and the Agency of its decision by certified mail or personal delivery with certification of said delivery.

2. Procedures for Appeals by Applicant

The applicant or the Agency may appeal the decision of the Building Department withholding, conditionally allowing, or allowing the issuance of such permit to the City Council. Within 20 working days

from the mailing of the Notice of Decision of the Building Department, the applicant shall file the notice of appeal in duplicate with the City Clerk who shall immediately forward one of the duplicates to the Building Department.

The Notice of Appeal shall set forth the grounds relied upon by applicant. Within 20 working days following the filing of the appeal, the City Council shall set the matter for hearing and shall give notice of the time and place for said hearing to the applicant and to the Agency.

The City Council may reverse or affirm, wholly or partly, or may modify any decision or determination, or may impose such conditions as the facts warrant, and its decision or determination shall be final. Any hearing may be continued from time to time.

The provisions of Section 500.31 relative to the delegation of responsibility shall apply to the procedures of this section.

SECTION 600.00 REDEVELOPMENT TECHNIQUES TO ACHIEVE PLAN OBJECTIVES

Section 600.10 General

The redevelopment of the Redevelopment Project Area will be undertaken in order to carry out the intent and purpose of the Redevelopment Law and the redevelopment objectives broadly defined in the previous sections and this Plan.

The Agency proposes to eliminate or alleviate the conditions of blight existing in the Project Area, to strive for economic revitalization and Project Area beautification, and to mitigate the negative social, physical, and environmental impacts resulting from existing and anticipated development or deterioration in the Project Area through the following activities:

Section 600.11

The acquisition of real property by purchase, gift, devise, or any other lawful interest, with the specific limitations on exercising the power of eminent domain.

Section 600.12

The combining of parcels or properties, site preparation and the construction of necessary off-site improvements.

Section 600.13

Providing for owner participation in the redevelopment of property in the Project Area.

Section 600.14

Extending reasonable preference to persons who are engaged in business in the Project Area to reenter businesses within the Project Area, provided that said business reentry conforms with this Plan, the General Plan and Municipal Code of the City.

Section 600.15

The redevelopment of land by private enterprise or public agencies for use in accordance with this Plan.

Section 600.16

Providing for open space and recreational land use.

Section 600.17

Encouraging public and private improvements so as to prevent, mitigate, or eliminate existing and/or anticipated blight conditions in the Project Area.

Section 600.18

The disposition of property including the lease or sale of land at a value determined by the Agency for reuse in accordance with this Plan and under all the conditions contained within it.

Section 600.19

Providing relocation assistance to displaced residential and nonresidential occupants (if any).

Section 600.20

Demolishing or removing certain existing buildings and improvements on land acquired by the Agency.

Section 600.21

The demolition, removal, rehabilitation, alteration, modernization, general improvement, or any combination thereof, of existing structures in the Project Area where such are permitted or required under the Redevelopment Plan.

Section 600.22

The vacation or closure of certain street areas and dedication of other areas for public street purposes.

Section 600.23

The preparation, by the Agency, of acquired land for building sites. In connection therewith the Agency may cause streets, bridges, railroad crossings, bikeways, and pedestrian ways to be designed, installed, constructed, or reconstructed; may cause sidewalks, curbs, and public utilities to be constructed and installed; and may cause landscaping and other on-site and off-site improvements to be completed in conformity with the Redevelopment Plan.

Section 600.24

Provide for the use of twenty percent (20%) of tax increment resulting from the Project Area, to be used for the purpose of increasing and improving the community's supply of housing for persons and families of very low, low or moderate income should particular findings not be made by the Agency.

Section 600.25

Provide replacement housing for dwelling units of families of low and moderate income destroyed or removed within the Project Area.

Section 600.26

Negotiate arrangements with taxing jurisdictions to alleviate any financial burden or detriment caused to the taxing entity as a result of the adoption of the Redevelopment Plan.

Section 600.30      Property Acquisition

Section 600.31      Acquisition of Real Property

I.      General Provisions for Real Property Acquisition

Except as specifically exempted herein, the Agency may, but is not required to obtain real property by purchase, lease, obtain options to, acquire by gift, grant, bequest, exchange, devise, eminent domain or other lawful method whatsoever, insomuch as it is necessary to carry out the purposes of this Plan.

The Agency is not authorized to acquire real property owned by public bodies which do not consent to such acquisition. The Agency is authorized, however, to acquire property devoted to a public use if it is transferred to private ownership before the Agency completes land

disposition within the entire Project Area unless the Agency is not authorized to acquire such property under other provisions of this Plan.

The Agency is authorized to acquire any interest in real property fee or less than fee interest, and to acquire structures without acquiring the land upon which said structures are located. The Agency is not authorized to acquire interest in oil, gas, or other mineral substance within the Project Area, but may acquire water rights to any and all properties within the Project Area.

Prior to acquiring real property, the Agency shall have an independent appraisal made of the property by a professional appraiser to determine the fair market value of the property. Said fair market value shall be publicly disclosed prior to the Agency taking action on the acquisition. The Agency may acquire said property for a value not less than the fair market appraisal.

The Agency, at the request of the legislative body, may accept a conveyance of real property (located within or outside the survey area) owned by a public entity and declared surplus by the public entity, or owned by a private entity. The Agency may dispose of such property to private persons or to public or private entities, by sale or long-term lease for development. All or any part of the funds derived from the sale or lease of such property may, at the discretion of the City Council, be paid to the community or to the public entity from which any such property was acquired.

The Agency shall not acquire from any of its members or officers any property, or interest in property.

Without the consent of an owner, the Agency shall not acquire any real property on which an existing building is to be continued on its present site and in its present form and use unless such building requires structural alteration, improvement, modernization, or rehabilitation, or the site or lot on which the building is situated requires modification in size, shape or use, or 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 agree to participate in the Redevelopment Plan pursuant to an owner participation agreement.

Any covenants, conditions, or restrictions existing on any real property within a Project Area prior to the time the Agency acquires title to such property, which covenants, conditions, or restrictions restrict or purport to restrict the use of, or building upon, such real property, shall be void and unenforceable as to the Agency and any other subsequent owners, tenants, lessees, easement holders, mortgagees, trustees, beneficiaries under a deed of trust, or any other persons or entities acquiring an interest in such real property from such time as

title to the real property is acquired by an Agency whether acquisition is by gift, purchase, or otherwise. This shall not apply to covenants, conditions, or restrictions imposed by a Redevelopment Plan or by the Agency pursuant to the Redevelopment Plan. This also shall not apply to covenants, conditions, or restrictions where the Agency in writing expressly acquires or holds property subject to such covenants, conditions, or restrictions. Further, this shall not limit or preclude any rights of reversion of owners, assignees or beneficiaries of such covenants, conditions, or restrictions. Further, this shall not limit or preclude the rights of owners or assignees of any land benefited by any covenants, conditions, or restrictions to recover damages against the Agency if under law such owner or assignee has any right to damages. No right to damages shall exist against any purchaser from the Agency or his successors or assigns, or any other persons or entities.

2. Acquisition of Real Property by Eminent Domain

Since it is in the public interest and is necessary for the elimination of those conditions requiring redevelopment, the power of eminent domain may be employed by the Agency to acquire real property in the Project Area.

The Redevelopment Agency shall have no authority to acquire real property by the use of eminent domain or condemnation if said property is a) designated residential on the Zoning and General Plan Maps of the City; and b) developed in accordance with the Municipal Code of the City; provided however, the Agency may acquire any such residential real property in the Project Area bounded by 15th Street on the north, 1st Street on the south, Spring Street on the west, and the Southern Pacific Railroad right-of-way on the east, and is necessary to facilitate the improvement of the Central Business District.

The Agency shall have no authority to acquire property outside of the area bounded by 15th Street on the north, 1st Street on the south, Spring Street on the west, and the Southern Pacific right-of-way on the east which is developed with a residential dwelling unit which is owner-occupied as of the date of adoption of the Redevelopment Plan, whether or not such property is zoned for residential use, so long as such owner occupancy continues as evidenced by such owner's qualification for the property tax homeowner exemption.

The power of eminent domain will not be exercised when the property in question is improved with a structure and conforms to the Plan, and in the determination of the Agency:

- a. Is not needed for those specific activities outlined in this Plan;

- b. Is not needed to provide for or replace very low-, low-, and moderate-income housing pursuant to specific provisions of this Plan;
- c. Is not needed for any other public improvement or facility;
- d. Is not needed to promote historical or architectural preservation;
- e. Is not needed to remove the blighting influences on surrounding properties which might prevent achievement of the objectives of this Plan but, rather, said property will develop in conformity with the objectives of this Plan through private initiative;
- f. Is not needed for the elimination of any environmental deficiency including, among other things, inadequate street layout, incompatible and mixed land uses, overcrowding and small parcel size; or
- g. Is not needed for the removal of impediments to land development and disposition through assembly of land into appropriately sized and shaped parcels served by improved circulation, parking, and utilities.

Through the adoption of this Plan, the Agency has not designated and/or identified any particular parcel of property or properties to be acquired through eminent domain.

In the event that it is determined that a particular portion of any real property is required pursuant to the conditions stated above, for the above stated uses, then the power of eminent domain shall not be exercised until a public hearing has been held before the Agency, with written notice of the said hearing given to all affected property owners as may be indicated on the latest tax assessment records, not less than ten (10) days prior to said hearing.

A time limit of twelve (12) years from the date of the ordinance adopting the Redevelopment Plan is established within which time the Agency may commence eminent domain proceedings as herein above set forth. Such time limitation may be extended only by amendment of the Redevelopment Plan.

### 3. Declaration of Need to Acquire Real Property and Eminent Domain

Prior to any acquisition through eminent domain, the Agency shall adopt a resolution declaring a need to acquire any specific property and authorize the acquisition by such a method. The Agency shall commence an eminent domain proceeding thereunder within three (3) years after the date of adoption of the resolution declaring such need.

Thereafter, the Agency shall declare the property to be exempt from acquisition by eminent domain.

Thirty days prior to the acquisition of real property other than by eminent domain, the Agency shall provide notice of such acquisition and the provisions of this section to holders of interests which would be made void and un-enforceable pursuant to this section as follows:

- a. The Agency shall publish notice once in a newspaper of general circulation in the community in which the Agency is functioning.
- b. The Agency shall mail notices to holders of such interests if such holders appear on record sixty (60) days prior to the date of acquisition.

The Agency may accept any release by written instrument from the holder of any such interest, or may commence action to acquire such interest, after the date of the acquisition of real property.

#### Section 600.32 Acquisition of Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means, except the authority of eminent domain or condemnation.

#### Section 600.33 Community Input Prior to Property Acquisition by the Agency

Except as provided in Section 600.31 and before the acquisition of any real property, except for those portions of properties which are found to be necessary for the development and implementation of ultimate street right-of-way and utility improvements, the Agency shall conduct a public hearing with notice of same given by publishing it in a general circulation newspaper for a period of not less than ten (10) days prior to the hearing. Said public hearing shall be scheduled to discuss the merits of such acquisition and plans for redevelopment. The Agency shall encourage the input, recommendations, and comments from the community and interested citizens and groups involved in any such acquisition or development proposals.

#### Section 600.40 Conforming Owners and Participation by Owners and Business Tenants

#### Section 600.41 Opportunities of Owners and Business Tenants

The Agency shall extend reasonable preferences to persons who are engaged in business in the Project Area to re-enter into business within the Project

Area if they meet the requirements prescribed in this Plan and comply with the adopted Agency rules regarding re-entry.

It is the intention of the Agency that owners of parcels of real property within the Project Area, where consistent with this Plan, be allowed to participate in this redevelopment by: a) retaining all or a portion of their properties; b) acquiring adjacent or other properties in the Project Area; or c) selling their properties to the Agency and purchasing other properties in conformance with this Plan.

In the event a participant fails or refuses to rehabilitate or develop his real property upon the request of the Agency, and in accordance with the provisions of the City's Municipal Code, General Plan, this Redevelopment Plan and/or a participation agreement, as an alternate hereto, the real property, or any interest therein, may be acquired by the Agency and sold or leased for rehabilitation or development in accordance with this Plan and the rules for owner participation, hereinafter set forth.

The Agency may determine that certain real property within the Project Area conforms to the following provisions:

1. The construction of existing structures is in conformance with the City's Municipal Code;
2. The present use is in conformance with the General Plan and Zoning Ordinance; and
3. The construction of existing structures and the present use is in conformance with the goals, objectives, and provisions of this Redevelopment Plan.

The owners of such properties will be permitted to remain as conforming owners without a participation agreement with the Agency, provided such owners continue to operate and use the real property within the requirements of this Plan. In addition, the owners of residential properties which hereinafter develop in accordance with this Plan and the General Plan, shall not be required to record a participation agreement with the Agency, provided such owners continue to operate and use the real property within the requirements of this Plan.

Section 600.42      Rules for Participation Opportunities, Priorities, and Preferences

The Agency shall provide an opportunity to owners and tenants in the Project Area to participate in the growth and development of the Project Area in accordance with the participation rules adopted by the Agency. In general, these rules provide that existing business owners and business tenants within the Project Area to be given preference for re-entry into business within the redeveloped Project Area; and that certain buildings in the

Project Area be retained, provided the owners will be required to submit proof to the Agency of their qualification and financial ability to carry out their agreement with the Agency to rehabilitate their properties to conform with the standards of this Redevelopment Plan at their own expense, or pursuant to an agreement between the Agency and the property owner.

If conflicts develop between the desires of participants for particular sites of land uses, the Agency is authorized to establish reasonable priorities and preferences among the owners and tenants.

Participation opportunities shall necessarily be subject to, and limited by, the expansion of public utilities and facilities, realignment and widening of streets, and the opening of new streets, if any.

In the event any of the conforming owners desire to: 1) construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming; or 2) acquire additional real property within the Project Area, then such conforming owners shall be required to enter into a participation agreement with the Agency in the same manner as required for owners of non-conforming properties.

Any real property owned by conforming owners outside of the designated conforming parcels and within the Project Area shall be considered and treated in the same manner as real property owned by other owners, i.e., any may be required to enter into a participation agreement with the Agency.

The Owner Participation Rules and the Preference Rules adopted by the Agency and made available for inspection are on file in the office of the City Clerk.

#### Section 600.43 Participation Agreements

Unless exempted as provided for herein, each participant shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate or develop, and use the property in conformance with the Plan, and to be subject to the provisions hereof. Whether or not a 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. In such agreements, 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.

Participation agreements shall be in a form prescribed herein and as amended from time to time by the Agency, and shall provide assurances as to the following:

1. The construction is in conformance with the City's Municipal Code;

2. The use is in conformance with the General Plan, Community Plan, Neighborhood Element and Zoning Ordinance; and
3. The construction and use is in conformance with the goals, objectives, and provisions of this Redevelopment Plan.

As previously provided, participation agreements shall not be required for the following if they conform to the City's Municipal Code, General Plan, Zoning Ordinance, and the goals, objectives, and provisions of this Redevelopment Plan:

1. All properties, structures, and improvements presently used; and
2. Residential properties which hereinafter develop and/or are improved.

The Agency may waive the requirements of a participation agreement for any reason provided such waiver is consistent with the intent of this Plan and that of the City Council.

#### Section 600.50 Cooperation With Public Bodies

Certain public bodies are authorized, required, or directed by State law, statute, by law, or other similar directive to aid, assist, and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid, assistance, 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 purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area.

The Agency, with the approval of the City Council by resolution, is authorized to financially and otherwise participate and assist any public entity in the cost of public structures or facilities within or outside of the Project Area, to the extent that such public structures or facilities benefit the Project Area.

The Agency shall have the right to impose on all public bodies, the planning and design controls contained in the Plan to ensure that present uses and any future development by public bodies conform to the requirements of this Plan. 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 shall not effectuate any additional review and approval process and/or procedure for public and/or private projects if: 1) there exists a present process and/or procedure which adequately and efficiently ensures and safeguards the implementation of the goals, objectives, and provisions of the Plan; and 2) the Agency has not adopted a resolution which maintains responsibility for the review and approval per Section 500.31.

Section 600.60 Project Area Committee (P.A.C.)

Section 600.61 Formation and Purpose

The City Council may, but is not required, to call upon residential owner occupants, residential tenants, businesspersons, and members of existing organizations within and outside of the Project Area to form a Project Area Committee. The Committee shall consist of not less than five (5) members appointed by the City Council. The Agency through its staff, consultants, and Agency members shall, upon the direction of and with the approval of the City Council, consult with and obtain the advice of the Project Area Committee concerning those policy matters which deal with the planning and provision of residential facilities or replacement housing for those to be displaced by project activities. The Agency shall also consult with the Committee on other policy matters which affect the residents of the Project Area. The provisions of this section shall apply throughout the period of preparation and/or amendment of the Redevelopment Plan and specifically the Project Area Committee shall be in existence for ten (10) years following the adoption of the Ordinance approving the Plan, subject to one (1) year extensions by the City Council.

The Project Area Committee shall be called upon by the City Council and Redevelopment Agency to review, comment upon, and provide input to the Planning Commission, Redevelopment Agency and City Council on all specific projects initiated by the Redevelopment Agency prior to an action by the Agency on said specific projects.

Nothing contained in this section shall prevent the Agency or the City Council from creating other committees for the Project Area or from not creating the Project Area Committee.

The Project Area Committee shall serve at the will and pleasure of the City Council consistent with their intent and direction.

Section 600.62 Open and Public Meetings

Minutes of all the meetings of the Agency with the Committee shall be open and public, and a record shall be kept for all information presented to the Committee by the Agency or by the Committee to the Agency for the purpose of

carrying out the provisions of this Plan. Said records shall be maintained by the Agency and all minutes and official records shall be available for public inspection.

Section 600.70 Property Management

During such time as property in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. In addition, the Agency may ensure or provide for the insurance of any real or personal property of the Agency against risk of hazards; and may rent, lease, maintain, manage, operate, repair, and clear such real property pending its disposition for redevelopment.

The Agency may in any year during which it owns property in a Redevelopment Project Area pay directly to any City, County, City and County, 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, an amount of money in lieu of taxes.

A proportionate share of any amount of money paid by an agency to any City and County pursuant to this section shall be disbursed by the City and County to any School District with territory located within a Redevelopment Project Area in the City and County. "Proportionate share," as used in this section, means the ratio of the School District tax rate, which is included in the total tax rate of the City and County, to the total tax rate of the City and County.

The Agency may also pay to any taxing agency with territory located within a Project Area other than the community which has adopted the project, any amounts of money which the Agency has found are necessary and appropriate to alleviate any financial burden or detriment caused to any taxing agency by a redevelopment project. The payments to a taxing agency in any single year shall not exceed the amount of property tax revenues which would have been received by that taxing agency if all the property tax revenues from the Project Area had been allocated to all affected taxing agencies without regard to the division of taxes required by law, except that a greater payment may be established by agreement between the Agency and one or more taxing agencies, except a school district, if such other taxing agencies agree to defer payments for one or more years in order to accomplish the purposes of the project at an earlier time than would otherwise be the case. The amount of any such greater payments shall not exceed the amount of payment deferred. The payments shall be approved by a resolution, adopted by the Redevelopment Agency, which shall contain findings, supported by substantial evidence, that the redevelopment project will cause or has caused a financial burden or detriment to the taxing agency and that the payments are necessary to alleviate the financial burden or detriment.

The requirement that the Agency may make payments to a taxing entity only to alleviate a financial burden or detriment, and only after approval by a resolution which contains specified findings, shall apply only to payments made by the Agency pursuant to an agreement between the agency and a taxing entity which is executed by the Agency on or after the effective date of this Plan.

Except as provided in Section 600.80 this part does not authorize the Agency to own or operate rental property acquired and rehabilitated in prospect of resale beyond a reasonable period necessary to effect such resale.

Section 600.80 Relocation of Persons Displaced by Projects

The provisions of this section shall apply to residential structures constructed within the Project Area, and occupied during the term of this Plan, if any.

Section 600.81 Utilization of Funds

The Agency may, in order to facilitate the rehousing of families and single persons who are displaced from their homes in a Project Area, utilize the aids made available through Federal urban renewal, redevelopment, and housing legislation and may use funds derived from any public or private source to carry out the purposes of this section.

Section 600.82 Assistance in Finding Other Locations

The Agency shall assist all families, persons, business concerns, non-profit local community institutions and others who are temporarily or permanently displaced by the project in finding other locations and facilities.

In order to carry out the project with a minimum of hardship to persons displaced from their homes, the Agency shall assist individuals and families in finding housing within the City, or within close proximity to the City, which although they may be outside of the Project Area, are:

1. Decent, safe, and sanitary;
2. Generally not less desirable in regards to public utilities and public and commercial facilities;
3. Available at rents or prices within the financial means of the displaced families;
4. Are reasonably accessible to places of employment; and
5. Available and ready for occupancy prior to the displacement of said persons.

Permanent housing facilities shall be made available within three (3) years from the time occupants are displaced and that, pending the development of such facilities, there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement.

The Agency may operate a rehousing bureau to assist site occupants in obtaining adequate temporary or permanent housing, and may incur any necessary expenses for this purpose.

Whenever any portion of a redevelopment project is developed with low- or moderate-income housing units, the Agency shall require, by contract or other appropriate means, that such housing be made available for rent or purchase to low- or moderate-income persons or families displaced by redevelopment project. Such persons and families shall be given priority in renting or buying such housing; provided, however, failure to give such priority shall not affect the validity of title to real property.

### Section 600.83 Relocation and Replacement Housing Plans

#### 1. Relocation

The Agency shall prepare, if such action is taken, a feasible method or plan for relocation of all of the following:

- a. Families and persons to be temporarily or permanently displaced from housing facilities in the Project Area.
- b. Non-profit local community institutions to be temporarily or permanently displaced from housing facilities in the Project Area.

The City Council shall ensure that such method or plan of the Agency for the relocation of families or single persons to be displaced by a project shall provide that no persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary, and otherwise standard dwellings. The Agency shall not displace such persons or families until such housing units are available and ready for occupancy.

#### 2. Replacement

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-income housing market, the Agency shall adopt by resolution a replacement housing plan. The replacement housing plan shall include:

- a. The general location of housing to be rehabilitated, developed, or constructed;

- b. An adequate means of financing such rehabilitation, development, or construction; and
- c. A finding that the replacement housing does not require the approval of the voter pursuant to Article XXXIV of the California Constitution, or that such approval has been obtained.

A dwelling unit whose replacement is required 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.

Section 600.84 Destroyed or Removed Dwelling Units

- 1. After the effective date of this Plan and 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, the Agency shall, within 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 rents within the Project Area or within the territorial jurisdiction of the Agency.
  - a. At least thirty percent (30%) of all new or rehabilitated dwelling units developed within the Project Area by the Agency shall be available at affordable housing costs to persons and families of low- or moderate-income. Of such thirty percent (30%), not less than fifty percent (50%) shall be available at affordable housing costs to, and occupied by very low-income families.
  - b. At least fifteen percent (15%) of all new or rehabilitated dwelling units developed within the Project Area by public or private entities or persons other than the Agency shall be at affordable housing costs to persons and families of low- or moderate-income. Of such fifteen percent (15%), not less than forty percent (40%) thereof shall be available at affordable housing costs to very low-income households.
  - c. The requirements of this subdivision shall apply independently of the requirements of Section 600.84(1) and in the aggregate to housing made available pursuant to Section

600.84(1)(a) and (b), respectively, and not to each individual case of rehabilitation, development, or construction of dwelling units.

2. The Agency shall require that the aggregate number of replacement dwelling units and other dwelling units rehabilitated, developed, or constructed pursuant to Section 600.84(1) remain available at affordable housing cost to persons and families of low income, moderate income, and very low income households, respectively, for not less than the period of the land use controls established in the redevelopment plan.

An Agency may, by resolution, elect to require that whenever dwelling units housing persons or families of low or moderate income are destroyed or removed from the low- and moderate-income housing market as part of a redevelopment project, the agency shall replace each dwelling unit with up to two replacement dwelling units pursuant to Section 600.84(1).

3. Except as otherwise authorized by law, this section does not authorize the Agency to operate a rental housing development beyond the period reasonably necessary to sell or lease the housing development.

#### Section 600.85 Housing Development Provisions

Whenever all or any portion of a redevelopment project is developed with low- or moderate-income housing units, the Agency shall require by contract or other appropriate means that such housing be made available for rent or purchase to the persons and families of low and moderate income displaced by the redevelopment project. Such persons and families shall be given priority in renting or buying such housing provided however, failure to give such priority shall not affect the validity of title to real property.

If insufficient suitable housing units are available in the community for low- and moderate-income persons and families to be displaced from a Redevelopment Project Area, the City Council shall assure that sufficient land be made available for suitable housing for rental or purchase for low- and moderate-income persons and families. If insufficient suitable housing units are available in the community for use by such persons and families of low and moderate income displaced by the redevelopment project, the Redevelopment Agency may, to the extent of that deficiency, direct or cause the development, rehabilitation or construction of housing units within the community, both inside and outside of Redevelopment Project Areas.

#### Section 600.86 Housing Replacement and Relocation Appeals

A Housing Replacement and Relocation Appeals Board, as created by the City and/or County shall promptly hear all complaints brought by residents of the Project Area relating to relocation and shall determine if the Redevelopment

Agency has complied with the provisions of this Chapter and, where applicable, Federal regulations. The Board shall, after a public hearing, transmit its findings and recommendations to the Agency. The Board shall not consist of members of the City Council or the Redevelopment Agency, but may consist of representatives of the Project Area Committee.

Section 600.87            Housing Replacement and Relocation Records

Except as otherwise provided, all applications and records concerning any person, including individuals, families, business concerns, and others, made or kept by any agency in connection with the administration of the provisions relating to relocation advisory assistance or relocation payments, shall be confidential. The Agency having custody of such records may, however, make the records available to the City Council, the Department of Housing and Community Development of this State, and the United States Department of Housing and Urban Development for confidential use by such public entities.

Nothing contained herein shall prohibit the Agency from giving information or statistics relating to relocation advisory assistance or relocation payments to any public or private persons or entity, if such information or statistics will not result in the disclosure of the identity of persons receiving relocation advisory services or relocation payments.

Notwithstanding other provisions of this section, factual information relating to relocation advisory assistance or relocation payments made or kept by the Agency shall be open for inspection by the person to which the information relates and by any other person authorized in writing by such person.

Section 600.88            Relocation Payments

The Agency may pay reasonable moving expenses to residents (including individuals and families) displaced by the project. This provision is not intended to provide incentives for commercial and industrial businesses to move out of the Project Area. However, the Agency may make relocation payments to such business concerns for moving expenses where the Agency determines it is in the best interest of the project. The Agency may make such other payments as may be in the best interest of the project and for which funds are available.

Section 600.89            Limited-Equity Housing Cooperatives

The Agency shall give preference to those developments other than single-family residences which are proposed to be organized as limited-equity housing cooperatives when so requested by a Project Area Committee, provided

such project is achievable in an efficient and timely manner, when rehabilitation, development, or construction of replacement dwelling units is caused by the Agency.

Such limited-equity housing cooperatives shall, in addition to the provisions hereinafter set forth, be organized so that the consideration paid for memberships or shares by the first occupants following construction or acquisition by the corporation, including the principal amount of obligations incurred to finance the share or membership purchase, does not exceed three percent of the development cost or acquisition cost, or of the fair market value appraisal by the permanent lender, whichever is greater.

A "limited-equity housing cooperative" means a corporation organized on a cooperative basis which meets all of the following requirements:

1. The corporation is any of the following:
  - a. Organized as a non-profit public benefit corporation pursuant to Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporations Code.
  - b. Holds title to real property as the beneficiary of a trust providing for distribution for public or charitable purposes upon termination of the trust.
  - c. Holds title to real property subject to conditions which will result in reversion to a public or charitable entity upon dissolution of the corporation.
  - d. Holds a leasehold interest, of at least 20 years' duration, conditioned on the corporation's continued qualification under this section, and providing for reversion to a public entity or charitable corporation.
2. The Articles of Incorporation or Bylaws require the purchase and sale of the stock or membership interest of resident owners who cease to be permanent residents, at no more than a transfer value determined as provided in the Articles or Bylaws, and which shall not exceed the aggregate of the following:
  - a. The consideration paid for the membership or shares by the first occupant of the unit involved, as shown on the books of the corporation.
  - b. The value, as determined by the Board of Directors of the corporation, of any improvements installed at the expense of the member with the prior approval of the Board of Directors.

- c. Accumulated interest, or an inflation allowance at a rate which may be based on a cost-of-living index, an income index, or market-interest index. Any increment pursuant to this paragraph shall not exceed a 10 percent annual increase on the consideration paid for the membership or share by the first occupancy of the unit involved.
3. The Articles of Incorporation or Bylaws require the Board of Directors to sell the stock or membership interest purchase as provided in subdivision (2), to new member-occupants or resident shareholders at a price which does not exceed the "transfer value" paid for the unit.
4. The "corporate equity", which is defined as the excess of the current fair market value of the corporation's real property over the sum of the current transfer value of all shares or membership interest, reduced by the principal balance of outstanding encumbrances upon the corporate real property as a whole, shall be applied as follows:
  - a. So long as any such encumbrance remains outstanding, the corporate equity shall not be used for distribution to members, but only for the following purposes, and only to the extent authorized by the board, subject to the provisions and limitations of the Articles of Incorporation and Bylaws:
    1. For the benefit of the corporation or the improvement of the real property.
    2. For expansion of the corporation by acquisition of additional real property.
    3. For public benefit or charitable purposes.
  - b. Upon sale of the property, dissolution of the corporation, or occurrence of a condition requiring termination of the trust or reversion of title to the real property, the corporate equity is required by the articles, bylaws, or trust or title conditions to be paid out, or title to the property transferred, subject to outstanding encumbrances and liens, for the transfer value of membership interests or shares, for uses for a public or charitable purposes.
5. Amendment of the Bylaws and Articles of Incorporation requires the affirmative vote of at least two-thirds of the resident-owner members or shareholders.

Section 600.90 Demolition, Clearance, Project Improvement, and Site Preparation of Property by the Agency

Section 600.91 Demolition and Clearance

The Agency is authorized, as to only property which it acquires, to demolish, clear or move buildings, structures and other improvements from any real property in the Project Area as necessary to carry out the purpose of this Plan.

Section 600.92 Public Improvements

The Agency is authorized to install and construct, or to cause to be installed and constructed, the public improvements and public utilities (within or outside the Project Area) necessary to carry out this Plan. Such public improvements include, but are not limited to, over- or underpasses, bridges, streets, curbs, gutters, sidewalks, street lights, sewers, storm drains, traffic signals, electrical distribution systems, natural gas distribution systems, water supply and distribution systems, buildings, parks, on- and off-street parking, plazas, playgrounds, landscaped areas, and other public facilities.

Section 600.93 Preparation of Building Sites

The Agency is authorized to prepare or cause to be prepared building and development sites, any real property in the Project Area owned or acquired by the Agency.

The Agency may develop a site for the authorized uses of this Plan, so as to provide streets, sidewalks, utilities, or other improvements which an owner or operator of the site would otherwise be obliged to provide with the prior consent of the City Council.

In giving consent, the City Council shall make a finding that the provision of such improvements is necessary to effectuate the purposes of the Redevelopment Plan.

Section 600.94 Site Preparation Contract Provisions

The provisions of the California Public Contract Code, commencing with Section 20688.1, shall apply to all contracts entered into by the Agency for any work of grading, cleaning, demolition, or construction undertaken by the Agency within the Project Area.

To the greatest extent feasible, contracts for work to be performed in connection with any redevelopment project shall be awarded to business concerns which are located in, or owned in the substantial part by persons residing in, the Project Area.



Section 600.110      Disposition and Development of Property Owned by the Agency

Section 600.111      Real Property Disposition and Development

I.    Disposition

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage, deed of trust, or otherwise dispose of any real property or any interest therein. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease or sales without public bidding, but only after a public hearing, subject to proper notification.

Except as provided in Section 600.80, the Agency shall lease or sell all real property acquired by it in any Project Area, except property conveyed by it to the community or any other public body. Any such lease or sale shall be conditioned on the redevelopment and use of the property in conformity with the Redevelopment Plan.

Before any property of the Agency acquired in whole or in part, directly or indirectly, with tax increment monies is sold or leased for development pursuant to the Redevelopment Plan, such sale or lease shall first be approved by the City Council after public hearing, subject to proper notification.

If any property acquired in whole or in part from the Redevelopment Revolving Fund is to be sold or leased by the Agency, the sale or lease shall be first approved by the City Council by resolution adopted after public hearing.

All purchasers or lessees of property from the Agency shall be made obligated to use the property for the purposes designated in this Plan and to comply with other conditions which the Agency deems necessary to carry out said purposes.

Property containing buildings or structures rehabilitated by the Agency shall be offered for resale within one year after completion of rehabilitation and an annual report concerning such property shall be published by the Agency as required by law.

The Agency shall reserve such 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 ensure that development is carried out pursuant to this Plan.

The Agency may provide in the contract that any of the obligations of the purchaser are covenants or conditions running with the land, the breach of which shall cause the fee to revert to the Agency.

## 2. Development

The Agency may require that development plans be submitted to it for approval and architectural review. All development in the Project Area must conform to this Plan and all applicable approvals of the appropriate public agencies.

Except as provided in this Plan, the Agency is not authorized to construct any buildings for residential, commercial, industrial, or other use contemplated by the Redevelopment Plan, except that, in addition to its powers as hereinafter set forth, the Agency may construct foundations, platforms, and other like structural forms necessary for the provision or utilization of air rights, sites for buildings to be used for authorized uses contemplated by the Redevelopment Plan. The Agency may further, with the consent of the City Council, pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, structure, or other improvement which is publicly owned either within or without the Project Area, if the City Council determines:

- a. That such buildings, facilities, structures, or other improvements are of benefit to the Project Area or the immediate neighborhood in which the project is located, regardless of whether such improvement is within another Project Area, or in the case of a Project Area in which substantially all of the land is publicly owned, that such improvement is of benefit to an adjacent Project Area of the Agency; and
- b. That no other reasonable means of financing such buildings, facilities, structures, or other improvements, are available to the community.

Such determinations by the Agency and the City Council shall be final and conclusive.

The Redevelopment Agency shall not pay for the normal maintenance or operations of buildings, facilities, structures, or other improvements which are owned by the community. Normal maintenance or operations do not include the construction, expansion, addition to, or reconstruction of, buildings, facilities, structures, or other improvements owned by the community otherwise undertaken pursuant to this section.

The Agency may enter into an agreement with the governing board of any School District under which the Agency may be permitted to construct, or cause to be constructed, a building or buildings to be used by the District upon a designated site within a Project Area and, pursuant to such agreement, the District may lease such buildings and site. Such agreement shall provide that the title to such building or buildings and site shall vest in the District at the expiration of such lease, and may provide the means or method by which the title to the building or buildings and site shall vest in the District prior to the expira-

tion of such lease, and shall contain such other terms and conditions as the governing board of the District deems to be in the best interest of the District. Such agreements and leases may be entered into by the governing board of any School District without regard to bidding, election, or any other requirements of Article 9 (commencing with Section 15701) of Chapter 2 of Division II of Part 3 of the Education Code.

3. Payment for Disposition and Development

When the value of land or the cost of the installation and construction of such building, facility, structure, or other improvements, or both, has been, or will be, paid or provided for initially by the community or other public corporation, the Agency may enter into a contract with the community or other public corporation under which it agrees to reimburse the community or other public corporation for all or part of the value of such land or all or part of the cost of such building, facility, structure, or other improvement, or both, by periodic payments over a period of years.

In a case where such land has been or will be acquired by, or the cost of the installation and construction of such building, facility, structure or other improvement has been paid by, a parking authority, joint powers entity, or other public corporation to provide a building, facility, structure, or other improvement which has been, or will be, leased to the community, such contract may be made with, and such reimbursement may be made payable to, the community.

4. Purchase and Development by Participants

Pursuant to the provisions of this Plan and the rules adopted by the Agency, the Agency shall offer real property acquired by the Agency in the Project Area for sale to, and development by, owner and tenant participants prior to the time that real property is made available for sale to, and development by, persons who are not owners or tenants in the Project Area.

5. Purchase 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, shall be made subject to the provisions of this Plan by leases, deeds, contracts, agreements, declarations of restrictions, provisions of the Municipal Code, as determined by the Agency, and such documents or portions thereof shall be recorded in the office of the Recorder of the County.

The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants, covenants running with the land, rights of reversion, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this Plan.

The Agency shall require that all development and required site plans be submitted to it for approval and review. All development must conform to this Plan and all applicable Federal, State, and local laws, except as such may be modified by requirements of this Redevelopment Plan or Agency agreements entered into to carry out the purposes of this Plan.

During the period of development in the Project Area, the Agency shall ensure that the provisions of this Plan and of other documents formulated pursuant to this Plan are being observed, and that development in the Project Area proceeds in accordance with all appropriate development documents.

6. Obligations to be Imposed on Redevelopers

- a. Purchasers of land within the Project Area shall be required to develop such land in accordance with the provisions of this Plan. The Agency shall have the right to withhold transfer of title to acquirer, user, or developer of land in order to ensure fulfillment of said requirement. No building, sign or structure shall be constructed upon any part of such land unless architectural plans and specifications, showing the nature of such construction, parking, loading, surface treatment and landscaping, the location and orientation of structure(s) on the building site and, when requested, the grading plans for the building site to be built upon, shall have been submitted to, reviewed and approved in writing by, the Agency. The Agency shall have the right to refuse to approve any such plans or specifications that do not conform with the conditions and objectives of the Plan, to the Design Objectives set forth in the Appendix III, Exhibit B of this Plan, or the General Plan or Zoning Ordinance of the City. Any obligations of the purchaser, and the requirements of this Plan, shall become covenants and conditions running with the land, the breach of which will cause the fee to revert to the Agency.
- b. Acquirers, users, or developers of land within the Project Area must commence the erection of any building, pursue diligently the work thereon, and complete it within such reasonable period of time as agreed upon with the Agency.
- c. No acquirer, user, owner participant, or developer shall resell, lease, sublease, or otherwise dispose of land in the Project Area until the construction, approved by the Agency, has been completed, except with the prior written consent of the Agency.
- d. Persons who are engaged in business in the Project Area shall be granted preferences by the Redevelopment Agency to re-enter in business within said area after redevelopment, if they otherwise meet the requirements prescribed by this Plan.
- e. The acquirer, user, or owner shall be responsible for complying with all applicable State and local laws, ordinances, and codes, in effect from time to time, not superseded by this Plan.

- f. The Agency may retain controls and establish restrictions or covenants running with the land sold or leased for private use for such period of time or under such conditions as are provided for in this Plan if in its determination the Agency finds that this is necessary and in the public interest.

7. Public Development

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct any building, facility, structure, or other improvement either within or outside the Project Area for itself or for any public body or entity to the extent that such improvement would be of benefit to the Project Area.

8. Low- and Moderate-Income Housing Acquisition

The Agency may, inside or outside the Project Area, acquire land, donate land, improve sites, or construct or rehabilitate structures in order to provide housing for persons and families of low or moderate income, and very-low income households, and may provide subsidies to, or for the benefit of, such persons and families or households to assist them in obtaining housing within the community. Except as otherwise authorized by law, nothing in this section shall empower the Agency to operate a rental housing development beyond such period as is reasonably necessary to sell or lease the housing development.

Section 600.112 Personal Property Disposition

For the purposes 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.

Section 600.120 Low- and Moderate-Income Housing

In carrying out the purpose of Section 700.33, the Agency may exercise any or all of its powers, including the following:

1. Acquire land or building sites.
2. Improve land or building sites with on-site or off-site improvements.
3. Donate land to private or public persons or entities.
4. Construct buildings or structures.
5. Acquire buildings or structures.
6. Rehabilitate buildings or structures.
7. Provide subsidies to, or for the benefit of, persons or families of very low, low, or moderate income.

8. Develop plans, pay principal and interest on bonds, loans, advances or other indebtedness, or pay financing or carrying charges.

The Agency may use these funds inside or outside the Project Area. The Agency may only use these funds outside the Project Area upon a resolution of the Agency and the City Council that such use will be of benefit to the project. Such determination by the Agency and the City Council shall be final and conclusive as to the issue of benefit to the Project Area.

If insufficient suitable housing units are available in the community for low- and moderate-income persons and families to be displaced from a Redevelopment Project Area, the City Council shall assure that sufficient land be made available for suitable housing for rental or purchase by low- and moderate-income persons or families displaced by the redevelopment project, and the Agency may, to the extent of that deficiency, direct or cause the development, rehabilitation, or construction of housing units within the community, both inside and outside of Redevelopment Project Areas.

#### Section 600.130 Prevention of Discrimination

##### Section 600.131 Redevelopment

The redeveloper shall comply with all State and local laws, in effect from time to time, prohibiting discrimination or segregation by reason of race, religion, sex, national origin or ancestry, in the sale, lease, or occupancy of the property.

Pursuant to the California Health and Safety Code (Sections 33337 and 33435-33536), contracts entered into by the Agency relating to the sale, transfer or leasing of land, or any interest therein acquired by the Agency within any redevelopment area or project, shall comply with the provisions of said section and shall be binding upon, and shall obligate, the contracting party, or parties, and all other transferees under the instrument.

##### Section 600.132 Contracts

All deeds, leases, or contracts for the sale, lease, sublease, or other transfer of any land in the Project Area shall contain the following non-discrimination clauses as prescribed by California Health and Safety Code, Section 33436:

The following language shall appear in deeds:

"The grantee herein covenants by and for himself or herself, his or her heirs, executors, administrators and assigns, and all persons claiming under or through them, that there shall be no discrimination against, or segregation of, any person or group of persons, on account of race, religion, sex, or national origin, in the sale, lease, sublease, transfer, use,

occupancy, tenure, or enjoyment of the premises herein conveyed, nor shall the grantee, or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the premises herein conveyed. The foregoing covenants shall run with the land."

That there shall be no discrimination against, or segregation of, any person or group of persons, on account of race, religion, sex, or national origin, in the leasing, subleasing, transferring, use, occupancy; tenure, or enjoyment, of the premises herein leased, nor shall the lessee himself, or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, subleases, subtenants, or vendees in the premises herein leased."

In contracts entered into by the Agency relating to the sale, transfer, or leasing of land or any interest therein acquired by the Agency within the Project Area, the foregoing provisions, in substantially the forms set forth, shall be included and such contracts shall further provide that the foregoing provisions shall be binding upon and shall obligate the contracting party or parties and any subcontracting party or parties, or other transferees under the instrument.

Section 600.133      Duration

The covenants in deeds, leases, and contracts from or with the Agency, with respect to Prevention of Discrimination, shall remain in effect in perpetuity.



SECTION 700.00 METHODS FOR FINANCING THE PROJECT

Section 700.10 General Description of Proposed Financing Methods

Upon adoption or amendment of the Plan by the City Council, the Agency is authorized to finance this project with financial or other assistance from any public or private source including, but not limited to, the City of El Paso de Robles, County of San Luis Obispo, State of California, Federal Government, property tax increment, interest income, Agency notes and bonds, or any other available source, for the Agency's activities, powers, and duties to implement this Plan pursuant to and in accordance with Part 1, Chapter 6, Articles 1 through 6 of the California Community Redevelopment Law (Health and Safety Code Sections 33600 et. seq.).

The City may appropriate to the Agency such financial assistance as may be deemed necessary for administration expenses and overhead of the Agency. Such capital funds may be paid to the Agency as a grant to defray such expenses, or may be provided to the Agency as a loan until adequate tax increments or other funds are available to repay the loans or are sufficiently assured to permit borrowing adequate working capital from sources other than the City. "Administrative expenses" may include, but are not limited to, expenses for redevelopment planning and dissemination of redevelopment information. The City, as it is able, may also supply additional assistance through City loans and grants for various public facilities.

The Agency's annual budget, excluding debt service and/or contractual revenue reimbursement obligations, shall be submitted to the City Council within 30-days following adoption by the Agency. The City Council shall adopt the budget and/or adopt an amended budget for the Agency, after which the Agency shall accept the City Council budget and approve it as the Agency's final budget. The City Council shall approve the budget by an Ordinance of the City which shall be subject to referendum and appeal procedures of the City.

The Agency may borrow money (by the issuance of bonds or otherwise) or accept financial or other assistance from any private lending institution and may execute trust deeds or mortgages on any real or personal property owned or acquired by the Agency.

As available, gas tax funds from the State of California and the County of San Luis Obispo may be used toward the cost of street improvements, bridges, parking lots, and bicycle lanes. There may also be some revenue accruing to the project from interest earned on investments of Agency funds.

For the purpose of establishing redevelopment revenue, the Agency is authorized to issue and sell bonds, if needed and feasible, in an amount sufficient to finance the project.

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

An Agency may invest any money held in reserves or sinking funds, or any money not required for immediate disbursement, in property or securities in which savings and loan associations and/or banks may legally invest money subject to their control.

The portion of taxes mentioned herein may be irrevocably pledged by the Agency for payment of the principal and interest on money advanced, loans, or any indebtedness (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance, in whole or in part, the Redevelopment Project. The Agency will be able to make such pledges as to specific advances, loans, indebtedness, and other obligations as appropriate, in carrying out the project.

The Agency issues bonds on which the principal and interest are payable, in whole or in part, from sales and use taxes imposed pursuant to the applicable sections of the California Revenue and Taxation Codes.

The Agency shall adopt an annual budget containing all of the following specific information identifying: a) the proposed expenditures of the Agency; b) the proposed indebtedness to be incurred by the Agency; c) the anticipated revenues of the Agency; d) the work program for the coming year, including goals; and e) an examination of the previous year's achievements and a comparison of the achievements with the goals of the previous year's work program. The annual budget may be amended from time to time as determined by the Agency. All expenditures and indebtedness of the Agency shall be in conformity with the adopted or amended budget. The requirement for an annual budget shall be in compliance with State Law.

#### Section 700.20      Taxes Definition

As used in this chapter, the word "taxes" shall include, without limitation, all levies on an ad valorem basis upon land or real property.

As used in this chapter, the words "sales and use taxes" shall include, without limitation, all levies on tangible personal property, with specific exemptions, as set forth in the California Revenue and Taxation Codes.

#### Section 700.30      Tax Increment

All taxes paid upon taxable property within the Project Area each year by or for the benefit of the State of California, County of San Luis Obispo, City of El Paso de Robles, any district, or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance or amendments thereto approving the Plan, shall be divided as follows:

#### Section 700.31

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 the 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 taxa-

tion of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to, and when collected, shall be paid to the respective taxing agencies as taxes by or for said 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 redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the County last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on the effective date; and

Section 700.32

That portion of said levied taxes each year in excess of such amount shall be allocated to, and when collected shall be paid into, a special fund of the Agency to pay the principal and interest on loans, monies advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this redevelopment project. Unless and until the total assessed valuation of the taxable property in the redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in Section 700.31 hereof, all of the taxes levied and collected upon the taxable property in the project shall be paid to the respective taxing agencies. When said loans, advances, and indebtedness, if any, and interest thereon, have been paid, all monies thereafter received from taxes upon the taxable property in the project shall be paid to the respective taxing agencies as taxes on all other property are paid.

The portion of taxes mentioned above may be irrevocably pledged by the Agency for the payment of the principal and interest on money advanced, loans, or any indebtedness (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance, in whole or in part, the Redevelopment Project. The Agency is authorized to make such pledges as to specific advances, loans, indebtedness, and other obligations as appropriate, in carrying out the project.

Section 700.33

Not less than twenty percent (20%) of all taxes which are allocated to the Agency pursuant to Section 700.32 shall be used by the Agency for the purposes of increasing and improving the community's supply of housing for persons and families of low- or moderate-income, and very low-income households, unless one of the following findings is made:

1. That no need exists in the community to improve or increase the supply of low- and moderate-income housing in a manner which would benefit the Project Area; or
2. That some stated percentage less than twenty percent (20%) of the

taxes which are allocated to the Agency pursuant to Section 700.32 is sufficient to meet such housing need; or

3. That a substantial effort to meet low- and moderate-income housing needs in the community is being made, and that this effort, including the obligation of funds currently available for the benefit of the community from State, local, and Federal sources for low- and moderate-income housing alone, or in combination with the taxes allocated under this provision, is equivalent in impact to the funds otherwise required to be set aside pursuant to this provision. The City Council shall consider the need which can be reasonably foreseen because of displacement of persons and families of low- or moderate-income or very-low income households from within, or adjacent to, the Project Area because of increased employment opportunities or because of any other direct or indirect result of implementation of the Redevelopment Plan.

The Agency may use these funds inside or outside the Project Area. The Agency may only use these funds outside the Project Area upon a resolution of the Agency and the City Council that such use will be of benefit to the Project. Such determination by the Agency and the City Council shall be final and conclusive as to the issue of benefit to the Project Area.

Nothing in this section shall be construed as relieving any other public entity of any legal obligations for replacement or relocation housing arising out of its activities.

The funds which are required to be used for the purpose of increasing the community's supply of housing for persons and families of low or moderate income shall be held in a separate Low-and Moderate-Income Housing Fund until used. Any interest earned by the Low- and Moderate-Income Housing Fund shall accrue to the fund and may only be used in the manner prescribed in this section.

The expenditures or obligations incurred by the Agency pursuant to this section shall constitute an indebtedness of the project and Agency.

The Agency shall annually file a statement of indebtedness with the County, after which the County shall allocate and pay the portion of taxes hereinabove set forth. The statement of indebtedness shall be prima facie evidence of the indebtedness of the Agency.

The provisions and requirements of this Chapter implements and fulfills the intent of the California Community Redevelopment Law and of Article XIII B and Section 16 of Article XVI of the California Constitution. The allocation and payment of the portion of taxes specified herein for the purpose of paying principal of, or interest on, loans, advances, or indebtedness incurred for a redevelopment activity as prescribed in law shall not be deemed the receipt by the Agency or proceeds of taxes levied by or on behalf of, the Agency within the meaning or for the purpose of Article XIII B of the California Constitution, nor shall such portion of taxes be deemed receipt of proceeds of taxes by, or an

appropriation subject to limitation of, any other public body within the meaning or for purposes of Article XIII B of the California Constitution or any statutory provision enacted in implementation of Article XIII B. The allocation and payment to the Agency of such portion of taxes shall not be deemed the appropriation by the Agency meaning or for purposes of Article XIII B of the California Constitution.

Section 700.40 Other Loans and Grants

Any other loans, grants, or financial assistance from the United States or any other public or private source may be utilized, if available.

Section 700.50 Bond and Obligation Liability

The Agency is authorized to issue bonds from time to time, if it deems appropriate to do so, in order to finance all or part of the project for any of its corporate purposes.

Neither the members of the Agency or any persons executing the bonds are personally liable on the bonds by reason of their issuance.

The bonds and other obligations of the Agency are not a debt of the City or State, nor are any of its political subdivisions liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency; and such bonds and other obligations shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

The Agency may issue such types of bonds as it may determine, including bonds on which the principal and interest are payable:

1. Exclusively from the income and revenues of the redevelopment projects financed with the proceeds of the bonds, or with such proceeds together with financial assistance from the State or Federal Government in aid of the projects.
2. Exclusively from the income and revenues of certain designated redevelopment projects whether or not they were financed in whole or in part with the proceeds of the bonds.
3. In whole or in part from taxes allocated to, and paid into a special fund of, the Agency pursuant to the provisions of Section 700.30 herein.
4. In whole or in part from taxes imposed pursuant to Section 700.60 herein, which are pledged therefore.
5. From its revenues generally.
6. From any contributions or other financial assistance, State or Federal Government.

7. By any combination of these methods.

The Agency is authorized to undertake the rights and authorities as are set forth in Part 1, Chapter 6, Article 5 of the California Community Redevelopment Law (Health and Safety Code Section 33640 et. seq.).

Section 700.60 Sales and Use Tax Financing

The requirements and provisions of the California Revenue and Taxation Code shall apply to the use by the Agency of sales and use tax financing.

Section 700.70 Affected Taxing Agency Request for Taxes

Prior to the adoption and/or amendment by the City Council of this Plan providing for tax increment financing, and unless an agreement is entered into or payments are otherwise distributed by the Agency in accordance with Section 600.70, an affected taxing agency may elect, and every school and community college district shall elect, to be allocated, in addition to the portion of taxes allocated to the affected taxing agency pursuant to Section 700.31, all or any portion of the tax revenues allocated to the Agency pursuant to Section 700.32 attributable to one or both of the following:

1. Increases in the rate of tax imposed for the benefit of the taxing agency which levy occurs after the tax year in which the ordinance adopting and/or amending the Redevelopment Plan becomes effective.
2. Increases in the assessed value of the taxable property in the Redevelopment Project Area, as the assessed value is established by the assessment roll last equalized prior to the effective date of the ordinance adopting or amending the Redevelopment Plan, which are, or otherwise would be, calculated annually pursuant to subdivision (f) of Section 110.0 of the Revenue and Taxation Code.

The governing body of any affected taxing agency electing to receive allocation of taxes pursuant to this section in addition to taxes allocated to it pursuant to Section 700.31 shall adopt a resolution to that effect and transmit the same, prior to the adoption of the Redevelopment Plan, to 1) the City Council, 2) the Agency; and 3) the official or officials performing the functions of levying and collecting taxes for the affected taxing agency. Upon receipt by the official or officials of the resolution, allocation of taxes pursuant to this section to the affected taxing agency which has elected to receive the allocation pursuant to this section by the adoption of the resolution shall be made at the time or times allocations are made pursuant to Section 700.31.

An affected taxing agency, at any time after the adoption of the resolution, may elect not to receive all or any portion of the additional allocation of taxes pursuant to this section by rescinding the resolution or by amending the same, as the case may be, and giving notice thereof to the City Council, the Agency, and the official or officials performing the functions of levying and collecting taxes for the affected taxing agency. After receipt of a notice by such offi-

cial or officials that an affected taxing agency has elected not to receive all or a portion of the additional allocation of taxes by rescission or amendment of the resolution, any allocation of taxes to the affected taxing agency required to be made pursuant to this section shall not thereafter be made but shall be allocated to the Agency and such affected taxing agency shall thereafter be allocated on the portion of taxes provided for in Section 700.31. After receipt of a notice by such official or officials that an affected taxing agency has elected to receive additional tax revenues attributable to only a portion of the increases in the rate of tax, only that portion of the tax revenues shall thereafter be allocated to the affected taxing agency in addition to the portion of taxes allocated pursuant to Section 600.31 and the remaining portion thereof shall be allocated to the agency.

As used in this section, "affected taxing agency" means and includes every public agency for the benefit of which a tax is levied upon property in the Project Area, whether levied by the public agency or on its behalf by another public agency.

#### Section 700.80 Financing Limitations

The Agency shall herein establish a limitation of \$70,000,000 of taxes which may be divided and allocated to the Agency, or if bonds are issued or reimbursement agreements are entered into with other public agencies and/or private entities, a cumulative total of \$165,000,000 plus the amounts described within and/or resulting from the entering into reimbursement or other agreements with affected taxing agencies or private entities. Taxes will not be divided and will not be allocated to the Agency beyond such limitation except by an amendment of the Redevelopment Plan.

The Agency shall herein establish a limitation of \$70,000,000 on the amount of bonded indebtedness which can be outstanding at one time without an amendment to the Plan. This outstanding bond indebtedness limitation shall only apply to the issuance of bonds to be repaid in whole, or in part, from the allocation of tax increment.

#### Section 700.90 Establishment of Redevelopment Agency Funds

The Agency shall establish appropriate budgetary funds and accounts in order to pursue the financial activities of the Agency. These include, but are not limited to: 1) administrative fund; 2) revolving fund; and 3) Low- and Moderate-Income Housing Fund. In addition to the common understanding and usual interpretation of the term administrative expenses, the "administrative fund" may include, but is not limited to, expenses of redevelopment planning and dissemination of redevelopment expenses. Pursuant to provision of law, the "revolving fund" may include, but is not limited to, expenses associated with the acquisition of real property, site clearance, aiding in relocation of site occupants, and preparation of any Project Area for redevelopment, and any expenses necessary or incidental to the carrying out of the Redevelopment Plan. The "Low- and Moderate-Income Housing Fund" may include, but is not limited to, expenses associated with increasing the community's supply of housing for persons of low- and moderate-income in accordance with this Plan.



SECTION 800.00      ACTIONS BY THE CITY

The City shall assist 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.

In order to accomplish this task, the City shall enter into such "cooperative, fund advance, and/or reimbursement agreements" with the Agency in order that such City actions do not become a financial burden to the City.

Actions by the City shall include, but are not limited to, the following:

1. Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-way, 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 requirement of abandonment and relocation by the public utility companies of their operations in public rights-of-way as appropriate to carry out this Plan.
2. Institution and completion of proceedings necessary for changes and improvements in publicly-owned public utilities within or affecting the Project Area.
3. Revision of zoning within the Project Area to permit the land uses and development authorized by this Plan, provided that such action is consistent with Section 500.10 of this Plan.
4. Imposition wherever necessary (by Conditional Use Permits or other means) of appropriate controls, within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
5. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency shall develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.
6. 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 development of the Project Area) shall be commenced and carried to completion without unnecessary delays.
7. The undertaking and completing of any other proceedings necessary to carry out this project.

SECTION 900.00 ENFORCEMENT

After development, the administrative enforcement of this Plan, or other documents implementing this Plan, shall be performed by the City or the Agency.

The provisions of this Plan, or other documents entered into pursuant to this Plan, may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, re-entry, 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.

SECTION 1000.00 DURATION OF THIS PLAN

Except for the non-discrimination and non-segregation 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 forty-five (45) years from the date of the adoption of this Plan by the City Council. Unless projects contemplated under the Redevelopment Plan are undertaken within ten (10) years of the date of the adoption of the Redevelopment Plan, then said projects will not be undertaken thereafter unless a public hearing is conducted by the Redevelopment Agency and the City Council with notice of the public hearing being given by publication and distribution. The purpose of said public hearing is to consider the desirability of undertaking the proposed projects in light of the conditions as they then exist.



SECTION 1100.00      PROCEDURE FOR AMENDMENT

This Plan may be amended by means of the procedure established in the California Redevelopment Law (see California Health and Safety Code Sections 33450 and 33458), as same now exists or as hereafter amended, or by any other procedure hereafter established by law. In addition, this Redevelopment Plan, and in particular, the authorized land use designations, shall be deemed to be amended whenever the General Plan is amended. If, after the date of the approval of this Redevelopment Plan, the California Community Redevelopment Law is amended, then such amendments shall be deemed incorporated herein by reference except to the extent that any of the said amendments are inconsistent with the provisions of this Plan, in which case the provisions of this Plan shall control.

SECTION 1200.00 SEVERABILITY

If any portion or section of this Redevelopment Plan is designated to be unconstitutional or violative of the California Community Redevelopment Law, then only that section or portion shall be stricken from the Plan. Such determination of constitutionality or infeasibility shall not affect the remainder of the Redevelopment Plan.

APPENDICES



APPENDIX I

EXHIBIT A

LEGAL DESCRIPTION PROJECT BOUNDARIES MAP

The map attached hereto designates the boundaries for the Paso Robles Redevelopment Project Area as it was adopted accordingly.





APPENDIX I

EXHIBIT B

LEGAL DESCRIPTION PROJECT BOUNDARIES MAP NARRATIVE

The narrative attached hereto describes the boundaries for the Paso Robles Redevelopment Project Area as it was adopted accordingly.



PASO ROBLES REDEVELOPMENT PROJECT  
CITY OF EL PASO DE ROBLES

Those portions of the following tracts lying within the City Limits of the City of El Paso de Robles, County of San Luis Obispo, State of California, according to the following maps filed in the office of the County recorder of said County:

Map of the City of El Paso de Robles, recorded October 1889, in Book A, Page 169 of Maps;

Map of the Rancho Santa Ysabel, recorded January 1887, in Book A, Page 29 of Maps;

Map of Olive Park Tract, recorded November 1893, in Book A, Page 32 of maps;

Map of the Subdivision of Villa Lots 16, 17, 18, 19 and Lot G of Rancho El Paso de Robles, recorded November 14, 1894, in Book A, Page 41 of Maps;

Beginning at a point on the northerly line of First Street at its intersection with the Easterly line of Vine Street, said point also being the southwest corner of Block 138 of said City of El Paso de Robles;

thence North  $86^{\circ} 10'$  East, 300 feet along the northerly line of First street to the southeast corner of Block 138, said point also being on the west line of Oak Street;

thence North  $3^{\circ} 50'$  West, 3,280 feet, along the Westerly line of Oak Street to the northeast corner of Block 130;

thence South  $86^{\circ} 10'$  West, 380 feet along the southerly line of Tenth Street to the northeasterly corner of Block 147;

thence North  $3^{\circ} 50'$  West, 10,720 feet, along the westerly line of Vine Street to its intersection with the westerly prolongation of the northerly line of 38th Street.

thence North  $86^{\circ}$  East, 1950 feet more or less, along the northerly line of 38th Street and the easterly prolongation thereof, to a point on the easterly line of said City of El Paso de Robles;

thence South  $38^{\circ} 30'$  East, 2,110 feet, more or less, along the easterly line of said City of El Paso de Robles to an angle point on said line;



thence South  $26^{\circ} 30''$  East, 1,386 feet, more or less, to an angle point;

thence South  $14^{\circ} 35''$  East, 1050 feet, more or less, to the northerly line of the State Highway 46 right of way as shown on the California Division of Highways right of way map for Highways 46 and 101 on file with the Division of Highways, District 5 Office, San Luis Obispo, CA., Map No. 05-SLO-101 PM 45.693 - PM 58.897;

thence, along said northerly lines, South  $66^{\circ} 32'25''$  West, 513.48 feet to a point on the easterly right of way of Highway 101 said point being 298.54 feet right of Station 639+65.39 as shown on the aforementioned right of way map;

thence southerly 160 feet, more or less, to a point which lies 295.53 feet right of Station 638+10.46 of said Highway 101;

thence southerly along the easterly right of way of said highway for the following courses;

south  $36^{\circ} 45'13''$  East, 98.73 feet;

thence south  $13^{\circ} 09'01''$  East, 463.95 feet;

thence south  $02^{\circ} 35'48''$  East, 453076 feet;

thence south  $00^{\circ}24'41''$  West, 309.79 feet;

thence southerly 1289.82 feet along a curve concave to the west, having a radius of 3082.00 feet, through an angle of  $23^{\circ} 58'42''$ ;

thence continuing in a southerly direction 1184 feet, more or less, along said curve having a radius of 3918 feet, through an angle of  $17^{\circ} 19'43''$  to its intersection with the northerly line of 16th Street;

then South  $86^{\circ} 10'$  West, 620 feet more or less, along the northerly line of 16th Street to its intersection with the westerly right of way line of Southern Pacific Railroad as shown on the map of said City of El Paso de Robles, said point also being the southeast corner of Block 39;

thence southerly along said Southern Pacific Railroad right of way to the point of intersection with the southerly line of 15th Street, also being the northerly line of Block 50;

thence South  $86^{\circ} 10'$  West, 106 feet, more or less, along the southerly line of 15th Street to the northeast corner of Block 41, said point also being on the westerly line of Railroad Street;

thence South 3° 50' East, 1440 feet, along the westerly line of Railroad Street to the southeast corner of Block 44, also being the northerly line of 11th Street;

thence North 86° 10' East, 133 feet, more or less, along the northerly line of 11th Street to its intersection with the westerly right of way line of said Southern Pacific Railroad;

thence southerly, 470 feet, more or less, along said right-way-way to the Northeast corner of Block 231, said point also being on the southerly line of 10th Street;

thence North 86° 10' East, 100.27 feet, along said line to the easterly right of way line of said Railroad, said point also being the northwest corner of Block 94, and also being the northwest corner of Tract 786, as recorded September 13, 1979 in Book 10 Page 10 of Maps in said County;

thence along the westerly boundary of said Tract 786, along a curve concave to the west, tangent bearing South 0° 23' 22" West, having a radius of 11,409.20 feet, 71.30 feet, through an angle of 0° 21' 29";

thence South 89° 58' 30" East, 4.43 feet;

thence South 00° 13' 30" East, 222.0 feet;

then North 89° 58' 30" East, 95.50 feet, to the southwest corner of said Tract 786;

thence along the Easterly right of way of Southern Pacific Railroad, South 0° 13' 30" East, 803 feet, more or less, to the centerline of 7th Street;

thence North 86° 10' East, 1543 feet, more or less, along the centerline of Seventh Street and its easterly prolongation thereof to the easterly line of said City of El Paso de Robles;

thence East, 633.6 feet, along the southerly line of said Lot 2 to its intersection with the westerly line of South River Road;

thence along said westerly line through the following courses;

south 08° 45' East, 50 feet more or less;

thence South 05° 45' West, 165 feet, more or less;

thence South 03° 45' East, 560 feet, more or less;

thence South 11° 10' West, 280 feet, more or less;

thence South 03° 15' East, 297 feet, more or less;

thence South 30° 15' East, 304 feet, more or less;

thence South 37° 15' East, 432 feet, more or less;

thence South 09° 15' West, 726 feet, more or less;

thence South 24° West, 858.00 feet, more or less, to the southerly line of Lot 34 in said Rancho Santa Ysabel;

thence along said southerly line West, 2,291.52 feet to the easterly line of said City of El Paso de Robles;

thence along said line South 34° 30' West, 18 feet, more or less, to an angle point on said line;

thence South 31° West, 99 feet, more or less, to the northeast corner of lot 14 of said Map of the Subdivision of Villa Lots;

thence along said northerly line North 86° 15' East, 815 feet, more or less, to its intersection with the westerly right of way line of Southern Pacific Railroad.

thence continuing along said line, 340 feet, more or less, to its intersection with the westerly right of way line of State Highway 101; said point being the southeasterly corner of the land conveyed to L.M. Hauswirth of August 9, 1979 recorded in Book 2176 Page 468 of Official Records (Deeds);

thence along the southerly boundary of said parcel, South 86° 24' 54" West, 20.2 feet'

thence North 67° 35' 46" West, 50.8 feet;

thence North 74° 35' 46" West, 170.5 feet, to a point on the easterly right of way line of Vine Street;

thence along the easterly line of Vine St. according to the deed to the State of California, recorded March 8, 1965, in Book 1340 Page 627 of Official Records, North 17° 11' 50" W, 72.8 feet;

thence North 04° 09' 25" East, 298.8 feet;

thence North 05° 37' 32" West, 88.5 feet;

thence North 08° 15' 54" East, 98.5 feet;

thence North 12° 53' 16" West, 116.4 feet;

thence North 02° 42' 04" West, 355.1 feet;

thence North 01° 58' 17" East, 49.2 feet;

thence North 25° 47' 38" West, 53.8 feet;

thence North 03° 59' 31" West, 310.0 feet;

thence North 05° 56' 04" East, 40.6 feet;

thence North 07° 19' 04" East, 40.8 feet; to a point on the southerly right-of-way of First Street;

thence in a northerly direction, 75 feet more or less to the point of beginning.

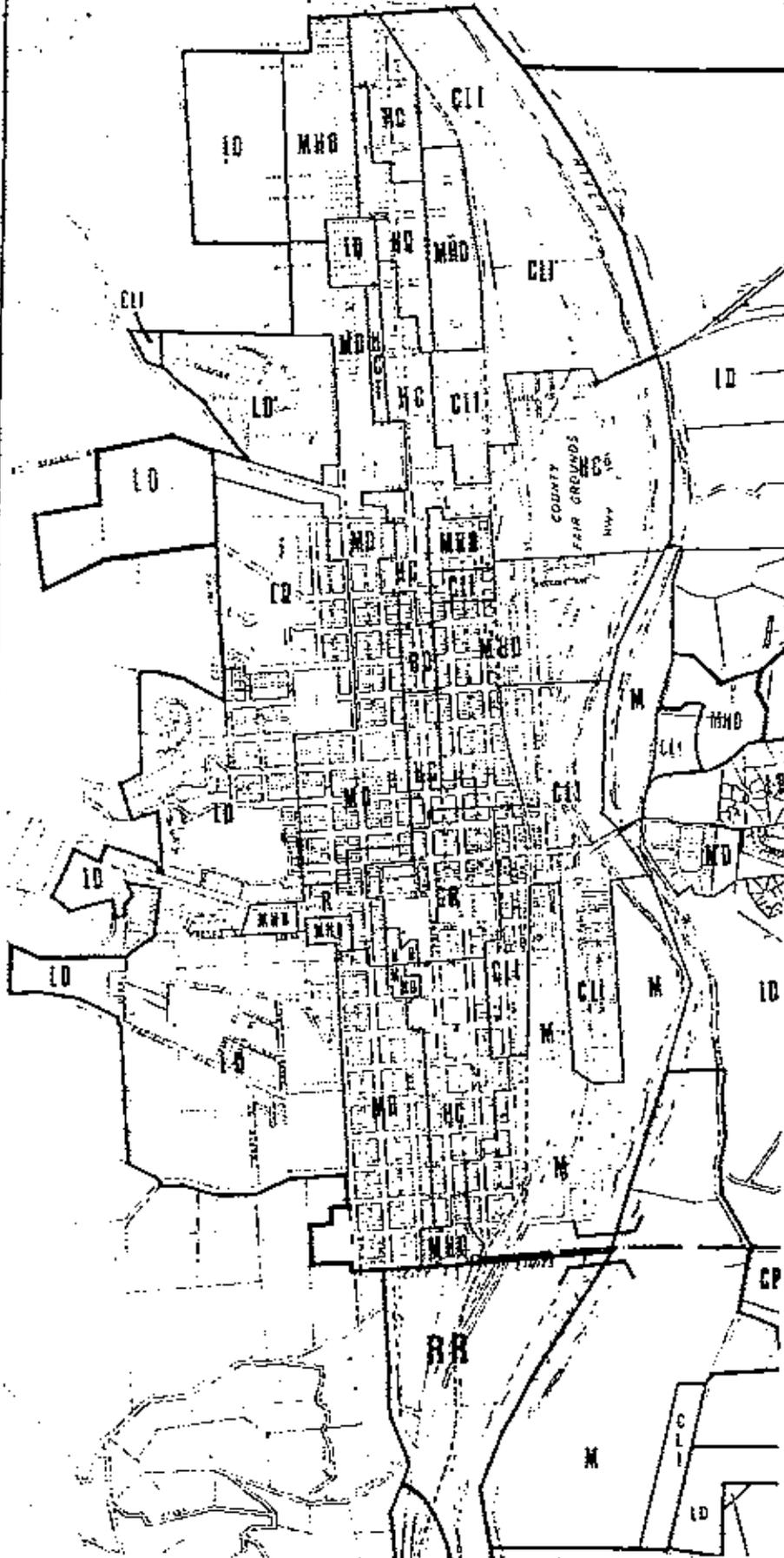
## APPENDIX II

## EXHIBIT A

GENERAL PLAN/REDEVELOPMENT PLAN LAND USE MAP

The El Paso de Robles General Plan/Paso Robles Redevelopment Plan Land Use Map is attached hereto. The attachment provides the land use designations for properties within the Paso Robles Redevelopment Project Area.

# PASO ROBLES REDEVELOPMENT PROJECT



**LAND USE MAP**

LD	LOW DENSITY	CP	HIGH CONV.
MD	MEDIUM DENSITY	GR	GENERAL RETAIL
MHD	MED. HIGH DENSITY	RC	NEIGHBORHOOD CTR.
HD	HIGH DENSITY	CL	COMMUNITY CTR.
RR	RURAL RESIDENTIAL	M	MANUFACTURING
RO	RESIDENTIAL OFFICE	AP	AIRPORT
OS	OPEN SPACE	A	AGRICULTURE
— CITY LIMIT BOUNDARY		- - - LU BOUNDARY	



CITY of EL PASO de ROBLES  
GENERAL PLAN  
PLANNING DEPARTMENT

APPENDIX III

EXHIBIT A  
PROJECT MATRIX

The Project Matrix attached hereto correlates the redevelopment objectives of this Plan set forth in Section 400.00 (listed along the horizontal axis) with a variety of physical, social, economic, and environmental project and program classifications (listed along the vertical axis.)



### APPENDIX III

#### EXHIBIT B REDEVELOPMENT PLAN ANTICIPATED INITIAL PROJECTS

The Anticipated Initial Projects List attached hereto sets forth the presently anticipated projects which the Redevelopment Agency shall wholly or partially pursue in order to implement the goals and objectives of the Redevelopment Plan. They are identified for planning purposes and shall not be construed as a limitation to the Agency to carry out and implement the Redevelopment Plan.

The reason for presenting this list of projects is two fold: 1) these projects give the public an idea of the intentions of the Agency, and 2) the list serves as a guideline for the future expenditure of Agency funds.

It must be emphasized that approval of the Redevelopment Plan in no way authorizes approval of the projects. All projects must be subject to public hearings at each annual Agency budgetary review session and upon City Council review and approval individually before implementation. Furthermore, additional public hearings are also held during the environmental review process, as appropriate. Without this legal process none of the projects may be implemented.

7.41

**ANTICIPATED INITIAL PROJECTS LIST  
FOR THE PASO ROBLES REDEVELOPMENT PROJECT AREA**

**I. INFRASTRUCTURE AND RIGHT-OF-WAY IMPROVEMENTS**

Infrastructure and right-of-way improvements including, but not limited to:

1. Street improvements including, but not limited to curbs, gutters, sidewalks, landscaping, intersection treatments, signals, lighting, railroad over- and under-crossing, etc. along street rights-of-way within the Project Area including, but not limited to:

a. Spring Street between 38th Street and 1st Street.

Interchange improvements, widening and reconstruction of right-of-way signalization.

b. Riverside Avenue between 38th Street and 1st Street.

Right-of-way improvements, signalization.

c. Oak Street Between 38th Street and 1st Street.

Signalization; new curbs, gutters and sidewalks where missing; replace deteriorated curbs, gutters and sidewalks and repave streets; pave and improve right-of-way on 38th.

d. Pine Street between 23rd to 14th Street.

Signalization at 21st; new curbs, gutters, sidewalks where missing; replace deteriorated curbs, gutters and sidewalks and pavement; new U.S. 101 on-ramp at 16th Street and analyze need for bridge at 14th Street.

e. 13th Street.

Reconstruct; new curbs, gutters, and sidewalks; signalization.

f. 12th Street.

Reconstruct; new curbs, gutters and sidewalks; replot east of railroad to consider abandonment, if not abandoned install new railroad signal.

g. Pine Street between 11th street and 1st Street.

New signal at 6th Street; redesign 1st Street interchange with U.S. 101 and new bridge connecting 1st Street to South River Road; widen undercrossing at 4th Street and railroad.

2. Streets located in the Central Business District (C.B.D.) may be reconstructed including, but not limited to: decorative paving, cross walks, street furniture, lighting and beautification. Streets located in the existing Civic Center area and the sites for new commercial development may be considered for abandonment and re-assembly.
3. The area east of the railroad right-of-way may be considered for closure, abandonment and re-assembly for larger development parcels.
4. Construction and improvement of drainage systems, including but not limited to, surface and storm drain improvements.
5. Expansion and improvement of sewer and water systems to accommodate existing uses and growth in the Project Area.
6. Railroad right-of-way improvements and alternative land uses including, but not limited to:
  - a. The railroad lines that run parallel to U.S. 101 are a necessary support system to the City; however, they do constitute a blighting and hazardous influence on the older downtown and portions of the residential area in the project.
  - b. Screening of those portions of the railroad rights-of-way that are not necessary for on- and off- loading or vehicular crossings. Screening could range from heavy landscaping to sound walls which would screen out the noise from U.S. 101 and the rail traffic.
  - c. The existing railroad station may be rehabilitated or replaced due to its hazardous condition. The railroad crossing at 12th Street is not protected by any signal or barrier and a proper signal should be installed.
7. Development, expansion and improvement of alternative transportation, transit and circulation systems in and around the Project Area, including, but not limited to: bike paths, commuter parking, and transit inter-modal facilities.

## II. ECONOMIC DEVELOPMENT IMPROVEMENTS

1. Expansion and improvement of existing public parking plazas in the Central Business District, including, but not limited to possible parking structures.
2. Off-site enhancements in conjunction with circulation, loading, and parking requirements and needs throughout the Project Area.
3. Establishment of financial programs in order to provide low-interest loans and/or grants, and other financial incentives for existing buildings, businesses, and/or property improvements and rehabilitation.
4. Establishment of financial programs in order to provide a revolving economic development fund for lending to businesses to be used for land acquisition, construction, and reconstruction financing.
5. Establishment of financial programs to provide incentives and assistance to attract and encourage commercial development.

## III. BEAUTIFICATION AND PARK IMPROVEMENTS

Beautification and park improvements including, but not limited to

1. Upgrading of the existing City Park including, but not limited to improved lighting, additional playground equipment, redesign of walkways to better link the established downtown to new commercial areas, and special sidewalk paving around the perimeter of the Park.
2. Beautification of the downtown including, but not limited to sidewalk paving, theme lighting, street furniture, signage and facade upgrading program. Additional street trees in the Central Business District may be installed and all overhead electrical and phone distribution may be undergrounded throughout the Project Area.
3. Additional public park land may be created in the northern end of the project for the residents who reside there.
4. A program of enhancing the planting areas between the sidewalk and curbs in the residential area may be initiated.
5. Replace cracked and deteriorated curbs and sidewalks, and improve and pave existing alleys.
6. Provide financial assistance to upgrade and beautify existing low to moderate residential units that are in the Project Area.

#### IV. PUBLIC BUILDING IMPROVEMENTS

Construction and development of various public buildings and facilities and associated land acquisition including, but not limited to:

1. New Civic Center Complex to include, but not be limited to City Hall, Police Station, and Library;
2. Relocate existing Activity Center;
3. Relocate existing Senior Citizen Center;
4. Relocate bus facility; and
5. Rehabilitate and construct school buildings and facilities.

#### V. HOUSING PROJECTS AND IMPROVEMENTS

Housing projects and improvements to improve the quality and/or quantity of very low-, low-, and moderate-income housing for the community pursuant to the provisions of the California Community Redevelopment Law, including, but not limited to:

1. Housing Rehabilitation loans and grants.
2. Residential neighborhood infrastructures and right-of-way improvements
3. Financial Assistance in providing new affordable housing.
4. Preservation of historical residences within and outside Project Area.

Section 33334.2 of the California Health and Safety Code requires that not less than twenty percent (20%) of all tax increment which is allocated to the Agency shall be used by the Agency for the purposes of increasing and improving the community's supply of housing for persons and families of low- or moderate-income, and very low-income households, unless one of the following findings are made:

- a. That no need exists in the community to improve or increase the supply of low- and moderate-income housing in a manner which would benefit the Project Area; or
- b. That some stated percentage less than twenty percent (20%) of the taxes which are allocated to the Agency is sufficient to meet such housing need; or

- c. That a substantial effort to meet low- and moderate-income housing needs in the community is being made, and that this effort, including the obligation of funds currently available for the benefit of the community from State, local, and Federal sources for low- and moderate-income housing alone, or in combination with the taxes allocated under this provision, is equivalent in impact to the funds otherwise required to be set aside pursuant to this provision. The City Council shall consider the need which can be reasonably foreseen because of displacement of persons and families of low- or moderate-income or very-low income households from within, or adjacent to, the Project Area because of increased employment opportunities or because of any other direct or indirect result of implementation of the Redevelopment Plan.

VI. CONTINGENCY AND ADMINISTRATION

Required contingency cost for the implementation and administration of the re-development program.

APPENDIX III

EXHIBIT C  
DESIGN OBJECTIVES

The Design Objectives attached hereto set forth the general guidelines for development within the Paso Robles Redevelopment Project Area. Said objectives conform with the goals and philosophies of the El Paso de Robles General Plan and the standards and requirements of the El Paso de Robles Municipal Code.

## DESIGN OBJECTIVES

### The Purpose of Design Objectives

To guide the development of the Project Area, the following recommended Design Objectives will be encouraged and, as applicable in accordance with the Municipal Code, enforced to promote a functional and visually attractive environment in the Redevelopment Project Area. The enforcement of said regulations are intended to eliminate and mitigate the existing characteristics of blight prevalent in the Project Area and to discourage development practices and patterns, operations, and activities which might result further in areas characterized by blighted properties, structures and activities.

The Design Objectives are designed for application under the supervision of the Redevelopment Agency, City Council, and Planning Commission for the following purposes:

1. To serve as a means of ensuring the development of an attractive and visually appealing environment;
2. To guide potential redevelopers and designers in the preparation of proposals for various portions of the Redevelopment Area;
3. To serve as guidelines for the Redevelopment Agency and any consultants retained by them in the selection, review, and approval of final redevelopment proposals; and
4. To establish guidelines for property owners who will rehabilitate and remodel structures in the Project Area.

### Applicability of Design Objectives

The Design Objectives shall apply to all development, redevelopment, rehabilitation, or any other improvement occurring within the Project Area. Said objectives shall apply to all public and private land uses and shall allow variation upon the discretion and approval of the Redevelopment Agency, the City Council, and/or the Planning Commission. Said variations shall only be permitted to encourage flexibility and variety of development in the Project Area.

As they apply, the standards, regulations, and requirements of the Municipal Code of the City pertaining to development shall be implemented throughout the Project Area to ensure that the Design Objectives are attained.

The Design Objectives are recommended as guidelines, and shall not be considered to be mandatory.

The Design Objectives shall generally be classified as:

1. General Development.
2. Buildings.
3. Landscaping.
4. Parking.
5. Screening and Buffering.
6. Signs.
7. Public Improvements.
8. Utilities.

### Design Objectives

#### 1. General Development Design Objectives

- a. The development of properties and structures shall be consistent with the goals and objectives of the General Plan of the City and shall enhance the general appearance of the Project Area.
- b. Improvements to public or private property shall eliminate and mitigate blight characteristics and shall discourage future blight.
- c. Where adjacent land uses differ, improvements shall be so implemented to encourage harmonious and compatible developments.

#### 2. Building and Design Objectives

- a. Each building unit, whether existing or proposed, shall be an integral element of the overall project and shall reflect and complement the character of the surrounding area.
- b. Materials used in new building shall be compatible with adjacent structures and with the improvement character of the Project Area.
- c. The sides and rears of the building which are subject to frequent public view shall be comparable in amenity and appearance to the fronts of such buildings. All areas for outside service, storage or refuse collection shall be screened from public view.
- d. Buildings, both new and existing, shall be related to each other in design, function, build, and location as to produce a visually and physically integrated development.

3. Landscaping Design Objectives

- a. Landscape treatment shall include ground cover, shrubbery, shade trees, and other plant material selected to be characteristic and appropriate to the development pattern and standards of the City.
- b. Landscaping shall be used in a manner which will complement the Project Area in its entirety.
- c. Landscaping shall not obstruct visual contact with views and vistas, nor shall it obstruct the visibility of pedestrians, bicycles, or vehicles.

4. Parking Design Objectives

- a. Parking areas shall be designed with careful regard given to orderly arrangements, landscaping, amenity of view, ease of access, and an integral part of the total site design.
- b. Vehicular access to the parking areas shall be directed and not in conflict with vehicular movement to service the various uses within the site.
- c. Because of the variety of areas of the project which will be devoted to surface parking, an optimal amount of landscaping or screening shall be provided.
- d. Ingress and egress to parking areas by service vehicles shall be restricted to specified locations and well distanced from intersections to avoid congestion and conflict of vehicle movement.
- e. Loading space shall be provided to the maximum extent possible in conveniently located separate or common facilities to serve the Project Area.
- f. Access to loading space shall be provided in a manner to eliminate interference with public use of sidewalks and streets by vehicles loading or unloading.
- g. Parking area facilities and design shall encourage multi-modal circulation patterns including, but not limited to, automobile, bicycles, pedestrian and other innovative modes of circulation movement.

5. Screening and Buffering

- a. Adequate landscaping and screening shall be provided to create a buffer between the project and residential land use areas.

- b. All outdoor servicing shall be screened from public view. As often as possible, outdoor services shall locate near one another and be separated from other commercial uses.
- c. Noise which may result from the activities of new development shall be buffered to an acceptable level particularly in those areas adjacent to residential land use areas.

#### 6. Sign Design Objectives

- a. Size and design of signs shall be compatible with the building containing the use to which it is related and shall be harmonious and compatible with surrounding properties.
- b. Innovative use of color, style, design, and character shall be encouraged.

#### 7. Public Improvement Design Standards

- a. Public Right-Of-Way - All streets and sidewalks shall be designed in a manner consistent with the above design objectives and compatible in design with the overall character of the Project Area.
- b. Street Lighting and Street Signs - Street lights, lighting standards, and street signs shall be erected to the latest standards approved by the City and shall be compatible in design with the overall character of the Project Area.
- c. Utility Connections - All connections to utilities, transformer boxes, gas meters, etc., shall be located so as not to be unsightly (screened by planting or building materials) or hazardous to the public.
- d. Bikeways - All bikeways shall be designed to provide sufficient protection for the cyclist from competition with motorized vehicles for road space. Such protection may include, but is not limited to, bicycle channelization through the use of raised landscaped medians, dividers, curbs, etc.

#### 8. Utilities Design Objectives

- a. The Agency may require that all utilities be placed underground whenever physically and economically feasible, or when unfeasible, all above ground utilities shall be placed in a location which will minimize any detriment to the aesthetics of the area.

APPENDIX IV

EXHIBIT A  
BLIGHT CHARACTERISTICS MATRIX

The matrix attached hereto correlates the Project Area with the blight characteristics (listed along the vertical axis) as designated in Article 3, Sections 33030 through 33039, and Article 4, Sections 33250 through 33251 of the California Community Redevelopment Law.



APPENDIX IV

EXHIBIT A  
 PASO ROBLES REDEVELOPMENT PROJECT AREA  
BLIGHT CHARACTERISTICS MATRIX

GENERAL TITLE	HEALTH AND SAFETY CODE	DESCRIPTION	PROJECT AREA
UNFIT OR UNSAFE BUILDINGS	33031	DEFECTIVE DESIGN AND CHARACTER OF PHYSICAL CONSTRUCTION	X
		FAULTY INTERIOR ARRANGEMENT AND EXTERIOR SPACING	X
		HIGH DENSITY OF POPULATION AND OVERCROWDING	X
		INADEQUATE PROVISION FOR VENTILATION, LIGHT, SANITATION, OPEN SPACE AND RECREATION FACILITIES	X
		AGE, OBSOLESCENCE, DETERIORATION, DILAPIDATION, MIXED CHARACTER, OR SHIFTING OF USES	X
FAULTY PLANNING	33032	SUBDIVIDING AND SALE OF LOTS OF IRREGULAR FORM AND SHAPE, AND INADEQUATE SIZE FOR PROPER USEFULNESS AND DEVELOPMENT	X
		THE LAYING OUT OF LOTS IN DISREGARD OF THE CONTOURS AND OTHER TOPOGRAPHIC PHYSICAL CHARACTERISTICS OF THE GROUND AND SURROUNDING CONDITIONS	X
		THE EXISTENCE OF INADEQUATE PUBLIC IMPROVEMENTS, PUBLIC FACILITIES, OPEN SPACE AND UTILITIES WHICH CANNOT BE REMEDIED BY PRIVATE OR GOVERNMENTAL ACTION WITHOUT REDEVELOPMENT	X
UNPRODUCTIVE LAND	33036	A LACK OF INCENTIVE TO THE PERSON TO IMPROVE OR REHABILITATE THEIR PROPERTY	X
		DETERIORATION OF UNPRODUCTIVE LAND WHICH CANNOT BE CORRECTED EXCEPT THROUGH REDEVELOPMENT	X
NEW COMMUNITY DEVELOPMENT	33250	OUTMODED DESIGN	X
		INADEQUATE FIRE OR SAFETY PROTECTION	X
		EXCESSIVE LAND COVERAGE	X
		ILLEGAL USES AND CONVERSIONS	X
		INADEQUATE MAINTENANCE	X