

ORDINANCE NO. 85-047

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

MAY 21 1985

AN ORDINANCE OF THE CITY OF SACRAMENTO, CALIFORNIA,
SUPERSEDING ORDINANCE NO. 2884, FOURTH SERIES, AS
AMENDED BY ORDINANCE NO. 2913, FOURTH SERIES,
APPROVING AND ADOPTING THE AMENDED REDEVELOPMENT
PLAN FOR THE DEL PASO HEIGHTS REDEVELOPMENT PROJECT

WHEREAS, THE City Council of the City of Sacramento (the "Council") adopted Ordinance No. 2884, Fourth Series, on May 12, 1970, approving and adopting the Redevelopment Plan (the "Redevelopment Plan") and Ordinance No. 2913, Fourth Series, on August 6, 1970, for the Del Paso Heights Redevelopment Project (the "Project"); and

WHEREAS, the Redevelopment Agency of the City of Sacramento (the "Agency") has been designated as the official redevelopment agency to carry out in the City of Sacramento the functions and requirements of the Community Redevelopment Law of the State of California and to implement the Redevelopment Plan; and

WHEREAS, the Agency has proposed an amended Redevelopment Plan (hereinafter the "Amended Plan") in order to change certain land use designations in the Project Area (the "Project Area") and make other changes to the format and text; and

WHEREAS, the Planning Commission of the City of Sacramento (the "Planning Commission") has reviewed and recommended the approval and adoption of the Amended Plan and has submitted to the Council its report and recommendations concerning the Amended Plan which is consistent with the proposed amendment to the general plan which is proposed to be adopted prior to the ordinance approving and adopting the amended Redevelopment Plan; and

WHEREAS, the Council received from the Agency the proposed Amended Plan, the Report of the Agency on the Amended Plan and the Final Environmental Impact Report (the "Final EIR"); and

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WHEREAS, the Council and the Agency held a joint public hearing on May 14, 1985, on the adoption of the Amended Plan and on the Final EIR on the Amended Plan, in the City Council Chambers, City Hall, 915 I Street, Sacramento, California; and

WHEREAS, a notice of said hearing was duly and regularly published in the City of Sacramento, 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 Agency; and

WHEREAS, copies of the notice of public hearing, including a general statement of the purposes of the Amended Plan were mailed by certified mail with return receipt requested to the last known assessee of each parcel of land in the Project Area not owned by the Agency, at his last known address as shown on the last equalized assessment roll of the County of Sacramento; and

WHEREAS, copies of the notice of public hearing, including a general statement of the purposes of the Amended Plan were mailed by certified mail with return receipt requested to the governing body of each taxing agency which levies taxes upon property in the Project Area; and

WHEREAS, the Council has considered the report and recommendations of the Planning Commission, the Report of the Agency, the Amended Plan and the final EIR, 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 Amended Plan; and

WHEREAS, the Council and the Agency have reviewed, considered, and certified the Final Environmental Impact Report for the Amended Plan, prepared and submitted pursuant to the State CEQA Guidelines, 14 Cal. Admin. Code Section 15000 et seq., and the Agency procedures adopted pursuant thereto, and determined that the redevelopment of the Project Area pursuant to the amended Plan will not have a significant effect on the environment; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

Section 1: That the purpose and intent of the Council in adopting the Amended Plan is to amend certain land use designations and to make changes to the format and text of the Redevelopment Plan which will complement and implement the existing Redevelopment Plan objective of providing policies to guide public programs and private investment and revitalize the commercial areas.

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Section 2: The Council does hereby specifically find and determine that:

a. It is desirable and necessary to amend the Redevelopment Plan to change certain land use designations for a portion of land in the Project Area in order to better effectuate the redevelopment of the Project Area, implement the proposed amendments to General Plan of the community, and to implement the purposes and policy of the Community Redevelopment Law. This finding is based upon the fact that the Amended Plan is needed in order to assist in carrying out the central objective of the existing Redevelopment Plan of guiding public and private investment, building on past residential rehabilitation efforts and revitalizing the commercial areas within the project area.

b. The Amended Plan will enable the Project area to be redeveloped in conformity with the Community Redevelopment Law and is in the interest of the public peace, health, safety and welfare. This finding is based upon the fact that the Amended Plan will implement the objectives of the Community Redevelopment Law by aiding in the elimination and prevention of the spread of conditions of blight and deterioration in the Project Area, coordinating public and private actions to stimulate development and improving the social, economic and physical conditions of the Project Area.

c. The adoption and carrying out of the Amended Plan is economically sound and feasible. This finding is based on the fact that the Amended Plan includes a change in land use and format changes which will not affect the existing financing abilities or methods available to the Agency.

d. The Amended Plan will conform with the proposed amendments to the General Plan of the City of Sacramento which is proposed to be adopted prior to the ordinance approving and adopting the Redevelopment Plan amendment. This finding is based on the finding of the Planning Commission on April 3, 1985, that the Amendment conforms with the proposed amendments to the General Plan of the City.

e. The carrying out of the Amended Plan will promote the public peace, health, safety and welfare of the community and will effectuate the purposes and policy of the Community Redevelopment Law. This finding is based upon the fact that redevelopment, as contemplated by 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 social, economic and physical conditions of the Project Area.

f. The elimination of blight and the redevelopment of the Project Area pursuant to the Amended Plan could not be reasonably expected to be accomplished by private enterprise

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acting alone without the aid and assistance of the Agency. This finding is based upon the existence of blighting influences and (1) the inability of individual developers to economically remove these blighting influences without public assistance to acquire and assemble sites for development and to provide other public improvements, and (2) the inability of existing property owners to afford to improve, rehabilitate or reconstruct their existing structure, some of which are in a substandard condition.

Section 3: That the Council is convinced that the effect of tax increment financing to carry out the Amended Plan will not cause a severe financial burden or detriment on any taxing agency deriving revenues from the Project Area.

Section 4: That written objections to the Amendment filed with the City Clerk before the hours set for hearing, and all oral objections presented to the Council at the hearing having been considered are hereby overruled.

Section 5: That the mitigation measures, as identified in Agency Resolution No. _____, adopted on May 14, 1985, certifying completion of the Final Environmental Impact Report on the Amended Plan, are incorporated into the proposed redevelopment of the Project Area.

Section 6: That the Redevelopment Plan for the Del Paso Heights Redevelopment Project, as adopted by Ordinance No 2884, Fourth Series, and amended by ordinance No. 2913, Fourth Series, is hereby amended as set forth in Exhibit A to this Ordinance which is incorporated herein and made a part hereof by reference. As so amended, the Redevelopment Plan is hereby incorporated by reference herein and designated the official Redevelopment Plan for the Del Paso Heights Redevelopment Project.

Section 7: That Ordinance No. 2884, Fourth Series, and Ordinance No. 2913, Fourth Series are superseded by this Ordinance.

Section 8: That 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 herein amended.

Section 9. That the City Clerk is hereby authorized to record with the County Recorder of Sacramento County a notice of the approval and adoption of the Amended Plan pursuant to this Ordinance containing a statement that proceedings for redevelopment of the Project Area pursuant to the Amended Redevelopment Plan, have been instituted under the California Community Redevelopment Law.

Section 10. EFFECTIVE DATE: This Ordinance shall be in full force and effect thirty (30) days after passage.

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Section 11. SEVERABILITY: 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 Amended Plan, and this 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.

On a motion by Member Johnson, seconded by Member Kastanis, the foregoing Resolution was passed and adopted by the City Council of the City of Sacramento, State of California, this 21 day of May, 1985.

PASSED FOR PUBLICATION: 4/30/85
PASSED: 5/21/85
EFFECTIVE: 6/20/85

Anne Kuden
CHAIR

ATTEST:

Anne J. Mason
Assistant CLERK

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attachment

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