

# ORDINANCE NO. 94-017

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAY 17 1994

## STOCKTON BOULEVARD REDEVELOPMENT PROJECT: APPROVING AND ADOPTING THE REDEVELOPMENT PLAN

WHEREAS, the proposed Stockton Boulevard Redevelopment Project (Project) is within the territorial jurisdictions of both the City of Sacramento and the County of Sacramento;

WHEREAS, pursuant to Section 33210 of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) (CRL) the County of Sacramento and the City of Sacramento are each adopting the Redevelopment Plan for the Project (Plan);

WHEREAS, the City Council of the City of Sacramento ("City Council") has received from the Redevelopment Agency of the County of Sacramento ("County Agency") and the Redevelopment Agency of the City of Sacramento ("City Agency"), collectively referred to as the Agency, the proposed Plan for the Project, a copy of which is on file at the office of the Clerk of the Board of Supervisors, Sacramento County Administrative Building, 700 H Street, Room 2450, Sacramento, California, the office of the City Clerk, Sacramento City Hall, 915 I Street, Room 305, Sacramento, California, and at the Office of the Redevelopment Agency at 630 I Street, Sacramento, California; together with the Agency's Report to the Board of Supervisors and City Council including the reasons for the selections of the Project area, a description of the physical, social and economic conditions existing in the Project area, a description of specific projects proposed by the Agency, the proposed method of financing the redevelopment of the Project area, a plan for the relocation of families and persons who may be temporarily or permanently displaced from housing facilities in the Project, and analysis of the Preliminary Plan; the report and recommendations of the Planning Commissions of the City and County of Sacramento; a summary of the Project Area Committee record; the environmental impact report on the Plan; a neighborhood impact report; the report of the County fiscal officer and the Agency's analysis thereof; a summary of consultations with affected taxing entities; and the effect of the redesignated base year;

---

FOR CITY CLERK USE ONLY

ORDINANCE NO.: 94-017

DATE ADOPTED: MAY 17 1994

(23)

WHEREAS, the Planning Commission of the City of Sacramento has submitted to the City Council and the Board of Supervisors its report and recommendations concerning the Plan and its certification that the Plan conforms to the General Plan of the City of Sacramento;

WHEREAS, the Policy Planning Commission of the County of Sacramento has submitted to the Board of Supervisors and the City Council its report and recommendations concerning the Plan and its certification that the Plan conforms to the General Plan of the County of Sacramento;

WHEREAS, the Sacramento and Housing and Redevelopment Commission on January 19, 1994, held a duly noticed public hearing on the Draft Environmental Impact Report ("EIR"), prepared in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) (CEQA), the Guidelines for implementations of the California Environmental Quality Act (14 Cal. Adm. Code Section 15000 *et seq.*) (CEQA Guidelines) and environmental procedures adopted by the County Agency pursuant thereto; and the Draft EIR was thereafter revised and supplemented to incorporate comments received and responses thereto, during the public comment period, and, as so revised and supplemented, a final EIR was prepared by the County Agency, as the lead agency for the purposes of CEQA;

WHEREAS, the County Agency has certified the adequacy of the Final EIR, submitted pursuant to CEQA Section 21151 and CRL Section 33352;

WHEREAS, the County Agency has determined that, for certain significant effects identified by the EIR mitigation measures and a monitoring program therefor have been required in or incorporated into the Plan which avoid or substantially lessen such effects;

WHEREAS, the City Agency has adopted a Statement of Overriding Considerations for the remaining significant effects identified by the EIR, for which remaining significant effects there are no reasonable or feasible measures available to mitigate them to a level of insignificance;

WHEREAS, the Stockton Boulevard Redevelopment Project Area Committee has reviewed the Plan and, at its meeting of April 11, 1994, voted to approve the Plan;

WHEREAS, the City Council and the City Agency held a joint public hearing on May 3, 1994, on adoption of the Plan in the Sacramento City Council Chambers, 915 I Street, Sacramento, California;

---

FOR CITY CLERK USE ONLY

ORDINANCE NO.: 94-017  
DATE ADOPTED: MAY 17 1994

WHEREAS, the Board of Supervisors and the County Agency held a joint public hearing on May 3, 1994, on adoption of the Plan in the Board of Supervisors Chambers, 700 H Street, Room 1450, Sacramento, California;

WHEREAS, notice of said hearings was duly and regularly published in the Daily Recorder, a newspaper of general circulation in the City of Sacramento and the County of Sacramento, once a week for four successive weeks and the Sacramento Bee for one week prior to the date of said hearing, and a copy of said notices and affidavits of publication are on file with the City Clerk and the Agency;

WHEREAS, copies of the notice of joint public hearing were mailed by first class mail to the last known address of each assessee as shown on the last equalized assessment roll of the County of Sacramento for each parcel of land in the Project area, and other occupants in the Project area;

WHEREAS, each assessee in the Project area whose property would be subject to acquisition by purchase or condemnation under the provisions of the Plan was sent a letter to such effect attached to the notice of the joint public hearing, including a map and legal description of the Project area;

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

WHEREAS, the City Council has considered the report and recommendation of both Planning Commissions, the Project Area Committee's action, the report of the Agency, the Plan and its economic feasibility, and the Final EIR; has provided an opportunity for all persons to be heard; has received and considered all evidence and testimony presented for or against any and all aspects of the Plan; and has made written findings in response to each written objection of an affected property owner and taxing entity, if any.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

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

- a. The elimination and prevention of the spread of blight and deterioration, and the conservation, rehabilitation of the Project area in accord with the applicable general plans, specific plans, and local codes and ordinances;

---

FOR CITY CLERK USE ONLY

ORDINANCE NO.: 94-017

DATE ADOPTED: MAY 17 1994

- b. The promotion of new and continuing private sector investment within the Project area to prevent the loss of and to facilitate the capture of commercial sales activity;
- c. The retention and expansion of as many existing businesses as possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project area;
- d. The provision for increased sales tax, business licenses, and other fees, taxes and revenues to the County of Sacramento and the City of Sacramento;
- e. The elimination or amelioration of certain environmental deficiencies, such as insufficient off-street and on-street parking, storm water drainage, and other similar public improvements, facilities, facilities and utilities deficiencies adversely affecting the Project area;
- f. The reduction of the City's and County's annual cost of the provision of local services to and within the Project area;
- g. The creation and development of local job opportunities and the preservation of the existing employment base;
- h. The preservation and rehabilitation of existing low and moderate income housing opportunities; and
- i. The promotion and enhancement of single-family home ownership in the Project area.

Section 2. The City Council hereby finds and determines, based on the evidence in the record, including but not limited to, the Agency's Report to the Board of Supervisors and City Council on the proposed Plan for the Project, and all documents referenced therein, and evidence and testimony received at the joint public hearing on adoption of the Plan held on May 3, 1994, that:

- a. The Project area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in the CRL. This finding is based on existence of the following conditions present in the Project area that cause blight:
  - (1) Buildings in which it is unsafe or unhealthy for persons to live or work caused by deterioration, defective design or physical construction, and faulty or inadequate utilities;

---

**FOR CITY CLERK USE ONLY**

ORDINANCE NO.: 94-017  
 DATE ADOPTED: MAY 17 1994  
 (26)

---

- (2) Factors that prevent or substantially hinder the economically viable use or capacity of buildings or lots including substandard design, inadequate lot size, and a lack of parking;
- (3) Adjacent or nearby uses that are incompatible with each other and which prevent the economic development of those parcels or other portions of the Project area;
- (4) The existence of subdivided lots of irregular form and shape and inadequate size for proper usefulness and development that are in multiple ownership;
- (5) Depreciated or stagnant property values;
- (6) Abnormally low lease rates, high business turnover rates, excessive vacant lots;
- (7) Residential overcrowding and an excess of bars, liquor stores or other business that cater exclusively to adults leading to problems of public safety and welfare; and
- (8) High crime and gang activities.

These conditions combined are so prevalent and so substantial that it causes a reduction of, or lack, of proper utilization of the Project area to such an extent that it constitutes a serious physical and economic burden on the community which cannot reasonably be expected to be reversed or alleviated by private enterprise or governmental action, or both, without redevelopment in the interest of the health, safety and general welfare of the people of the City, the County and the State. This finding is based on the fact that governmental action available to the City and County without redevelopment would be insufficient to cause any significant correction of the blighting conditions, and that the nature and costs of actions required to correct the blighting conditions are beyond the capacity of the City and County by remedying such injurious conditions through appropriate means; and by other appropriate activities.

b. The Project area is an urbanized area. This finding is based on the fact that not less than eighty percent (80%) of the property in the Project area has been or is developed for urban uses, as demonstrated by the Agency's Report to Board of Supervisors and City Council. In addition, as demonstrated by the Agency's Report to Board of Supervisors and City Council, the Project area is part of an area developed for urban uses.

---

**FOR CITY CLERK USE ONLY**

ORDINANCE NO.: 94-017

DATE ADOPTED: MAY 17 1994

(27)

---

c. The Plan will redevelop the Project in conformity with the CRL and in the interests of the public peace, health, safety and welfare. This finding is based upon the fact that the purposes of the CRL would be attained by the Plan: by eliminating areas suffering from economic dislocation or disuse; by replanning, redesigning and/or revitalizing areas which are stagnant or improperly utilized, and which could not be accomplished by private enterprise acting alone without public participation and assistance; by protecting and promoting sound development and redevelopment of blighted areas; by improving the general welfare of the citizens of the City and County by remedying such injurious conditions through appropriate means; and by other appropriate activities.

d. The adoption and carrying out of the Plan is economically sound and feasible. This finding is based on the fact that under the Plan, the Agency will be authorized to seek and utilize a variety of potential financing resources, including property tax increments; that the nature and timing of public redevelopment assistance will depend on the amount and availability of such financing resources, including tax increments, generated by new investment in the Project; that under the Plan, no public redevelopment activity can be undertaken unless the Agency can demonstrate that it has adequate revenue to finance the activity; and that the financing plan included within the Agency's Report to the Board of Supervisors and City Council demonstrates that sufficient public and private financial resources will be available to carry out the Plan.

e. The Plan conforms to the General Plan of the City and County of Sacramento, including, but not limited to, the housing elements which substantially comply with the requirements of Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code. This finding is based on the finding of the Policy Planning Commission of the County of Sacramento that the Plan conforms to the General Plan of the County of Sacramento and Planning Commission of the City of Sacramento that the Plan conforms to the General Plan of the City of Sacramento.

f. The carrying out of the Plan will promote the public peace, health, safety and welfare of the City and County of Sacramento and will effectuate the purposes and policies of the CRL. This finding is based on the fact that redevelopment will benefit the Project area by correcting conditions of blight and by coordinating public and private actions to stimulate development and improve the economic and physical conditions of the Project area, and by increasing employment opportunities within the City and County.

---

**FOR CITY CLERK USE ONLY**

ORDINANCE NO.: 94-017  
DATE ADOPTED: MAY 17 1994  
(28)

---

g. The condemnation of real property, as provided for in the Plan, is necessary to the execution of the Plan, and adequate provisions have been made for the payment for property to be acquired as provided by law. This finding is based upon the need to ensure that the provisions of the Plan will be carried out and to prevent the recurrence of blight, and the fact that no property will be acquired until adequate funds are available to pay full compensation therefor.

h. The Agency has feasible method and plan for the relocation of families and persons who might be displaced, temporarily or permanently from housing facilities in the Project area. The Agency also has a feasible method and plan for its relocation of businesses. This finding is based upon the fact that the Plan provides for relocation assistance according to law and the fact that such assistance, including relocation payments, constitutes a feasible method for relocation.

i. There are, or shall be 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 no person or family will be required to move from any dwelling unit until suitable replacement housing is available for occupancy, which meets the standards established in State law and regulations, and that families and persons shall not be displaced prior to adoption of a relocation plan pursuant to Section 33411 and 33411.1 of the CRL.

j. Dwelling units housing persons and families of low or moderate income shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to Section 33334.5, 33413, and 33413.5 of the CRL. This finding is made in accordance with CRL and on the fact that adequate and appropriate sites within the Project area and other locations throughout the City and the County are projected to be available for replacement housing.

k. The Project area does not include any non-contiguous areas. Inclusion of any lands, building, or improvements which are not detrimental to the public health, safety or welfare is necessary for the effective redevelopment of the entire area of which they are a part, and any such area is not included solely for the propose of obtaining the allocation of tax increment revenues from

---

**FOR CITY CLERK USE ONLY**

ORDINANCE NO.: 94-017  
DATE ADOPTED: MAY 17 1994  
(29)

such area pursuant to Section 33670 of the CRL without other substantial justification for its inclusion. This finding is based upon the fact that all properties within Project area boundaries are included because they were underutilized because of blighting influences, or were affected by the existence of blight influences, or were necessary either to accomplish the objectives and benefits of the Plan or because of the need to impose uniform requirements on the Project as a whole.

l. The elimination of blight and the redevelopment of the Project could not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency. This finding is based upon the existence of substantial blighting conditions and influences, and the inability of individual owners and developers to economically remove these blighting conditions and influences without substantial public assistance.

m. The time limitations contained in the Plan are reasonably related to the proposed projects to be implemented in the Project area and to the ability of the Agency to eliminate blight within the Project. This finding is based on the fact that the Plan contains a debt established, plan effectiveness, and debt repayment limits pursuant to Section 33333.2 of the CRL, and the Agency's Report to Board of Supervisors and City Council adequately demonstrates this relationship.

Section 3. The City Council is satisfied that permanent housing facilities will be available within three years from the time residential occupants of the Project are displaced, and that pending the development of such facilities, there will be available to any such displaced residential occupants temporary housing facilities at rents comparable to those in the City and County of Sacramento at the time of their displacement. No persons or families of low and moderate income shall be displaced from residences unless and until there is a suitable housing unit available and ready for occupancy by such displaced persons or families at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced person or families and must be decent, safe, sanitary and otherwise standard dwellings.

Section 4. Written objections to the Plan filed with the City Clerk before the hour set for hearing and all written and oral objections presented to the City Council at the hearing having been considered and, in the case of written objections received from Project property owners and affecting taxing agencies, if any, having been responded to in writing, are hereby overruled.

---

FOR CITY CLERK USE ONLY

ORDINANCE NO.: 94-017

DATE ADOPTED: MAY 17 1994

Section 5. That certain document entitled "Stockton Boulevard Redevelopment Plan Final Environmental Impact Report" (Final EIR), a copy of which is on file in the office of the Agency, and in the office of the City Clerk, having been duly reviewed and considered, is hereby incorporated into this Ordinance by reference and made a part hereof. All activities undertaken by the Agency, the City of Sacramento and/or County of Sacramento pursuant to or in implementation of the Plan shall be undertaken in accordance with the mitigation measures and monitoring program set forth in the Final EIR, and the Agency shall undertake such additional environmental reviews as necessary at the time of implementation of such activities.

Section 6. That certain document entitled "Redevelopment Plan for the Stockton Boulevard Redevelopment Project", the map contained therein, and such other reports as are incorporated therein by reference, copies of which are on file in the office of the Agency and the City Clerk's office, having been duly reviewed and considered, is hereby incorporated in this Ordinance by reference and made a part hereof, and as so incorporated is hereby designated, approved and adopted as the official "Redevelopment Plan for the Stockton Boulevard Redevelopment Project".

Section 7. In order to implement and facilitate the effectuation of the Plan hereby approved, this City Council hereby: (a) pledges its cooperation in helping to carry out the Plan, (b) requests the various officials, departments, boards, and agencies of the City and County 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 redevelopment of the Project, (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Plan, and (d) declares its intention to undertake and complete any proceeding, including the expenditure of monies, necessary to be carried out by the City and County under the provisions of the Plan.

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 Plan.

Section 9. The City Clerk is hereby directed to record with the County Recorder of the Sacramento County a description of the land within the Project and a statement that proceedings for the redevelopment of the Project have been instituted under the CRL.

Section 10. The Building and Safety Departments of the City and County of Sacramento are hereby directed for a period of two (2) years after the effective date of this Ordinance to advise all applicants for building permits within the Project area that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment project.

---

FOR CITY CLERK USE ONLY

ORDINANCE NO.: 94-017  
DATE ADOPTED: MAY 17 1994

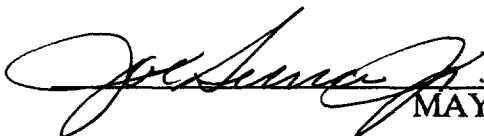
Section 11. The City Clerk is hereby directed to cooperate with the Clerk to the Board of Supervisors in the transmittal of the description and statement recorded by the City Clerk pursuant to Section 9 of this Ordinance and the description and statement recorded by the Clerk to the Board of Supervisors, a copy of this Ordinance and the ordinance of the Board of Supervisors of the County of Sacramento taking the same actions, and a map or plat indicating the boundaries of the Project area, to the Auditor-Controller and Assessor of the County of Sacramento, to the governing body of each of the taxing agencies which receives taxes from property in the Project area, and to the State Board of Equalization, no later than thirty (30) days following the adoption of this Ordinance and the adoption of an ordinance taking the same action by the Board of Supervisors of the County of Sacramento.

Section 12. The City Clerk is hereby ordered and directed to certify the passage of this Ordinance and to cause the same to be published a newspaper of general circulation which is published and circulated in the City and County of Sacramento.

Section 13. If any part of this Ordinance or the Plan 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 Plan, and this City Council hereby declares that it would have passed the remainder of the Ordinance or approved the remainder of the Plan if such invalid portion thereof had been deleted.

Section 14. This Ordinance is null and void if the Board of Supervisors of the County of Sacramento does not adopt an ordinance taking the same actions within thirty days (30) of adoption of this Ordinance. This Section 14 shall not be construed to limit or in any way affect the time period established in Section 15 of this Ordinance unless the Board of Supervisors of the County of Sacramento fails to adopt the above referenced ordinance.

Section 15. This Ordinance shall be in full force and effect thirty (30) days after passage.

  
MAYOR

ATTEST:

  
CITY CLERK

PASSED FOR PUBLICATION: May 3, 1994

PASSED: May 17, 1994

EFFECTIVE: June 16, 1994

f:\mdi\staffres\ord.ci

FOR CITY CLERK USE ONLY

ORDINANCE NO.: 94-017  
DATE ADOPTED: MAY 17 1994  
(32)