



# APPENDIX A

## REDEVELOPMENT PLAN

**OCEANSIDE DOWNTOWN REDEVELOPMENT PROJECT  
OCEANSIDE, CALIFORNIA**

**Prepared by**

1975 - Redevelopment Agency  
1982 - Redevelopment Division

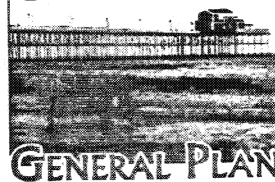
**Adopted by**

1975 - City Council and Redevelopment Agency  
(Ordinance No. 73-35)  
1982 - City Council and the Community  
Development Commission  
(Ordinance No. 82-32)

**Text Reformatted in 2002 by**

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(Figures were not reformatted.)

# OCEANSIDE



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William D. Bell

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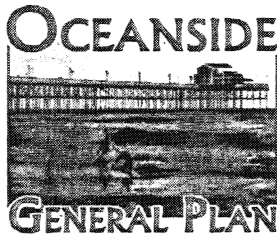
### **Consultants**

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REDEVELOPMENT AGENCY OF THE CITY OF OCEANSIDE  
OCEANSIDE, CALIFORNIA

**REDEVELOPMENT PLAN FOR THE DOWNTOWN REDEVELOPMENT PROJECT**



## THE REDEVELOPMENT PLAN FOR THE DOWNTOWN REDEVELOPMENT PROJECT

### I. [Sec. 100] Introduction

This is the Redevelopment Plan for the Downtown Redevelopment Project in the City of Oceanside (the "City"), County of San Diego, State of California, and consists of the Text and the Redevelopment Plan Map ("Map"). This Redevelopment Plan was prepared by the Redevelopment Agency of the City of Oceanside (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.

This Redevelopment Plan provides the Agency with powers, duties, and obligations to implement and further the program generally formulated in this Redevelopment Plan for the redevelopment, rehabilitation, and revitalization of the areas within the boundaries shown on the Map. This Redevelopment Plan does not present a specific plan or establish specific projects for the redevelopment, rehabilitation, and revitalization of any area within the Downtown Redevelopment Project area boundaries. Nor does this Redevelopment Plan present specific proposals in attempts to solve or alleviate the multitude of concerns and problems of the community and the citizenry relating to any such area. Instead, this Redevelopment 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.

### II. [Sec. 200] Project Area Boundaries

The boundaries of the Project area are illustrated on the Map incorporated herein and attached hereto. The legal description of the boundaries of the Project area is as follows:

All that real property in the City of Oceanside in the County of San Diego, State of California, which lies within the following described boundaries:

BEGINNING at the intersection of the centerline of Interstate Highway 5 with the Southeasterly boundary of Rancho Santa Margarita (also known as Camp Pendleton); thence Westerly along said Southeasterly boundary to the Westerly right-of-way line of the Atchison, Topeka & Santa Fe Railroad; thence Southwesterly along said right-of-way line of said Atchison, Topeka & Santa Fe Railroad to the Southerly boundary of the Oceanside Small Craft Harbor per Misc. Map #448, recorded September 17, 1963; thence Westerly along said Southerly boundary of said Oceanside Small Craft Harbor, and its Westerly extension, to a

point one-half mile seaward of the mean high tide line; thence Southerly along a line lying parallel with said mean high tide line to a point on the Westerly extension of the Southerly right-of-way line of Wisconsin Avenue; thence Northerly along the said Westerly extension and Southerly right-of-way line of Wisconsin Avenue to an intersection with the Easterly right-of-way line of Cleveland Street; thence Northerly along said Easterly right-of-way line of Cleveland Street to an intersection with the Southerly right-of-way line of Seagaze (First) Street; thence Easterly along said Southerly right-of-way line of Seagaze (First) Street to the Easterly right-of-way line of Horne Street; thence Northerly along said Easterly right-of-way line of Horne Street to the Southerly right-of-way line of Civic Center Drive (Fourth Street); thence Easterly along said Southerly right-of-way line of Civic Center Drive (Fourth Street), and its Easterly extension, to an intersection with the centerline of aforementioned Interstate Highway 5; thence Northwesterly along the centerline of said Interstate Highway 5 to the Easterly extension of the Northerly right-of-way line of Windward Way (Seventh Street); thence Westerly along said Northerly right-of-way line of Windward Way (Seventh Street) to an intersection with the Westerly right-of-way line of Horne Street; thence Southerly along said Westerly line of Horne Street to the Northerly right-of-way line of Civic Center Drive (Fourth Street); thence Westerly along said Northerly right-of-way line of Civic Center Drive (Fourth Street) to the Easterly right-of-way line of Freeman Street; thence Northerly along said Easterly right-of-way line of Freeman Street to the Southerly right-of-way line of Neptune Way (Eighth Street); thence Easterly along said Southerly right-of-way line of Neptune Way (Eighth Street), and its Easterly extension, to an intersection with the centerline of said Interstate Highway 5; thence Northwesterly and Northerly along said centerline of Interstate Highway 5 to the POINT OF BEGINNING.

### **III. [Sec. 300] Proposed Redevelopment Actions**

#### **A. [301] General**

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

- (1) Providing for participation by owners and tenants presently located in the Project area by extending preferences to remain or relocate within the redeveloped area;
- (2) Rehabilitation of structures and improvements by present owners, their successors, or the Agency;
- (3) Redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
- (4) Installation, construction, or reconstruction of streets, utilities, and other public improvements;

- (5) Acquisition of certain real property;
- (6) Relocation assistance to displaced residential and non-residential occupants;
- (7) Demolition or removal of certain buildings and improvements;
- (8) Management of any property acquired under the ownership and control of the Agency;
- (9) Disposition of any property acquired by the Agency for uses in accordance with this Plan.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers to the extent now or hereafter permitted by law.

**B. [Sec. 302] Participation by Owners and Tenants**

**I. [Sec. 303] Opportunities for Owners and Tenants**

Persons who are owners of real property in the Project area shall be given the opportunity to participate in redevelopment: (1) by retaining all or a portion of their properties; (2) by acquiring adjacent or other properties in the Project area; or (3) by selling their properties to the Agency and purchasing other properties in the Project area, in accordance with this Plan and the Rules for Owner and Tenant Participation adopted by the Agency pursuant to this Plan and the California Community Redevelopment Law.

The Agency shall extend preferences to persons who are engaged in business in the Project area, to participate in the redevelopment of the Project area or to reenter into business within the redeveloped area, if they otherwise meet the requirements prescribed in the Plan. The Agency shall also extend preferences to other tenants in the Project area to participate in the redevelopment of the Project area or to reenter within the redeveloped area, if they otherwise meet the requirements prescribed by the Plan. Such business, residential, institutional and semi-public tenants shall be permitted, if they so desire, to purchase and develop real property in the Project area.

In the event an owner or tenant participant fails or refuses to rehabilitate, develop, or use and maintain its real property pursuant to this Plan and a participation agreement as defined in Section 305, 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.

2. [Sec. 304] Rules for Participation Opportunities, Priorities and Preferences

In order to provide opportunities to owners and tenants to participate in the redevelopment of the Project area, the Agency has promulgated rules for owner and tenant participation. If conflicts develop between the desires of participants for particular sites or land uses, the Agency is authorized to establish reasonable priorities and preferences among the owners and tenants. Some of the factors to be considered in establishing these priorities and preferences should include participants' length of occupancy in the area, accommodation of as many participants as possible, similarity of land use, and conformity of participants' proposals with the intent and objectives of the Redevelopment Plan and the Design for Development referred to in Section 424 of this Plan.

In addition to opportunities for participation by individual persons and firms, participation shall be available for two or more persons, firms or institutions, to join together in partnerships, corporations, or other joint entities.

Opportunities to participate shall be provided first to owners and tenants in the Project area without competition with persons and firms from outside the Project area.

Participation opportunities shall necessarily be subject to and limited by such factors as: the elimination and changing of some land uses; the construction, widening, or realignment of some streets; the ability of participants to finance acquisition and development or rehabilitation in accordance with the Plan and the Design for Development; the reduction in the total number of individual parcels in the Project area; and the construction or expansion of public facilities.

3. [Sec. 305] Participation Agreements

Each participant who has submitted an acceptable proposal to the Agency shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop, or use the property in conformance with the Plan and to be subject to the provisions hereof. 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. Whether or not a participant enters into a participation agreement with Agency, the provisions of this Plan are applicable to all public and private property in the Project area.

C. [Sec. 306] *Cooperation With Public Bodies*

Certain public bodies are authorized by State law to aid and cooperate with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to

coordinate this Plan with the activities of such public bodies in order to accomplish the 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. 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. All plans for development of property in the Project area by a public body shall be subject to Agency approval. The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements (within or outside of the Project area) which land, buildings, facilities, structures or other improvements are of benefit to the Project.

The Agency may pay to any school district with territory located within the Project area any amounts of money which, in the Agency's determination, are appropriate to alleviate any financial burden or detriment caused to any such school district by the Project.

*D. [Sec. 307] Property Acquisition*

*I. [Sec. 308] Acquisition of Real Property*

Except as specifically exempted herein, the Agency may acquire but is not required to acquire, any real property located in the Project area, by any means authorized by law.

It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute the Plan, for the power of eminent domain to be employed by the Agency to acquire the real property in the Project area which cannot be acquired by gift, devise, exchange, purchase or any other lawful method.

The Agency shall not within the Project area acquire: (1) interests in oil, gas, or other mineral or hydrocarbon substances; nor (2) the right to extract such substances through any opening or penetration for any purpose connected therewith more than 500 feet from the surface.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performs under the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is authorized to acquire either fee or any other interest in real property less than a fee.

The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner, unless: (1) such building requires structural alteration, improvement, modernization, or rehabilitation; (2) the site, or lot on which the building is situated,

requires modification in size, shape, or use; or (3) it is necessary to impose upon such property any of the controls, limitations, restrictions and requirements of this Plan and the Design for Development and the owner fails or refuses to participate in this Plan by executing a participation agreement.

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 public property transferred to private ownership before the Project is completed, unless the Agency and the private owner enter into a participation agreement and the owner completes his responsibilities under a participation agreement.

As a part of the cost of acquisition of all property acquired in the Project area, the Agency shall compensate each displaced person and business, as provided in the California Relocation Assistance Law (Government Code, Sections 7260 et seq.), the guidelines of the California Department of Housing and Community Development adopted and promulgated pursuant thereto, and the Agency's rules and regulations thereto.

2. [Sec. 309] 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 eminent domain.

*E. [Sec. 310] Property Management*

During such time as property, if any, in the Project area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

The Agency is authorized, but not required, in any year during which it owns property in the Project, to make payments (in lieu of property taxes) to taxing agencies for whose benefit a tax would have been levied upon such property had it not been exempt by reason of the Agency's ownerships.

*F. [Sec. 311] Relocation of Persons (Including Individuals and Families), Business Concerns, and Others Displaced by the Project*

1. [Sec. 312] Assistance in Finding Other Locations

The Agency shall assist all persons (including individuals and families), business concerns, and others displaced by the Project in finding other locations and facilities. In order to carry out the Project with a minimum of hardship to persons (including

individuals and families), business concerns, and others, if any, displaced from their respective places of residence or business by the Project, the Agency shall assist such persons and business concerns in finding new locations that are decent, safe, sanitary, within their respective financial means, in reasonably convenient locations, and otherwise suitable to their respective needs.

2. [Sec. 313] Relocation Payments

The Agency shall make relocation payments to persons (including individuals and families), business concerns, and others displaced by the Project, for moving expenses and direct losses of personal property, for which reimbursement or compensation is not otherwise made, and shall make such additional relocation payments as may be required by law. Such relocation payments shall be made pursuant to Agency rules and regulations, the California Relocation Assistance Law (Government Code, Sections 7260 et seq.) and the guidelines of the California Department of Housing and Community Development adopted and promulgated pursuant thereto. The Agency may make such other payments as may be appropriate and for which funds are available.

G. [Sec. 314] *Demolition, Clearance, Public Improvements, Building and Site Preparation*

1. [Sec. 315] Demolition and Clearance

The Agency is authorized to demolish and clear buildings, structures, and other improvements from any real property in the Project area as necessary to carry out the purposes of this Plan.

2. [Sec. 316] 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 the Plan. Such public improvements and public utilities include, but are not limited to: over- and under-passes; bridges; streets; curbs; gutters; sidewalks; street lights; sewers; storm drains; traffic signals; electrical distribution systems; natural gas distribution systems; water distribution systems; telephone systems; beaches; parks; plazas; playgrounds; piers; parking facilities; and landscaped areas.

3. [Sec. 317] Preparation of Building Sites

The Agency is authorized to prepare, or cause to be prepared, as building sites, any real property in the Project area owned by the Agency. The Agency is also authorized to construct foundations, platforms, and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for residential, commercial, public, and other uses provided in this Plan.

H. [Sec. 318] *Property Disposition and Development*

I. [Sec. 319] Real Property Disposition and Development

a. [Sec. 320] General

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property.

To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding.

All real property acquire by the Agency in the Project area shall be sold or leased for development for prices which shall not be less than fair value for uses in accordance with this Plan. Property containing buildings or structures rehabilitated by the Agency shall be offered for resale within one year after completion of rehabilitation or an annual report concerning such property shall be published by the Agency as required by law.

Real property acquired by the Agency may be conveyed by the Agency without charge to the City and, where beneficial to the Project area, without charge to any other public body.

All purchasers or lessees of property acquired from the Agency shall be made obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

b. [Sec. 321] Disposition to 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 purchase and development by owner and tenant participants prior to the time that real property is made available for purchase and development by persons who are not owners or tenants in the Project area.

c. [Sec. 322] Disposition and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold,

leases, or conveyed by the Agency, as well as all property subject to participation agreements, is subject to the provisions of this Plan.

Leases, deeds, contracts, agreements, and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Plan.

All property in the Project area is hereby subject to the restriction that there shall be no discrimination or segregation based upon sex, race, color, religion, national origin, or ancestry, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project area. All property sold, leased, conveyed, or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project area shall contain such nondiscrimination and nonsegregation clauses as are required by law.

d. [Sec. 323] Development by the Agency or Other Public Bodies or Entities

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, which buildings, facilities, structures, or other improvements are or would be of benefit to the Project area. The Agency may enter into contracts, leases, and agreements with the City or other public body or entity pursuant to this Section 323, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency which may be made payable out of the taxes levied in the Project area and allocated to the Agency under subdivision (b) of Section 33670 of the California Community Redevelopment Law and under Section 502 of this Plan or out of any other available funds.

e. [Sec. 324] Development Plans

All development plans (whether public or private) shall be submitted to the Agency for approval and architectural review. All development in the Project area must conform to this Plan and all applicable Federal, State, and local laws and must receive the approval of the appropriate public agencies.

2. [Sec. 325] 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.

I. [Sec. 326] *Rehabilitation, Conservation, and Moving of Structures*

1. [Sec. 327] *Rehabilitation and Conservation*

The Agency is authorized to rehabilitate and conserve, or to cause to be rehabilitated and conserved, any building or structure in the Project area owned by the Agency. The Agency is also authorized and directed to advise, encourage, and assist in the rehabilitation and conservation of property in the Project area not owned by the Agency. The Agency is also authorized to acquire, restore, rehabilitate, move and conserve buildings of historic or architectural significance.

2. [Sec. 328] *Moving of Structures*

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

J. [Sec. 329] *Neighborhood Impact Element*

The Project area contains low- and moderate-income housing. The impact of the Project pursuant to this Plan upon the residents of the Project area and the surrounding areas is described with specificity in the Environmental Impact Report which the Agency has prepared as the lead agency in conjunction with the approval and adoption of this Plan and which the Agency has transmitted to the City Council as attached to the report on this Plan. The following discussion is a summary of the discussions of the impacts presented in the Environmental Impact Report.

1. [Sec. 330] *Impact Arising from Relocation*

No specified construction and development is set forth in the Project area which will require relocation of residential owners and tenants other than that which may be necessary for the construction of public improvements. The primary use of rehabilitation of existing residential structures through owner and tenant participation is intended to minimize the necessity for relocation of residents in the Project. In any event, however, no resident will be displaced from the Project area unless and until a decent, safe, and sanitary replacement dwelling is made available to the resident which is within the resident's financial means and which is in an area reasonably accessible to the resident's place of employment and not generally less desirable in regard to public utilities and public and commercial facilities.

2. [Sec. 331] Impact on Traffic Circulation

Traffic circulation in residential areas, while generally adequate, may require some modification. Construction and installation of pedestrian walkways and signal devices will increase safety in these areas. The installation of adequate arterial traffic controls and the provision for increased parking and other public improvements in the Project area generally will encourage more commercially oriented circulation in the commercial-retail use areas.

3. [Sec. 332] Impact on Environmental Quality

The short run impact of the Project may be negative because of the traffic, noise and debris associated with rehabilitation and new construction. However, after the development is completed, the aesthetic improvements throughout the Project, coupled with the decrease in traffic circulation in the residential areas and the provisions for the installation of pedestrian walkways and signal devices and adequate arterial traffic controls, will be significant improvements of environmental quality.

4. [Sec. 333] Impact on Availability of Community Facilities and Services

Improved traffic circulation will permit greater access to the municipal services within and without the Project area. Sidewalks to be installed will definitely improve pedestrian movement and safety. Improvements to community facilities will expand and make more available and accessible to the community the services provided by such facilities.

5. [Sec. 334] Impact and Effect on School Population and Quality of Education

The use of rehabilitation of existing residential dwellings in conjunction with the development of multi-family dwellings, where such uses are permitted (which multi-family residential uses are anticipated to produce a lesser impact on school population than single-family residential uses), indicate that the Project will have little effect on the school population.

6. [Sec. 335] Impact on Property Assessments and Taxes

The improvements to real property will probably result in higher assessed values. The increase will probably be greater for commercial use properties and presently undeveloped property than for properties with existing residential uses.

7. [Sec. 336] Impact on Other Matters Affecting the Physical and Social Quality of the Neighborhood

To the extent that portions of the Project area are underdeveloped and improvements are currently under construction or committed, change and development are going to

come in the Project area notwithstanding the approval and adoption of this Plan for the area. The approval and adoption of this Plan and its implementation by the Agency, in cooperation with other entities and the Project Area Committee, are means of assuring community control of the manner in which the inevitable changes will affect the physical, economic, and social quality of the Project area and the surrounding neighborhood.

#### IV. [Sec. 400] Uses Permitted in the Project Area

##### A. [Sec. 401] Map

The Map attached hereto illustrates the location of the Project boundary, the immediately adjacent streets, the existing public rights-of-way, and the proposed land uses to be permitted in the Project area for all land (public, semi-public and private).

##### B. [Sec. 402] Residential Uses

Residential uses are permitted in the areas designated on the Map. The areas designated on the Map for such residential uses shall be developed, redeveloped, and rehabilitated in conformance with this Plan, the General Plan for the City, the City Municipal Code, and the City Zoning Ordinance. Parking for such residential uses shall be provided in compliance with the City Zoning Ordinance.

##### C. [Sec. 403] Commercial-Retail Uses

Commercial-retail uses are permitted in the areas designated on the Map. Commercial-retail uses include, but are not limited to: office, retail, financial, service, entertainment, and related auxiliary uses as permitted by the General Plan of the City, the City Municipal Code, and the City Zoning Ordinance.

The areas designated on the Map for such commercial-retail uses shall be developed, redeveloped, and rehabilitated in conformance with this Plan, the General Plan, the City Municipal Code, and the City Zoning Ordinance. Parking shall be provided in compliance with the City Zoning Ordinance.

##### D. [Sec. 404] Office-Professional Uses

Office-professional uses are permitted in the areas designated on the Map. Office-professional uses include, but are not limited to: hospitals, medical, legal, real estate, financial, architectural, engineering and other professional offices and related auxiliary uses as permitted by the General Plan of the City, the City Municipal Code, and the City Zoning Ordinance.

The areas designated on the Map for such office-professional uses shall be developed, redeveloped, and rehabilitated in conformance with this Plan, the General Plan, the City Municipal Code, and the City Zoning Ordinance. Parking shall be provided in compliance with the City Zoning Ordinance.

**E. [Sec. 405] Public Uses**

**1. [Sec. 406] Public, Semi-Public, Institutional, Open Space, and Non-Profit Uses**

Public, semi-public, institutional, open space, and non-profit uses are permitted in the areas designated on the Map. Such public, semi-public, institutional, open space, and non-profit uses shall include, but not be limited to: civic center, civic auditorium, and other public uses; beaches, parks, and recreational facilities; piers; transportation and parking facilities; libraries; hospitals; and educational, social, religious, fraternal, employee, philanthropic, charitable, service, and other similar associations, organizations and institutions, and facilities of such associations, organizations and institutions.

With the approval of the Agency, such public, semi-public, institutional, open space, and non-profit uses may be interspersed with other uses in any area designated on the Map. In addition, in any area designated on the Map, the Agency is authorized to permit the establishment or enlargement of such public, semi-public, institutional, open space, and non-profit uses. The establishment or enlargement of such uses shall conform so far as possible with the provisions of this Plan applicable to the other uses in the specific area involved, and such other reasonable restrictions may be imposed by the Agency as are necessary to protect the development and use of the specific area involved.

**2. [Sec. 407] Public Streets, Alleys, Rights-of-Way, Easements, Improvements, and Utilities**

The public streets, alleys, and rights-of-way in the Project area are those provided and designated on the Map. Existing public streets, alleys, rights-of-way, and easements may be abandoned, closed, widened, altered, realigned, or modified, and additional public streets, alleys, rights-of-way, and easements may be created, established, and constructed in the Project area, as necessary for proper pedestrian and vehicular circulation and for the proper development of the Project pursuant to this Plan.

Such public streets, alleys, right-of-way, and easements shall be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in such public streets, alleys, rights-of-way, and easements.

*F. [Sec. 408] Interim Uses*

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project area for interim uses not in conformity with the uses permitted in this Plan.

*G. [Sec. 409] General Controls, Limitations, Restrictions, and Requirements*

All real property in the Project area is hereby made subject to the controls, limitations, restrictions, and requirements of this Plan and the Design for Development (as provided in Section 424 of this Plan), and to any other development controls, limitations, restrictions, and requirements which the Agency deems necessary to implement and further this Plan. No real property shall be developed, redeveloped, rehabilitated, or otherwise changed or altered after the date of the adoption of the Plan, except in conformance with the provisions of this Plan.

*I. [Sec. 410] New Construction*

All construction in the Project area shall comply with all applicable State and local laws in effect from time-to-time, including, without limitation, the City Municipal Code and Zoning Ordinance.

All setback areas shall be landscaped and maintained by the owner. Any portion necessary for access shall be paved.

Parking structures and parking facilities for the joint use of two or more parcels of a size sufficient to meet the combined requirements of such parcels may be constructed with prior written approval of the Agency. No parking space shall be located in a setback area except with prior written approval of the Agency. 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 landscaped in accordance with the City Zoning Ordinance to prevent unsightly or barren appearance. Lighting for parking spaces shall be shielded from adjacent properties and adjoining streets.

Off-street loading facilities shall be located in a manner to avoid interference with public use of sidewalks and in conformance with the City Zoning Ordinance. Such off-street loading facilities shall be located at such a depth within an enclosed area as to reasonably contain and/or restrict the emission of noise and light typically associated with the function of such facilities. Off-street loading facilities must also be screened by landscaping to the extent and in the manner required by the Agency.

The Agency shall establish setback, off-street parking, and off-street loading requirements for all new development within the Project area, which requirements may exceed but not be less than the requirements of the City Zoning Ordinance.

No new improvement shall be constructed and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated except in accordance with architectural, landscape, and site plans submitted to and approved in writing by the Agency. 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. The Agency shall not approve any plans that do not comply with this Plan.

2. [Sec. 411] Existing Nonconforming Uses

The Agency is authorized to permit an existing use to remain in an existing building, which use does not conform to the provisions of this Plan, provided that such use is determined by the Agency to be generally compatible with the development and uses in the Project area. The owner of such a property must be willing to enter into a participation agreement and agree to the imposition of such reasonable restrictions as are necessary to protect the development and use of the Project area.

3. [Sec. 412] Rehabilitation and Retention of Properties

Any existing structure within the Project area, which the Agency shall approve for retention and rehabilitation, shall be repaired, altered, reconstructed, or rehabilitated in such a manner that it will be safe and sound in all physical respects, and be attractive in appearance and not detrimental to the surrounding uses.

4. [Sec. 413] Limitation on the Number of Buildings

The number of buildings in the Project area shall not exceed 1,500.

5. [Sec. 414] Approximate Number of Dwelling Units

The approximate number of dwelling units presently in the Project area is estimated to be 2,200. All new residential construction shall not exceed the densities permitted for the area in which such residential use is to be developed.

6. [Sec. 415] Open Spaces and Landscaping

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, the public grounds, the 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. Landscaping shall be developed in the Project area to ensure optimum use of living plant material.

7. [Sec. 416] Limitation on Type, Size and Height of Buildings

Except as set forth in other sections of this Plan, the height, type, and size of buildings shall be as limited by the applicable state statutes and local laws, including, without limitation, the City Municipal Code and Zoning Ordinance.

8. [Sec. 417] Light, Air, and Privacy

In all areas, sufficient space shall be provided and maintained between buildings to provide adequate light, air, and privacy, which provision and maintenance shall not be less than the requirements set forth in the City Zoning Ordinance.

9. [Sec. 418] Signs

On premises signs shall be permitted in the Project area only in conformity with applicable State statutes and local laws, including, without limitation, the City Municipal Code. Design for all signs shall be submitted to the Agency as a part of the development plans for each property to be developed. No exterior sign shall be constructed or maintained in the Project area without the written approval of the Agency.

10. [Sec. 419] Utilities

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

11. [Sec. 420] Incompatible Uses

No use or structure, which by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors would be incompatible with the surrounding areas or structures shall be permitted in any part of the Project area.

12. [Sec. 421] Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based upon sex, race, 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.

13. [Sec. 422] Minor Variations

In order to prevent undue hardship, the Agency is authorized to permit variations from the requirements, limits, restrictions, and controls established by this Plan. In order to permit such a variation the Agency must determine that:

- (1) The Application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan.
- (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 requirements, limits, restrictions, and controls.
- (3) Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area.
- (4) Permitting a variation will not be contrary to the objectives 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 purposes of this Plan.

In no event, however, shall the Agency permit a variation which violates any requirement, limit, restriction, or control provided in the City Municipal Code and the City Zoning Ordinance.

#### 14. [Sec. 423] Resubdivision of Parcels

No parcel in the Project area, including any parcel retained by a participant, shall be resubdivided without the approval of the Agency.

#### H. [Sec. 424] *Design for Development*

Within the requirements, limits, restrictions, and controls established in this Plan, the Agency is authorized to establish building height and land coverage limitations and requirements: setback requirements; design criteria; and traffic circulation, traffic access, and other development and design standards necessary for proper development of specific areas within the Project.

#### I. [Sec. 425] *Building Permits*

##### 1. [Sec. 426] Review of Applications for Issuance of Permits

No permit shall be issued for the construction of any new building or for any construction on an existing building in the Project area from the date of adoption of this Plan until the application for such permit has been processed in the manner herein provided. Any such permit that is issued must be in conformance with the provisions of this Plan.

Upon receipt of such an application for permit, the Executive Director of the Agency shall be requested by the City to review the application to determine what effects, if any, the issuance thereof would have upon the Plan. Within twenty-five (25) days thereafter, the Executive Director shall file with the City a written report setting forth his finding of fact, but not limited to, the following:

- (1) Whether the proposed improvements would be compatible with the requirements of this Plan; and
- (2) What modifications, if any, in the proposed improvements would be necessary in order to meet the requirements of this Plan; and
- (3) Whether the applicant has entered into an agreement with the Agency for the development of said improvements and submitted development plans to the Agency.

After receipt of said report or after 25-day period, whichever occurs first, the City may allow the issuance of the permit with conditions; or shall withhold the issuance of the permit if the Executive Director finds that the proposed improvement does not meet the requirements of this Plan. Within five (5) days after allowing or withholding issuance of the permit the City shall notify by certified mail the applicant and the Executive Director of its decision.

## V. [Sec. 500] Methods for Financing the Project

### A. [Sec. 501] *General Description of the Proposed Financing Method*

The agency is authorized to finance this Project with financial assistance from the City, State of California, tax increment funds, interest income, Agency bonds, or any other available source, public or private.

Advances and loans for survey and planning and for the operating capital for nominal administration of this Project have been and are to be provided by the City until adequate tax increment or other funds are available, or sufficiently assured, to repay the advances and loans and to permit borrowing adequate working capital from sources other than the City. The City as it is able, may also supply additional assistance through City loans and grants for various public facilities.

As available, gas tax funds from the State of California and the County of San Diego will be used for the street system. Some revenue will also accrue to the Project from interest earned on investment of Agency funds. Also, all or a portion of the parking required pursuant to this Plan may be installed through a parking authority or otherwise.

The Agency is authorized to issue bonds from time-to-time if it deems appropriate to do so.

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

The City or any other public agency may expend money to assist the Agency in carrying out this Project.

**B. [Sec. 502] Tax Increment Funds**

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

- (1) That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of 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 Project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll of the County of San Diego 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 said effective date); and
- (2) 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 of and interest on bonds, loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Project. Unless and until the total assessed valuation of the taxable property in the Project exceeds the total assessed value of the taxable property in the Project as shown by the last equalized assessment roll referred to in paragraph (1) hereof, all of the taxes levied and collected upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies. When said bonds, loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

The portion of taxes mentioned in subdivision (2) above are hereby irrevocably pledged for the payment of the principal of and interest on the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part.

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

*C. [Sec. 503] Other Loans and Grants*

Any other loans, grants, guarantees or financial assistance from the United States, the State of California, or any other public or private source will be utilized if available.

*VI. [Sec. 600] Actions by the City*

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Action by the City shall include, but not be 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, removal, and relocation by the public utility companies of their operations in public rights-of-way as appropriate to carry out this Plan, provided that nothing in this Plan shall be construed to require the cost of such abandonment, removal and relocation be borne by others than the one legally required to bear such cost.
- (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 (if necessary) within the Project area to permit the land uses and development authorized by this Plan.
- (4) Performance of the above actions, and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project area to be commenced and carried to completion without unnecessary delays.
- (5) The undertaking and completing of any other proceedings necessary to carry out the Project.

**VII. [Sec. 700] Enforcement**

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

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, reentry, injunctions, or any other remedies appropriated 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.

**VIII. [Sec. 800] Duration of This Plan**

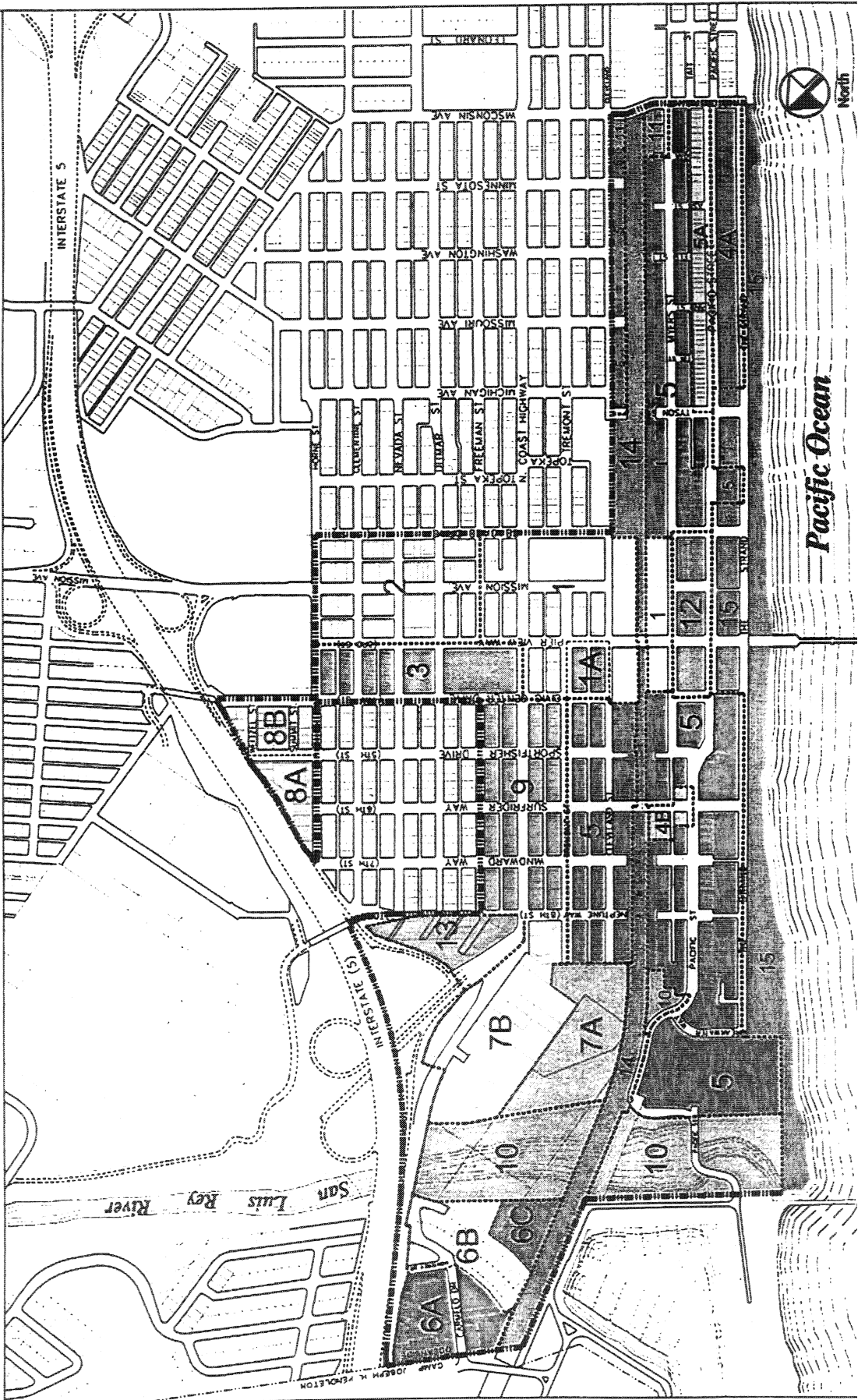
Except for the nondiscrimination and nonsegregation provisions, which shall run in perpetuity, the provisions of this Plan shall be effective and the provisions of other documents formulated pursuant to this Plan may be made effective for thirty-five (35) years from the date of adoption of this Plan by the City Council.

**IX. [Sec. 900] Procedure for Amendment**

This Plan may be amended by means of the procedure established in Sections 33450-33458 of the Redevelopment Law, or by any other procedure hereafter established by law.

# Redevelopment Project Area

- 1. Commercial Retail and Office / Residential possible
- 1A. Commercial Retail and Office / Historic / Residential possible
- 2. Financial Center / Office Professional
- 3. Office Professional / Residential possible (SF & Multi)
- 4A. Transient Uses & Residential (SF & Multi)
- 4B. Transient uses & Residential (Multi)
- 5. High Density Residential (SF & Multi)
- 5A. Medium Density Residential
- 6A. Visitor Serving Commercial
- 6B. Visitor Serving Commercial / Residential possible
- 7A. High Density Residential (SF & Multi)
- 7B. Recreational / Commercial / Residential (SF & Multi)
- 8A. Hospital & Medical (SF)
- 8B. Hospital / Medical / Office / Residential possible (SF & Multi)
- 9. Commercial / Residential / SF & Multi (30,000 sq. ft.)
- 10. Open Space
- 11. Commercial / Residential possible / (Multi with mixed use)
- 12. Tourist & Visitor Serving Commercial
- 13. Visitor Serving Commercial / Office / Residential (Multi with mixed use)
- 14. Public Transportation and Railroad
- 15. Public Facilities, Parks, Open Space





115/2-7

COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF  
OCEANSIDE  
OCEANSIDE, CALIFORNIA

**PROPOSED FIRST AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE OCEANSIDE  
DOWNTOWN REDEVELOPMENT PROJECT**

June 1982



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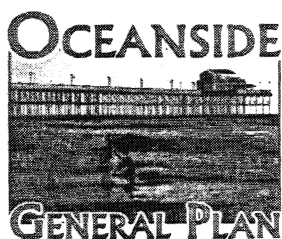
## PREFACE

The Redevelopment Plan for the Oceanside Downtown Redevelopment Project was adopted by the City Council of the City of Oceanside on November 12, 1975 by Ordinance No. 75-35.

Section 900 of the adopted Redevelopment Plan provides the procedure for amending the Plan pursuant to the California Community Redevelopment Law.

Contained herein are five proposed changes to the adopted Plan to make collectively as the First Amendment to the Redevelopment Plan for the Oceanside Downtown Redevelopment Project.

This Plan Amendment provides for a change in land use and conforms the land use map. In all other respects the original plan remains as adopted. Changes to the original are underlined.



## PROPOSED FIRST AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE OCEANSIDE DOWNTOWN REDEVELOPMENT PROJECT

### Amendment No. 1

The Redevelopment Plan is hereby amended by deleting therefrom Section 402, Residential Uses, and substituting in lieu thereof, the following:

#### B. [S 402] *Residential Uses*

Residential uses are permitted in the areas designated on the Map. The areas designated on the Map for such residential uses shall be developed, redeveloped, and rehabilitated in conformance with this Plan, the General Plan for the City, the City Municipal Code, the City Zoning Ordinance, and Development Criteria and Land Use Regulations promulgated by the City Council of the City of Oceanside concurrently with this Plan, as they may be amended (herein referred to as the "Development Criteria and Land Use Regulations"). Parking for such residential uses shall be provided in compliance with the City Zoning Ordinance. Hotels and motels are permitted in certain designated areas to the extent allowed by the Development Criteria and Land Use Regulations.

### Amendment No. 2

The Redevelopment Plan is hereby amended by deleting therefrom Section 403, Commercial-Retail Uses, and substituting in lieu thereof, the following:

#### C. [S 403] *Commercial-Retail Uses; Harbor*

Commercial-retail uses are permitted in the areas designated on the Map. Commercial-retail uses include, but are not limited to: office, retail, financial, service, entertainment, and related auxiliary uses as permitted by the General Plan of the City, the City Municipal Code, and the City Zoning Ordinance. Residential and other alternate uses shall be permitted to the extent allowed by the City Zoning Ordinance and the Development Criteria and Land Use Regulations.

The areas designated on the Map for such commercial-retail uses shall be developed, redeveloped, and rehabilitated in conformance with this Plan, the General Plan, the City Municipal Code, the City Zoning Ordinance, and the Development Criteria and Land Use Regulations. Parking shall be provided in compliance with the City Zoning Ordinance.

Harbor uses are permitted in the areas designated on the Map as Harbor. Uses permitted in the area designated Harbor shall be primarily for boating and harbor-dependent uses, and secondarily for harbor-related and support services such as open space, recreation, public facilities, visitor-serving commercial, and residential/transient accommodations.

### Amendment No. 3

The Redevelopment Plan is hereby amended by deleting therefrom Section 404, Office-Professional Uses, and substituting in lieu thereof, the following:

#### *D. [S 404] Office-Professional Uses*

Office-professional uses are permitted in the areas designated on the Map. Office-professional uses include, but are not limited to: hospitals, medical, legal, real estate, financial, architectural, engineering and other professional offices and related auxiliary uses as permitted by the General Plan of the City, the City Municipal Code, and the City Zoning Ordinance. Residential and other alternate uses shall be permitted to the extent allowed by the City Zoning Ordinance and the Development Criteria and Land Use Regulations.

The areas designated on the Map for such office-professional uses shall be developed, redeveloped, and rehabilitated in conformance with this Plan, the General Plan, the City Municipal Code, the City Zoning Ordinance and the Development Criteria and Land Use Regulations. Parking shall be provided in compliance with the City Zoning Ordinance.

### Amendment No. 4

The Redevelopment Plan is hereby amended by deleting therefrom the existing Redevelopment Plan Map, entitled Redevelopment Plan Map, Map 4, and substituting in lieu thereof the Redevelopment Plan Map (Amended), as such Map is shown on Exhibit "A" attached hereto and incorporated herein by this reference. The name of the Map as referred to in Section 100 of the Redevelopment Plan shall be revised accordingly.

**Amendment No. 5**

The Redevelopment Plan is hereby amended by deleting therefrom Section 414, Approximate Number of Dwelling Units, and substituting in lieu thereof, the following:

5. [S 414] Approximate Number of Dwelling Units

The number of dwelling units in the Project area shall not exceed 5,500. All new residential construction shall not exceed the densities permitted for the area in which such residential use is to be developed.

ORDINANCE NO. 82-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING  
ORDINANCE NO. 75-35 OF THE CITY COUNCIL, AND APPROVING AND ADOPTING  
THE FIRST AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE OCEANSIDE  
DOWNTOWN REDEVELOPMENT PROJECT

WHEREAS, the City Council of the City of Oceanside adopted Ordinance No. 75-35 on November 12, 1975, approving and adopting the Redevelopment Plan for the Downtown Redevelopment Project; and

WHEREAS, the Community Development Commission (hereinafter referred to as the "Commission") has prepared and submitted to the City Council for approval and adoption the proposed First Amendment to the Redevelopment Plan for the Downtown Redevelopment Project, accompanied by the Commission's Report to City Council on the proposed First Amendment; and

WHEREAS, the Planning Commission of the City of Oceanside has submitted its report and recommendation, finding the proposed First Amendment to the Redevelopment Plan to be in conformity with the General Plan and recommending approval and adoption of the proposed First Amendment; and

WHEREAS, the Project Area Committee submitted its report and recommendation concerning the proposed First Amendment to the Redevelopment Plan, recommending that the proposed First Amendment to the Redevelopment Plan be approved and adopted; and

WHEREAS, the Commission adopted rules governing participation by and reasonable preferences to owners and tenants in the Project area; and

WHEREAS, the Commission has, in accord with the requirements of the California Environmental Quality Act of 1970, as amended (Public Resources Code, Sections 21000 et seq.), State and local Guidelines, prepared a Supplemental Environmental Impact Report (SEIR) with respect to the environmental effects of the proposed First Amendment; and

WHEREAS, both the Commission and the City Council have adopted resolutions certifying the SEIR; and

WHEREAS, after due notice, a joint public hearing was held by the City Council and the Commission on the proposed First Amendment; and

WHEREAS, at said joint public hearing, this Council heard and passed upon all oral and written objections by overruling such objections; and

WHEREAS, all actions required by law have been taken by all appropriate public agencies;

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

SECTION ONE. The legal description of the boundaries of the Oceanside Downtown Redevelopment Project are as described in Exhibit "A" attached hereto and as incorporated hereby by this reference. The boundaries of the Downtown Redevelopment Project are not changed by the First Amendment.

SECTION TWO. The purpose and intent of the City Council with respect to the Project area were and are to:

- (1) Eliminate the conditions of blight existing in the Project area;
- (2) Insure, as far as possible, that the causes of blighting conditions will be either eliminated or protected against;
- (3) Provide participation for owners and tenants and reasonable preference for persons engaged in business in the Project area;
- (4) Encourage the rehabilitation, rebuilding, and redevelopment of the Project area;
- (5) Encourage and foster the economic revitalization of the Project area;
- (6) Relocate owners and occupants of the Project area as needed;
- (7) Redevelop and rebuild the public facilities in the Project area to provide safer and more efficient service for the people in the area and the general public as a whole.

SECTION THREE. It is hereby determined that the First Amendment to the Redevelopment Plan as submitted by the Commission is necessary and desirable.

SECTION FOUR. The First Amendment to the Redevelopment Plan, a copy of which is on file in the office of the City Clerk, is incorporated hereby by this reference and made a part hereof as if fully set out at length herein.

SECTION FIVE. Ordinance No. 75-35 and the Redevelopment Plan adopted pursuant thereto as the official Redevelopment Plan for the Oceanside Downtown Redevelopment Project are hereby amended as set forth in the proposed First Amendment to the Redevelopment Plan, so that the Redevelopment Plan adopted by Ordinance No. 75-35 as

amended by the First Amendment to the Redevelopment Plan is hereby designated as the official redevelopment plan for the Project area.

SECTION SIX. All written and oral objections to the First Amendment to the Redevelopment Plan are hereby overruled.

SECTION SEVEN. The City Council hereby finds and determines that:

1. The Project area was and is a blighted area, the redevelopment of which was and is necessary to effectuate the public purposes declared in the Community Redevelopment Law of the State of California;
2. The Redevelopment Plan, as amended, will redevelop the Project area in conformity with the Community Redevelopment Law of the State of California in the interest of the public peace, health, safety, and welfare;
3. The adoption and carrying out of the Redevelopment Plan, as amended, is economically sound and feasible;
4. The Redevelopment Plan, as amended, conforms to the General Plan of the City of Oceanside;
5. The carrying out of the Redevelopment Plan, as amended, will promote the public peace, health, safety and welfare of the City of Oceanside and will effectuate the purposes and policies of the Community Redevelopment Law of the State of California;
6. The condemnation of real property as provided for in the Redevelopment Plan, as amended, is necessary to the execution of the Redevelopment Plan, as amended, and adequate provisions have been made for payment for property to be acquired as provided by law;
7. In the event any families and persons residing within the Project area are displaced by redevelopment activities:
  - (a) The Commission has a feasible method and plan for the relocation of families and persons to be temporarily or permanently displaced from housing facilities in the Project Area;
  - (b) There will be provided in the entire Project Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and to rents or prices within the financial means of the families and persons displaced from the Project Area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their place of employment.

8. Inclusion within the Project area of any lands, buildings, or improvements which are not detrimental to the public health, safety, or welfare is necessary for the effective redevelopment of the Project area; any such area included is necessary for effective redevelopment and is not included for the purpose of obtaining the allocation of tax increment revenues from such area pursuant to Section 33670 of the Community Redevelopment Law without other substantial justification for its inclusion;
9. The elimination of blight and the redevelopment of the Project area can not be reasonably expected to be accomplished by private enterprise acting alone without the aid and assistance of the Commission;
10. In order to implement and facilitate the effectuation of the Redevelopment Plan, it is found and determined that certain official action must be taken by the City Council with reference, among other things, to changes in zoning, the vacating and removal of streets, and other public ways, the location and relocation of sewer and water mains and other public facilities, and other public action, and accordingly the City Council hereby:
  - (a) Pledges its cooperation in helping to carry out the Redevelopment Plan; and
  - (b) Requests the various officials, departments, boards and agencies of the City of Oceanside having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Redevelopment Plan; and
  - (c) Stands ready to take appropriate action upon proposals and measures designed to effectuate the Redevelopment Plan.

SECTION EIGHT. This City Council is satisfied permanent housing facilities will be available within three (3) years from the time occupants of the Project area are displaced and that pending the development of such facilities there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the City of Oceanside at the time of their displacement.

SECTION NINE. This City Council is convinced that the effect of tax increment financing, as provided for in the Redevelopment Plan, as amended, will not cause a severe financial burden or detriment on any taxing agency deriving revenues from the Project area.

SECTION TEN. Ordinance No. 75-35 shall remain in full force and effect except to the extent it is changed by this amending Ordinance.

SECTION ELEVEN. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Commission and the Commission is hereby vested with the responsibility for

carrying out the Redevelopment Plan, as amended, subject to the provisions of the Redevelopment Plan, as amended.

SECTION TWELVE. The City Clerk hereby is directed to record with the County Recorder of San Diego County, a description of the land within the Project area and a statement that proceedings for the redevelopment of the Project area have been instituted under the California Community Redevelopment Law. The Agency hereby is directed to effectuate recordation in compliance with the provisions of Section 27295 of the Government Code to the extent applicable.

SECTION THIRTEEN. The Mayor (or in his absence the Vice-Mayor) shall sign this Ordinance; the City Clerk shall attest and certify to the adoption of this Ordinance and its approval by the City Council, and shall cause the same to be published once in a newspaper with general circulation in the City of Oceanside.

**EXHIBIT A**

**[Sec. 200] Project Area Boundaries**

The boundaries of the Project area are illustrated on the Map incorporated herein and attached hereto. The legal description of the boundaries of the project area is as follows:

All that real property in the City of Oceanside in the County of San Diego, State of California, which lies within the following described boundaries:

BEGINNING at the intersection of the centerline of Interstate highway 5 with the southeasterly boundary of Rancho Santa Margarita (also known as Camp Pendleton); thence Westerly along said Southeasterly boundary to the Westerly right-of-way line of the Atchison, Topeka & Santa Fe Railroad; thence Southwesterly along said right-of-way line of said Atchison, Topeka & Santa Fe Railroad to the southerly boundary of the Oceanside Small Craft Harbor per Misc. Map #448, recorded September 17, 1963; thence Westerly along said Southerly boundary of said Oceanside Small Craft Harbor, and its Westerly extension, to a point one-half mile seaward of the mean high tide line; thence Southerly along a line lying parallel with said mean high tide line to a point on the Westerly extension of the Southerly right-of-way line of Wisconsin Avenue; thence Northerly along the said Westerly extension and Southerly right-of-way line of Wisconsin Avenue to an intersection with the Easterly right-of-way line of Cleveland Street; thence Northerly along said Easterly right-of-way line of Cleveland Street to an intersection with the Southerly right-of-way line of First Street; thence Easterly along said Southerly right-of-way line of First Street to the Easterly right-of-way line of Horne Street; thence Northerly along said Easterly right-of-way line of Horne Street to the Southerly right-of-way line of fourth Street; thence Easterly along said Southerly right-of-way line of Fourth Street, and its Easterly extension, to an intersection with the centerline of aforementioned Interstate Highway 5; thence Northwesterly along the centerline of said Interstate Highway 5 to the Easterly extension of the Northerly right-of-way line of Seventh Street; thence Westerly along said Northerly right-of-way of Horne Street; thence Southerly along said Westerly line of Horne Street to the Northerly right-of-way line of Fourth Street; thence Westerly along said Northerly right-of-way line of Fourth Street to the Easterly right-of-way line of Freeman Street; thence Northerly along said Easterly right-of-way line of Freeman Street to the Southerly right-of-way line of Eighth Street; thence Easterly along said Southerly right-of-way line of Eighth Street, and its Easterly extension, to an intersection with the centerline of said Interstate Highway 5; thence Northwesterly and Northerly along said centerline of Interstate Highway 5 to the POINT OF BEGINNING.

*Appendix A - Redevelopment Plan*

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SECTION FOURTEEN. This ordinance shall be in full force and effect thirty (30) days after the second reading hereof.

PASSED, ADOPTED AND ORDERED PUBLISHED by the City Council of the City of Oceanside, California, this 14th day of July, 1982, by the following vote:

AYES: BISHOP, GILBERT, MARIONCELLI, AND MACDONALD;  
NAYS: NONE;  
ABSENT: NONE;  
ABSTAIN: BAGLEY.

\_\_\_\_\_  
Mayor of the City of Oceanside

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM & LEGALITY:

\_\_\_\_\_  
City Attorney