

AMENDED AND RESTATED  
REDEVELOPMENT PLAN FOR THE  
MIDTOWN MERGED REDEVELOPMENT PROJECT

Prepared by the  
Redevelopment Agency of the City of Stockton

Adopted on July 2, 2002, by Ordinance No. 034-02

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**AMENDED AND RESTATED  
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MIDTOWN MERGED REDEVELOPMENT PROJECT**

**PART I. INTRODUCTION**

This is the Amended and Restated Redevelopment Plan for the Midtown Merged Redevelopment Project (the "Plan"). This Plan consists of text (Part I through Part XIV), Boundary Maps (Exhibits A-1 and A-2), Legal Descriptions (Exhibits B-1 and B-2), Land Use Maps (Exhibits C-1 and C-2), and a list of Initially Proposed Actions and Projects (Exhibit D).

This Plan amends and restates in its entirety the Redevelopment Plan for the Midtown Redevelopment Project adopted by Ordinance No. 033-02 adopted on July 2, 2002 (the "Midtown Plan"), and also amends and restates in its entirety the Redevelopment Plan for the Eastland Redevelopment Project adopted by Ordinance No. 042-90 on July 16, 1990, as amended by Ordinance No. 031-94 on December 19, 1994, as further amended by Ordinance No. 007-99 on April 13, 1999, and as further amended by Ordinance No. 025-02 on June 4, 2002 (the "Eastland Plan").

The primary purposes for this Amended and Restated Plan are (1) to provide for the merger of project area established by the Midtown Plan (the "Midtown Project Area") and the project area established by the Eastland Plan (the "Eastland Project Area")(together, the "Merged Project Area"); (2) to extend the Agency's time to commence eminent domain proceedings in the Eastland Project Area for 12 years; (3) to increase the amount of tax increment allocated to the Agency from the Eastland Project Area, and (4) to provide one combined limit on the amount of bonded indebtedness outstanding at any one time that is to be repaid from tax increment generated from the Merged Project Area.

This Plan has been prepared by the Redevelopment Agency of the City of Stockton (the "Agency") pursuant to the Constitution of the State of California, the Community Redevelopment Law of the State of California (the "Redevelopment Law"), and all applicable laws and local ordinances. The continuing redevelopment of the Merged Project Area as described in this Plan conforms to the General Plan for the City of Stockton, as applied in accordance with local codes and ordinances.

This Plan provides the Agency with powers, duties and obligations to implement the program generally formulated in this Plan for the redevelopment, rehabilitation, and revitalization of the Merged Project Area. This Plan does not present a specific plan or establish priorities for specific projects for the redevelopment, rehabilitation, and revitalization of any particular area within the Merged Project Area. Instead, this Plan presents a process and a basic framework within which specific development plans will be presented, priorities for 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.

Many of the requirements contained in this Plan are necessitated by and in accordance with statutory provisions in effect at the time of adoption of this Plan. Such statutory provisions may be changed from time to time. In the event that any such statutory changes affect this Plan's terms, and would be applicable to the Agency, the Merged Project Area, or this Plan, the terms of this Plan that are so affected shall be automatically superseded by such statutory changes, to the extent necessary to be in conformity with such statutory changes (and all other terms of the Plan shall remain in full force and effect).

## PART II. GENERAL DEFINITIONS

The definition of general terms contained in the Redevelopment Law shall govern the construction of this Plan, unless more specific terms and definitions therefore are otherwise provided in this Plan. In addition, the following specific definitions are used in this Plan:

- A. "Agency" means the Redevelopment Agency of the City of Stockton.
- B. "City" means the City of Stockton, California.
- C. "City Council" means the City Council of the City of Stockton, California.
- D. "County" means the County of San Joaquin, California.
- E. "Constituent Project Area" means each of the Eastland Project Area and the Midtown Project Area.
- F. "Eastland Project Area" means the area included within the boundaries of the Eastland Redevelopment Project, as shown on the Eastland Project Area Boundary Map (Exhibit A-1) and described in the Eastland Project Area Legal Description (Exhibit B-1).
- G. "General Plan" means the City of Stockton General Plan, as it now exists or may hereafter be amended, and any specific plan(s) applicable to all or portions of the Merged Project Area that may hereafter be in effect from time to time.
- H. "Land Use Maps" means the maps setting forth the currently permitted land uses and major circulation routes in the Merged Project Area. The Land Use Maps are attached to this Plan as Exhibits C-1 and C-2.
- I. "Merged Project Area" or "Midtown Merged Project Area" means all of the areas included within the boundaries of the Eastland Redevelopment Project, as shown on the Boundary Map (Exhibit A-1) and described in the Eastland Project Area Legal Description (Exhibit B-1) and the Midtown Redevelopment Project, as shown on the Midtown Project Area Boundary Map (Exhibit A-2) and described in the Midtown Project Area Legal Description (Exhibit B-2).

J. "Midtown Project Area" means the area included within the boundaries of the Midtown Redevelopment Project, as shown on the Midtown Project Area Boundary Map (Exhibit A-2) and described in the Midtown Project Area Legal Description (Exhibit B-2).

K. "Owner" means any person owning fee title to, or a long-term leasehold interest in Real Property (as defined below) within the Merged Project Area.

L. "Owner Participation Rules" means the Rules for Business Tenant Preference and Owner Participation adopted by the Agency pursuant to the Redevelopment Law, as such Rules now exist or may hereafter be amended.

M. "Person" means any individual, or any public or private entity.

N. "Personal Property" means moveable property, chattels and any other property not part of Real Property.

O. "Plan" or "Redevelopment Plan" means this Redevelopment Plan for the Midtown Merged Redevelopment Project, as it now exists or may hereafter be amended.

P. "Planning Commission" means the Planning Commission of the City of Stockton, California.

Q. "Project" means the redevelopment activities undertaken in or for the benefit of the Merged Project Area pursuant to this Plan.

R. "Real Property" means land, including land under water and waterfront property; buildings, structures, fixtures and improvements on the land; property appurtenant to or used in connection with the land; and every estate, interest, privilege, easement, franchise and right in land, including but not limited to rights-of-way, terms of years and liens, charges or encumbrances by way of judgment, mortgages or otherwise and the indebtedness secured by such liens.

S. "Redevelopment Law" means the Community Redevelopment Law of the State of California (California Health and Safety Code Section 33000 et seq.).

T. "State" means the State of California.

U. "Zoning Ordinance" means the Zoning Ordinance of the City of Stockton, California, as it now exists or may hereafter be amended.

### **PART III. MERGED PROJECT AREA BOUNDARIES**

The Merged Project Area consists of all properties within the boundaries of the Eastland Project Area shown on the Eastland Project Area Boundary Map (Exhibit A-1) and described in the Eastland Project Area Legal Description (Exhibit B-1) and within the boundaries of the

Midtown Project Area shown on the Midtown Project Area Boundary Map (Exhibit A-2) and described in the Midtown Project Area Legal Description (Exhibit B-2).

## **PART IV. REDEVELOPMENT GOALS AND OBJECTIVES**

### **A. OVERVIEW OF GOALS AND OBJECTIVES**

The purpose of redevelopment is to eliminate serious physical and economic burdens in the community which cannot reasonably be expected to be reversed or alleviated by private enterprise or government action, or both, without redevelopment. The Merged Project Area exhibits a number of these conditions, including the following:

- Unsafe and unhealthy buildings (Health and Safety Code Section 33031(a)(1)).
- Factors that prevent or hinder economically viable use of building or lots such as substandard design and limited access (Health and Safety Code Section 33031(a)(2)).
- Incompatible uses (Health and Safety Code Section 33031(a)(3)), which prevent economic development of those parcels.
- A prevalence of depreciated values and impaired investments (Health and Safety Code Section 33031(b)(1) and (2)), which indicates a lack of private investment in the area.
- A lack, of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores and banks (Health and Safety Code Section 33031(b)(3)).
- Low lease rates (Health and Safety Code Section 33031(b)(2)).
- An excess of adult businesses, which cause public safety and welfare problems (Health and Safety Code Section 33031(b)(4))
- High crime rates (Health and Safety Code Section 33031(b)(5)).

These conditions are so substantial and prevalent within the Merged Project Area that they have caused a lack of proper utilization of the Merged Project Area to the extent that it constitutes a serious physical and economic burden on the community. Given the complexity and magnitude of problems and lack of other government resources, it is unrealistic to expect that these conditions can be alleviated or reversed by private enterprise or government action, or both, without redevelopment.

The Redevelopment Plan is designed to provide an effective set of legal and financial tools and techniques that will enable the City, the Agency, and the Midtown and Eastland communities and neighborhoods to build upon the strengths of the area—its environmental,

historic, social and cultural resources and heritage, while overcoming its adverse physical and economic conditions, to achieve the fundamental goals of the City of Stockton General Plan.

The legal and financial tools and techniques authorized in this Plan shall be used in a manner that will preserve and capitalize upon the environmental, historic, social and cultural resources of the Merged Project Area to the maximum extent possible consistent with revitalization of the Merged Project Area as envisioned in the General Plan.

## B. SPECIFIC GOALS AND OBJECTIVES

This Redevelopment Plan will be undertaken to achieve the following specific goals and objectives in furtherance of the purposes of the Redevelopment Law and the General Plan:

1. Elimination of blight and the correction of environmental deficiencies in the Merged Project Area, including, among others, building in which it is unsafe or unhealthy for persons to live or work, incompatible and uneconomic land uses, and high crime rates.
2. Participation in the redevelopment process by property owners, business occupants, residents, and other individuals or groups as may be appropriate.
3. Preservation and enhancement of the unique cultural and historical qualities of the Merged Project Area.
4. Preservation and enhancement of residential neighborhoods, including activities resulting in increased homeownership.
5. Preservation and enhancement of parks, open space, and recreational and community facilities serving the Merged Project Area.
6. Strengthening of retail and other commercial functions in the Merged Project Area.
7. Strengthening of the economic base of the Merged Project Area by stimulating new investment.
8. Expansion of employment opportunities.
9. Provision of an environment for social and economic growth.
10. Replanning, redesign, and redevelopment of portions of the Merged Project Area which are stagnant or improperly utilized.
11. Assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Merged Project Area where suitable.

12. Expansion, improvement and preservation of the community's supply of affordable housing.
13. Installation of new or replacement of existing public improvements, facilities and utilities in areas which are currently inadequately served with regard to such improvements, facilities and utilities.
14. Conservation, rehabilitation and redevelopment of the Merged Project Area in accordance with the General Plan, future specific or area plans, this Plan, and the Zoning Ordinance, as they now exist or may hereafter be adopted or amended.
15. The elimination of substandard buildings and those that conflict with uses proposed in the General Plan and the applicable City standards and guidelines, as they now exist or may hereafter be adopted or amended.
16. Creation of a strong industrial incentive program to encourage upgrading of industrial buildings and to attract new industrial uses to the area.
17. Elimination or amelioration of constraints to development, including, without limitation, accessibility constraints that interfere with proper development by providing, as may be appropriate, street, interchange, and railroad overpass or other public improvements.
18. Provision of assistance, as may be appropriate, to property owners, businesses, and investors to facilitate the rehabilitation or construction of buildings suitable for job generating industrial, retail, commercial, and service uses.
19. Provision, as may be appropriate, of assistance to public and private development entities in the mitigation of environmental conditions that interfere with property development.
20. Promotion of new and continuing private sector investment within the Merged Project Area to prevent the loss of and to facilitate an increase in industrial, retail, commercial and service activity.

## **PART V. LAND USE REGULATIONS**

### **A. OVERVIEW OF REGULATIONS**

The City has adopted a General Plan which is in full conformance with the State requirements for general plans.

The permitted land uses, land use standards, development goals, objectives and policies, and other evaluation guidelines of this Redevelopment Plan shall be those set forth in the General Plan, together with the specific redevelopment goals and objectives outlined in Part IV above (which are consistent with and serve to implement the more general goals and objectives of the General Plan). It is further intended that all provisions of the Zoning Ordinance, as it now

exists or hereafter be amended, shall be applicable to developments in the Merged Project Area, and that all development in the Merged Project Area shall comply with all applicable state and local laws, codes and ordinances in effect from time to time in the City, in addition to any requirements of the Agency imposed pursuant to this Plan.

Finally, the applicable City zoning and planning processes (including any moratoria or temporary development restrictions imposed by the City) shall continue to have full effect and shall continue to serve as the primary determinant for land use decisions in the Merged Project Area. Without limiting the generality of the foregoing, and subject to the following paragraph, the Planning Commission, the City Council, City departments, and other City boards and commissions shall perform the same functions for consideration and approval or disapproval of development applications, permits and other entitlements for properties within the Merged Project Area that are subject to this Redevelopment Plan, as for properties outside the Merged Project Area that are not subject to this Redevelopment Plan.

The City Council may, in its discretion through appropriate future legislation, amend applicable City planning or building codes and standards to provide for modified or streamlined processing of development applications within redevelopment project areas or other special zones. Any such amendment of City planning and building codes and standards shall thereafter apply to the processing of development applications in the Merged Project Area in accordance with the terms of such amendment.

## B. PERMITTED LAND USES

As noted in the overview to this Part, this Redevelopment Plan adopts the land uses set forth in the General Plan as the permitted uses within the Merged Project Area. It is intended that the land uses set forth in the General Plan now, or as they may hereafter be amended, shall be the land uses governing this Plan.

## C. LAND USE MAPS; PUBLIC RIGHTS-OF-WAY

### 1. Land Use Maps

The Land Use Maps (Exhibits C-1 and C-2) shows the current permitted land uses, major circulation routes and street layout, the location of property proposed to be devoted to public purposes within the Eastland and Midtown Project Areas, respectively. The specific types of uses and activities (including size, height, and number of buildings and dwelling units) permitted or conditionally permitted in each land use category mapped on the Land Use Maps are those types of uses and activities (including size, height and number of buildings and dwelling units) described in the General Plan for the relevant land use category. The land uses shown on the Land Use Maps are drawn from the Land Use Element of the General Plan and shall be deemed to be automatically modified as the Land Use Element of the General Plan may be revised from time to time in order to maintain conformance of this Redevelopment Plan with the General Plan, as provided in Sections A and B of this Part.

## 2. Public Streets and Rights-of-Way

All streets within the Merged Project Area may be widened, altered, or vacated for purposes of development of the Project. New streets may be created as appropriate, consistent with the General Plan. The anticipated configuration of streets and public rights-of-way within the Merged Project Area (including existing streets to be retained and their relationship to major public facilities) is shown on the Land Use Maps (Exhibits C-1 and C-2). These public rights-of-way may be used for vehicular and/or pedestrian traffic as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way.

Additional public streets, alleys and easements may be created in the Merged Project Area as appropriate for proper development, consistent with maintaining and enhancing the rustic, informal character of the area, as well as the natural environment. Existing streets, alleys and easements may be abandoned, closed or modified as necessary for proper development of the Project.

Any changes in the existing interior or exterior street layout shall be in accordance with the General Plan, the objectives of this Plan, and the City's design standards, and shall be effectuated in the manner prescribed by state and local law.

### D. GENERAL CONTROLS AND LIMITATIONS

All real property in the Merged Project Area is hereby subject to the goals, objectives, policies, controls and requirements of this Plan (which expressly incorporates the goals, objectives, policies, controls and requirements of the General Plan and the Zoning Ordinance). No real property shall be developed, rehabilitated, or otherwise changed after the date of adoption of the Plan except in conformance with the provisions of this Plan, the General Plan, the Zoning Ordinance, and all other applicable State and local laws and standards in effect from time to time.

#### 1. New Construction

All new construction shall comply with all applicable State and local laws and standards in effect from time to time. Parking facilities shall be provided in accordance with the criteria set forth in the General Plan and the Zoning Ordinance, as they now exist or may hereafter be amended, and any additional standards adopted by the Agency pursuant to Section E below. All parking shall be paved and drained so that storm and surface water drainage from parcels will not cross public sidewalks. All parking spaces visible from the street shall be landscaped as necessary to prevent unsightly barren appearances. Off-street loading facilities, trash areas and any outdoor storage of materials approved by the City and/or Agency shall be adequately enclosed or screened by walls, landscaping, or other such enclosure consistent with the applicable City ordinances.

2. Non-Conforming Uses

The existence, continuation, renovation, repair, expansion, and replacement of nonconforming uses in the Merged Project Area shall be governed by the applicable City land use regulations in effect from time to time.

3. Rehabilitation

Any structure within the Merged Project Area which will be retained as part of the Plan shall not be altered, constructed, or rehabilitated unless it is done so in conformance with the General Plan, the Zoning Ordinance, all applicable codes, and any guidelines which may be adopted by the Agency to assist in the implementation of the Plan. This conformity shall extend to the architectural character, the public spaces and other elements as required by the City and/or Agency.

4. Open Space/Landscaping

Currently, the General Plan does not call for open space in the Merged Project Area. If future versions of the General Plan include open space in the Merged Project Area, the standards for open space to be provided within the Merged Project Area will be set forth in the General Plan and the Zoning Ordinance, as they now exist and may hereafter be amended, and are included as part of the goals and objectives of this Plan. The precise amount of open space, if any, to be provided in the Merged Project Area will depend on the particular plans for development submitted by developers of private property in the Merged Project Area and approved by the City. Landscaping plans for development projects shall be submitted to the City for review and approval.

5. Height and Bulk

The height and bulk of structures shall be regulated as provided in the General Plan and the Zoning Ordinance, as they now exist or as they may hereafter be amended, and such additional standards as may be adopted by the Agency pursuant to Section E below.

6. Density

The maximum permitted density of development on any building site shall be regulated as provided in the General Plan and the Zoning Ordinance, as they now exist or may hereafter be amended, and such additional standards as may be adopted by the Agency pursuant to Section E below.

7. Signs

Exterior signs necessary for the identification of buildings and premises shall be as permitted by the General Plan and the Zoning Ordinance, as they now exist or may hereafter be amended, provided that they comply with any design criteria established for the Merged Project Area. The Agency may require that the complete sign program for a development and such

additional standards as may be adopted by the Agency pursuant to Section E below be reviewed by the Agency staff, as well as the Planning Commission, prior to the erection or installation of signs in any part of the Merged Project Area.

8. Nondiscrimination and Nonsegregation

As more fully set forth in Part VI below, there shall be no discrimination or segregation based on race, color, creed, religion, sex, sexual orientation, marital status, national origin, or ancestry permitted in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Merged Project Area.

9. Resubdivision of Parcels

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

10. Variances

In the event the City grants a variance from applicable City land use regulations for development of a parcel within the Merged Project Area, such grant of variance shall be deemed to constitute a comparable variance from the land use standards of this Plan without additional action by the Agency.

In addition, the Agency is authorized to permit variances from any development standards adopted by the Agency pursuant to Section E below or any affordable housing regulations or policy guidelines adopted by the Agency pursuant to Section H below. In order to permit such a variance the Agency must determine that:

a. The application of one or more of the provisions of such Agency development standards, regulations or policy guidelines would result in unnecessary hardship to the property owner;

b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions and controls;

c. Permitting a variance from the limits, restrictions, or controls of such Agency development standards, regulations or policy guidelines will not be materially detrimental to the public welfare or injurious to property or improvements in the area;

d. Permitting a variance from the limits, restrictions or controls of such Agency development standards, regulations or policy guidelines will not be contrary to the objectives of this Plan; and

e. The grant of variance by the Agency will not result in development that conflicts with applicable City land use standards.

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

#### E. ADOPTION OF ADDITIONAL STANDARDS FOR DEVELOPMENT

Within the limits, restrictions and controls established in the General Plan, the Zoning Ordinance, and this Plan, the Agency is authorized to establish and adopt, by appropriate resolution, specific guidelines and/or standards for building heights, building coverage, design criteria, architectural character, landscaping character, sign character, traffic circulation ingress and egress, parking, and any other development and design control necessary to implement the Plan. Such guidelines and/or standards may relate to both private and public areas within the Merged Project Area. No new development shall be constructed and no existing improvements shall be substantially modified, altered, repaired, or rehabilitated except in accordance with such adopted guidelines and/or standards for development. The Agency shall not approve plans which do not comply with any adopted guidelines and/or standards for development.

#### F. BUILDING PERMITS

No permit shall be issued for the construction of any new building or for any construction on an existing building in the Merged Project Area from the date of adoption of this Plan until the application for such permit has been made and processed in a manner consistent with all City requirements.

The Agency is authorized to establish permit procedures and approvals in addition to those set forth above where required for the purposes of this Plan. Where such additional procedures and approvals are established, a building permit shall be issued only after the applicant for same has been granted all approvals required by the City and the Agency at the time of application.

#### G. DWELLING UNITS

In compliance with the Health and Safety Code Section 33333(c), and as provided in Sections B, C.1 and D.6 of this Part V, the maximum number of dwelling units in the Merged Project Area shall be regulated as provided in the General Plan and the Zoning Ordinance, as they now exist or may hereafter be amended.

#### H. AFFORDABLE HOUSING

By regulation or policy adopted by the Agency from time to time, the Agency shall ensure compliance with the provisions of Health and Safety Code Section 33413(b) requiring that specified percentages of all new or rehabilitated dwelling units developed in the Merged

Project Area be available at affordable housing cost to households in specified income categories. Such adopted Agency regulations and/or policy guidelines shall be applicable and enforceable by the City and the Agency under this Plan with respect to parcels developed with new or rehabilitated residential structures in the Merged Project Area regardless of whether such parcels are developed with Agency assistance or participation.

The Agency, in cooperation with applicable Owners, shall pursue the use of land use incentives, such as density bonuses, height restriction waivers, and increased lot coverage, consistent with the General Plan and Zoning Ordinance, to encourage the production of more affordable housing units in the Merged Project Area. In addition, the Agency shall pursue the production of additional affordable housing units as part of mixed use and/or mixed income developments in the Merged Project Area, consistent with the General Plan and Zoning Ordinance.

## I. MITIGATION MEASURES

By resolution (City Council Resolution No. 02-0417/Agency Resolution No. R02-036; the "EIR Resolution") adopted in connection with certification of the Environmental Impact Report for this Plan (the "EIR"), the City Council and the Agency adopted specified environmental mitigation measures (the "Mitigation Measures") to be implemented as part of this Plan to minimize potential adverse environmental impacts of the Plan. The Mitigation Measures are based, in substantial part, on the mitigation measures identified in the EIR.

The Mitigation Measures and any other mitigation measures previously adopted for either the Eastland Plan or the Midtown Plan are hereby incorporated into this Plan by this reference and shall be implemented by the Agency, the City, or individual property owners/developers, as appropriate, in connection with public and private actions undertaken pursuant to this Plan (including in connection with City land use approvals for developments in the Merged Project Area during the effectiveness of this Plan).

Each individual public activity/improvement or private development action within the Merged Project Area and/or in furtherance of this Redevelopment Plan that will require a discretionary approval by the Agency or the City will, at a minimum, be subject to a preliminary California Environmental Quality Act (CEQA) review to determine if the activity, improvement or development action then requires preparation of a negative declaration, a mitigated negative declaration or a subsequent or supplemental environmental impact report in accordance with the applicable standards of CEQA and the CEQA guidelines.

## **PART VI. REDEVELOPMENT TECHNIQUES TO ACHIEVE PLAN OBJECTIVES**

The development of the Project will be undertaken in accordance with the provisions of the Redevelopment Law. The Agency proposes to use the redevelopment techniques set forth in this Part VI and the Redevelopment Law to achieve the goals and objectives of the Plan set forth in Part IV above.

Among the programs and projects that may be implemented by the Agency using the techniques set forth in this Part VI and the Redevelopment Law are those described in Exhibit D, the Proposed Actions and Projects. Exhibit D lists redevelopment programs and projects that appear, at the time of this Plan adoption, to have significant potential for achieving the goals and objectives of the Plan. As redevelopment needs and opportunities evolve over the life of the Plan, the Agency may determine not to undertake certain programs or projects listed in Exhibit D, and/or to undertake other programs and projects consistent with this Plan and the Redevelopment Law that are not listed in Exhibit D.

#### A. PUBLIC IMPROVEMENTS

As more fully set forth in Health and Safety Code Sections 33445 and 33679, the Agency is authorized to install and construct or cause to be installed and constructed the public improvements and public utilities (within or outside the Merged Project Area) necessary to carry out this Plan. Such public improvements and public utilities include, but are not limited to, the construction, expansion, rehabilitation or modernization of over-or underpasses, bridges, streets, curbs, gutters, sidewalks, public gateway and signage features, street lights, sewers, sewage treatment facilities, waste water or septic tank disposal areas, storm drains, flood control facilities, traffic signals, electrical and other energy distribution and generation systems, communication systems, fiber optic systems, fire fighting facilities, public safety, police and criminal justice facilities, educational facilities, community and civic centers, natural gas distribution systems, water treatment and distribution systems, other public buildings, parks, playgrounds, and open space areas, if any, off-street parking, plazas, landscaped areas, and undergrounding of existing utilities. Anticipated public improvements, facilities and utilities that may be installed or constructed, or caused to be installed or constructed, by the Agency include, but are not limited to, those public improvements, facilities and utilities set forth in the attached Exhibit D, the Proposed Actions and Projects.

Without limiting the generality of the financing techniques available to the Agency under this Plan as set forth in Part VII, Section A below, among the techniques the Agency may employ to cause the financing and construction, expansion, rehabilitation, or modernization of the above-referenced public improvements and public facilities is participation in payments to assessment districts, Mello-Roos community facility districts, or other similar districts established pursuant to applicable law to finance construction, expansion, rehabilitation, or modernization of such public improvements and public facilities.

#### B. PROPERTY ACQUISITION

##### 1. Acquisition of Real Property

Except as specifically limited herein (see paragraphs a., b., and c. below regarding limitations on the Agency's eminent domain power), the Agency may, but is not required to, acquire or obtain options to acquire all real property located in the Merged Project Area by gift, devise, exchange, purchase, eminent domain or any other lawful method whatsoever. The Agency may also acquire any other interest in real property less than a fee interest.

Since it is in the public interest and is necessary for the elimination of those conditions requiring redevelopment, the power of eminent domain may be employed by the Agency to acquire real property in the Merged Project Area. The power of eminent domain shall not be exercised, however, when the conditions described in either subdivision a. or b. or c. below exist:

a. The property in question is owned by a public body and that public body has not consented to the exercise of the power of eminent domain by the Agency; or

b. The property in question is improved with a structure and, although not conforming to the Plan, the Agency has determined that the property and the structure can so conform pursuant to an owner participation agreement and that the owner is faithfully performing under the terms of the owner participation agreement; or

c. The property in question is improved with a structure and, in the sole determination of the Agency, all of the following are true:

(1) The property is not needed for those specific activities outlined in the Plan, including for development by a master developer pursuant to Section C.2 below; and

(2) The property is not needed for the development of replacement housing for those displaced by Agency activity, if any; and

(3) The property is not needed for any other public improvement or facility; and

(4) The property is not needed to promote historical or architectural preservation; and

(5) The property is not needed to remove a blighting influence on surrounding properties which prevents achievement of the objectives of this Plan; and

(6) The property is not needed for the elimination of environmental deficiencies including among other things, inadequate circulation, access or street layout, hazardous materials, incompatible and mixed uses, overcrowding and small parcel size; and

(7) The property is not needed for the removal of impediments to land development and disposition through assembly of land into appropriately sized and shaped parcels served by improved circulation and utilities.

Notwithstanding the foregoing limitations, the Agency may, with the prior written consent of the affected property owner, use the power of eminent domain to acquire property within the Merged Project Area that is otherwise excluded from the exercise of the power of eminent domain.

The Agency must commence eminent domain proceedings with respect to any property which it intends to acquire within twelve (12) years of the date of adoption of the ordinance

adopting this Amended and Restated Plan. This time limit for commencement of eminent domain proceedings may be extended only by amendment of the Plan. The Agency may acquire property by voluntary (e.g., non-eminent domain) means after the expiration of the time limit for eminent domain proceedings and prior to the expiration of the effectiveness of the Plan.

Prior to any acquisition through eminent domain the Agency shall adopt a resolution declaring a need to acquire any specific property and authorizing the acquisition by such method.

## 2. Acquisition of Personal Property

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

## C. PARTICIPATION BY OWNERS AND BUSINESS TENANTS

### 1. Opportunities for Owners and Business Tenants

The Agency shall extend reasonable preferences to persons who own property or are engaged in business in the Merged Project Area, to continue or re-enter in business within the Merged Project Area if they meet the requirements prescribed in this Plan and the Owner Participation Rules which have been adopted by the Agency and are available for public inspection.

It is the intention of the Agency that owners of fee title to, or a long term leasehold interest in, parcels of real property within the Merged Project Area, where consistent with this Plan and the Owner Participation Rules, be allowed to participate in this redevelopment by: retaining all or a portion of their properties; acquiring adjacent or other properties in the Merged Project Area; selling their properties to the Agency and purchasing other properties in the Merged Project Area; and upgrading and developing their properties in conformance with this Plan and Owner Participation Rules.

The Agency may determine either on its own direction or pursuant to a request of a property owner that certain property within the Merged Project Area does not conform to this Plan, and the owner of such property shall be required to enter into an owner participation agreement with the Agency as more fully described in Section C.3 below. Criteria for an Agency determination of property non-conformance with this Plan may include, without limitation, persistent vacancy or lack of use of the property for uses authorized under this Plan, uses on the property that are inconsistent with the goals and objectives of this Plan or with the permitted land uses under this Plan, or existence of improvements or conditions on the property that do not meet the general controls and limitations set forth in Part V of this Plan and/or the standards of any local, state or federal code or regulation (including, without limitation, the building code(s) of the City). Each property in the Merged Project Area shall be considered to conform to this Plan, until and unless the Agency has determined by resolution that such property does not conform to this Plan.

The Agency may determine, either on its own direction or pursuant to a request of a property owner, that certain real property within the Merged Project Area conforms or substantially conforms to the requirements of this Plan and that the owner of such property will, thereafter, be permitted to remain a conforming owner without a participation agreement with the Agency, provided, such owner continues to operate and use the real property within the requirements of this Plan.

In the event a conforming owner desires to (a) construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming, or (b) acquire additional real property within the Merged Project Area, then the Agency may require such conforming owner to enter into a participation agreement with the Agency in the same manner as required for owners of non-conforming properties.

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

All of the provisions of this Section C.1 are subject to the provisions of Section C.2 below for the selection of a master developer or developers to develop parcels within the Merged Project Area.

2. Rules for Participation Opportunities, Priorities and Preferences; Selection of Master Developers

As more fully set forth in the Agency's adopted Owner Participation Rules (as such rules may be amended from time to time), in the event the Agency determines either on its own direction or pursuant to a request of a property owner that it is in the best interest of the Project that several parcels within the Merged Project Area be assembled and developed by a single property owner or other entity under a master developer plan, the Agency may select and designate a master developer for the parcels based on the proposed master developer's financial and technical ability to successfully undertake and complete the development program.

Any individual or other entity may apply to be selected as a master developer of two or more parcels in the Merged Project Area. Upon such application, the Agency shall determine whether it is desirable to designate a master developer for such parcels and whether the applicant or another individual or entity meets the qualification to serve as the master developer.

The rights of particular property owners and business tenants to participate in the redevelopment of their respective properties shall be subject to or limited by or eliminated by the inclusion of their property within a master development plan to be developed by another entity.

If the Agency determines that a particular parcel in the Merged Project Area shall not be included in a master development plan, then the owner of the parcel and business tenants may participate in the redevelopment of property in accordance with the Owner Participation Rules adopted by the Agency. In general, the Owner Participation Rules provide that existing owners

and business tenants within the Merged Project Area be given non-financial preference, as more fully described in the Owner Participation Rules, for re-entry into business within the redeveloped Merged Project Area. Owners will be required to submit proof to the Agency of their technical qualifications and financial ability to carry out their agreement with the Agency.

### 3. Participation Agreements

In the event the property owner is otherwise eligible pursuant to Section C.2 above to participate in the redevelopment of the property, a property owner whose property is determined by the Agency to be a non-conforming property pursuant to Section C.1 above shall enter into a binding agreement with the Agency under which the property owner shall agree to rehabilitate, develop, or use the property in conformance with the Plan and to be subject to the provisions hereof. Such agreement shall be prepared by the Agency after consultation with the property owner. Agreements will contain a list of minimum improvements to be made for the specific property to which it applies.

In such agreements, participating property owners who retain real property shall be required to join in the recordation of such documents as are necessary in the determination of the Agency to make the provisions of this Plan applicable to their properties.

If an owner who is required to enter into an owner participation agreement fails or refuses to enter into such agreement, or if such owner fails to perform any of the owner's obligations under an owner participation agreement, the Agency is authorized, subject to the limitations on the exercise of the power of eminent domain set forth in Section B.1 above, to acquire the real property or any interest therein which, if acquired, may be sold or leased for rehabilitation or development in accordance with this Plan.

### D. 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 Merged Project Area. The Agency shall have the right to impose on all public bodies the planning and design controls contained in the Plan to ensure that present uses and any future development by public bodies conform to the requirements of this Plan.

E. PROPERTY MANAGEMENT

During such time as property in the Merged 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.

The Agency shall comply with, and is authorized to exercise the rights and duties contained in, Health and Safety Code Section 33401, which states:

*"The agency may, in any year during which it owns property in a redevelopment project that is tax exempt, pay directly to any city, county, city and county, district, including, but not limited to, a school district, or other public corporation for whose benefit a tax would have been levied upon the property had it not been exempt, an amount of money in lieu of taxes that may not exceed the amount of money the public entity would have received if the property had not been tax exempt."*

F. RELOCATION OF DISPLACED PERSONS AND BUSINESSES

As required by the California Relocation Assistance Act (Government Code Section 7260 et seq.), any relocation of persons and businesses as part of the Project will be subject to the following standards:

1. Assistance in Finding Other Locations

Currently, the Agency does not expect to displace any residents in the Merged Project Area. However, to the extent the Agency does displace any residents, businesses or others, the Agency shall assist persons (households, business entities and others) in finding other locations and facilities. There are areas of the City, other than the Merged Project Area, not generally less desirable in regard to public utilities and public and commercial facilities, and at rents or prices within the financial means of the families and persons displaced from the Merged Project Area, decent, safe and sanitary dwellings equal in number to the number of families and persons that may potentially be displaced and available to such displaced families and persons and reasonably accessible to their places of employment.

In order to carry out the Project with a minimum of hardship on any persons displaced from their homes by Agency actions pursuant to this Plan, the Agency shall assist such individuals and families in finding housing that is decent, safe, sanitary, within their financial means, in reasonable and convenient locations, and otherwise suitable to their needs. The Agency is also authorized to provide housing outside the Merged Project Area for displaced persons.

2. Relocation Payments

The Agency may pay reasonable moving expenses to persons (including families, businesses and others) displaced by Agency actions pursuant to this Plan. This provision is not

intended to provide incentives for commercial and industrial businesses to move out of the Merged Project Area. The Agency may make such relocation payments for moving expenses where the Agency determines it is in the best interest of the Project and not to do so would create a hardship on the persons involved. The Agency may make such other payments as may be in the best interest of the Project and for which funds are available. The Agency shall make all relocation payments required by applicable law.

#### G. DEMOLITION, CLEARANCE, AND SITE PREPARATION

##### 1. Demolition and Clearance

The Agency is authorized to demolish, clear, or move buildings, structures, and other improvements as necessary to carry out the purposes of this Plan.

##### 2. Preparation of Building and Development Sites

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

##### 3. Hazardous Waste Remediation and Removal

The Agency may take any actions which it determines are necessary and which are consistent with other state and federal laws to remedy or remove hazardous waste on, under or from property in the Merged Project Area in accordance with the requirements of Health and Safety Code Section 33459 - 33459.8, or any successor legislation.

#### H. REHABILITATION AND MOVING OF STRUCTURES; ASSISTANCE FOR CERTAIN PRIVATE IMPROVEMENTS

1. To the extent appropriate in carrying out the Plan, the Agency is authorized to: (a) rehabilitate or cause to be rehabilitated any building or structure in the Merged Project Area acquired by the Agency; and (b) move or cause to be moved any building or other structure to a location within or outside the Merged Project Area.

2. For any rehabilitation project, the Agency may take any action it determines necessary and consistent with local, state and federal law to provide for seismic retrofits as provided in Health and Safety Code Section 33420.1 and any successor statute.

3. The Agency may take such actions as it determines are necessary to remove graffiti from public and private property in the Merged Project Area pursuant to Health and Safety Code Section 33420.2 and any successor statute.

4. The Agency may establish a program under which it lends funds to owners or tenants for the purpose of rehabilitating commercial buildings or structures within the Merged Project Area pursuant to Health and Safety Code Section 33444.5 and any successor statute.

5. The Agency may assist in financing of facilities or capital equipment, including, but not necessarily limited to pollution control devices, for properties being developed or rehabilitated for industrial or manufacturing uses within the Merged Project Area pursuant to Health and Safety Code Section 33444.6 and any successor statute.

I. REPLACEMENT DWELLING UNITS

If any dwelling units housing persons and families of low or moderate income are destroyed or removed from the housing market as part of the Project, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop, or construct, or cause to be rehabilitated, developed, or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement dwelling units at affordable housing costs as defined by Health & Safety Code Section 50052.5, within the territorial jurisdiction of the Agency, in accordance with all the provisions of the Redevelopment Law (Health & Safety Code Sections 33413 and 33413.5).

J. PROPERTY DISPOSITION AND DEVELOPMENT

1. 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 and upon compliance with the notice and hearing requirements of the Redevelopment Law, the Agency is authorized to dispose of real property by negotiated leases or sales without public bidding.

All real property acquired by the Agency in the Merged Project Area shall be sold or leased for development for the uses permitted in the Plan. Real property may be conveyed by the Agency to the City or any other public body without charge. Property containing buildings or structures rehabilitated by the Agency shall be offered for resale within one (1) year after completion of rehabilitation or an annual report concerning such property shall be published by the Agency as required by law.

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

2. Purchase and Development by Participants

Pursuant to the provisions of this Plan and the Owner Participation Rules adopted by the Agency, the Agency may offer real property in the Merged Project Area for purchase and development by owner and business-tenant participants prior to or at the same time that real property is made available for purchase and development by persons who are not owners or business tenants in the Merged Project Area.

### 3. Purchase and Development Documents

To provide adequate safeguards, to insure that the provisions of this Plan will be carried out, and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements, shall be made subject to the provisions of this Plan by leases, deeds, contracts, agreements, declarations of restrictions, provisions of the Zoning Ordinance, as it now exists or hereafter be amended, conditional use permits, or other means. Where appropriate, as determined by the Agency, such documents or portions thereof shall be recorded in the office of the Recorder of the County.

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

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

The Agency may require that development plans be submitted to it for review and approval. All development must conform to this Plan and all applicable Federal, State and local laws.

### 4. Obligations to be Imposed on Redevelopers

Purchasers of property from the Agency shall be required to develop such property in accordance with the provisions of this Plan. The Agency shall have the right to withhold transfer of title to the acquirer, user or developer of property in order to ensure fulfillment of this requirement. No building, sign or structure shall be constructed upon any part of such property unless architectural plans and specifications showing, among other things, the nature of such construction, parking, loading, surface treatment and landscaping, the location and orientation of the structure(s) on the building site and the grading plans for the building site to be built upon, shall be submitted to, reviewed, and approved in writing by the Agency, or unless the Agency has waived the requirements of this sentence. The Agency shall have the right to refuse to approve any such plans or specifications when in the opinion of the Agency such plans or specifications do not conform with the conditions and objectives of the Plan, or to the design standards established by the Agency.

Acquirers, users or developers of property within the Merged Project Area must commence the erection of any building, prosecute diligently the work thereon and complete it within such reasonable period of time as agreed upon with the Agency.

No acquirer, user, owner participant or developer shall resell, lease, sublease or otherwise dispose of property in the Merged Project Area until the construction approved by the Agency has been completed, except with the prior written consent of the Agency.

Persons who are engaged in business in the Merged Project Area shall be granted non-financial preference by the Agency to re-enter in business within the Merged Project Area after redevelopment if they otherwise meet the requirements prescribed by the Plan and the Agency's adopted Owner Participation Rules.

The acquirer, user, or owner shall be responsible for complying with all applicable State and local laws, ordinances and codes, in effect from time to time.

5. Personal Property Disposition

For the purpose of this Plan the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property.

K. PREVENTION OF DISCRIMINATION

1. General

Property owners and developers shall comply with all State and local laws, in effect from time to time prohibiting discrimination or segregation by reason of race, color, religion, creed, marital status, sex, sexual orientation, national origin or ancestry, in the sale, lease or occupancy of the property.

2. Conveyances by the Agency

Pursuant to the Redevelopment Law (Health & Safety Code Sections 33337 and 33435-33436), contracts entered into by the Agency relating to the sale, transfer or leasing of land, or any interest herein acquired by the Agency within the Merged Project Area shall contain the provisions of those Redevelopment Law sections in substantially the form set forth therein. Such contracts shall further provide that the provisions of the applicable Redevelopment Law sections shall be binding upon and shall obligate the contracting party or parties and any subcontracting party or parties and all other transferees under the instrument.

3. Other Contracts, Deeds and Leases for Conveyance of Merged Project Area Property

All deeds, leases or contracts for the sale, lease, sublease or other transfer of any land in the Merged Project Area shall contain the following nondiscrimination clauses as prescribed by the Redevelopment Law (Health & Safety Code Section 33435 and 33436):

In deeds, the following language shall appear:

*"The grantee herein covenants by and for himself or herself, his or her heirs, executors, administrators and assigns, and all persons claiming under or through them, that there shall be no discrimination against, or segregation of, any persons or group of persons on account of race, color, creed, religion, sex, sexual*

*orientation, marital status, national origin, or ancestry, in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the premises herein conveyed, nor shall the grantee himself or herself or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the premises herein conveyed. The foregoing covenants shall run with the land."*

In leases, the following language shall appear:

*"The lessee herein covenants by and for himself or herself, his or her heirs, executors, administrators and assigns, and all persons claiming under or through him or her, and this lease is made and accepted upon and subject to the following conditions:*

*"That there shall be no discrimination against or segregation of any person or group of persons, on account of race, color, creed, religion, sex, sexual orientation, marital status, national origin, or ancestry, in the leasing, subleasing, transferring, use, occupancy, tenure or enjoyment of the premises herein leased, nor shall the lessee himself or herself, or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or number, use, or occupancy of tenants, sublessees, subtenants, or vendees in the premises herein leased."*

#### 4. Duration

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

### L. IMPLEMENTATION PLAN

As part of the Agency's five (5)-year implementation plan required pursuant to Health and Safety Code Section 33490, the Agency shall establish objectives to be achieved within a specified time frame and performance measures for the elimination of blighting conditions, which objectives and performance measures may be qualitative and/or quantitative in nature as deemed appropriate by the Agency under the circumstances.

## PART VII. METHODS FOR FINANCING THE PROJECT

### A. GENERAL PROVISIONS

The Agency is authorized to finance the Project with financial assistance from the City, the State of California, the Federal Government, property tax increments, interest income, Agency notes and bonds, assessment district or special tax district revenues, or any other available source. Advances for survey and planning and operating capital for administration of

the Project may come through loans from the City or other entities. The City may also supply additional assistance through City loans and grants for various public facilities and other redevelopment activities. As available, gas tax funds from the State of California and the City may be used toward the cost of the street system and related improvements. It is anticipated that there may also be some revenue accruing to the Project from interest earned on investments of Agency funds.

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

#### B. AFFORDABLE HOUSING FINANCING

Pursuant to the Redevelopment Law (Health and Safety Code Section 33334.2), a minimum of twenty percent of all tax increments allocated to the Agency shall be used for the purposes of improving and increasing the community's supply of quality affordable housing unless the Agency makes one or more of the findings specified in Health and Safety Code Section 33334.2(a).

Tax increment revenues allocated to the Agency and earmarked for housing purposes will be used to fund existing and new programs for housing development and rehabilitation in a manner consistent with the Housing Element of the City's General Plan, and/or other applicable City housing policies, as they now exist or may hereafter be amended. The permitted uses in the Merged Project Area allow for the development of affordable housing.

#### C. TAX INCREMENTS

All taxes levied upon taxable property within each Constituent Project Area each year, by or for the benefit of the State of California, the County, the City, any district, or other public corporation (hereinafter sometimes called "taxing agencies"), after the effective date of the ordinances approving the redevelopment plan for each Constituent Project Area and any amendments adding territory thereto, shall be divided as follows:

1. That portion of the taxes which would be provided by the rate upon which the tax is levied each year by, or for, each of the taxing agencies upon the total sum of the assessed value of the taxable property within a Constituent Project Area as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of the ordinance establishing any Constituent Project Area or adding any territory thereto, shall be allocated to and when collected shall be paid to the respective taxing agencies as taxes by, or for, said taxing agencies on all other property are paid. For the purpose of allocating taxes levied by, or for, any taxing agency or agencies which did not include the territory of such Constituent Project Area on the effective date of such ordinance(s) but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the County last equalized on the effective date of said ordinance(s) shall be

used in determining the assessed valuation of the taxable property in such Constituent Project Area on the effective date; and

2. Except as provided in Health and Safety Code Section 33670(e) and Part XIV, Section A of this Plan, that portion of the 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 loans, monies advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the Project. Unless and until the total assessed valuation of the taxable property within a Constituent Project Area exceeds the total assessed value of the taxable properties in such Constituent Project Area as shown by the last equalized assessment roll(s) referred to in subdivision 1 above, all of the taxes levied and collected upon the taxable property in such Constituent Project Area shall be paid into the funds of the respective taxing agencies. When said loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in such Constituent Project Area shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

The portion of taxes described in subdivision 2 above ("Tax Increment") may be irrevocably pledged by the Agency for the payment of the principal of and the interest on money loaned, advanced, or any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance in whole or in part, the Project. The Agency is authorized to make such pledges as to specific advances, indebtedness, and other obligations as appropriate, in carrying out the Project.

No more than \$100,000,000 of taxes may be divided and allocated to the Agency from the Eastland Project Area pursuant to this Section C and Health and Safety Code Section 33670 without further amendment of this Plan.

The Agency is encouraged to use the Tax Increment on projects within the Project Area.

#### D. BONDS

The Agency may issue its bonds for any corporate purpose or for the purpose of refunding bonds it has previously issued. The principal and interest payable on such bonds may be paid from:

1. the income and revenues of the Project;
2. the tax increment funds allocated to the Agency;
3. the Agency's revenues generally;
4. any contributions or other financial assistance from the state or local government;
5. repayment of loans or other form of indebtedness to the Agency;

6. private parties;
7. any other source permitted by law; or
8. any combination of the above sources.

Part XIV, Section B of this Plan contains a limit on the amount of bonded indebtedness which can be outstanding at any one time.

#### E. OTHER LOANS, GRANTS AND ADVANCES

Any other available loans, grants, or financial assistance from any other public or private source may be utilized by the Agency for purposes of the Project.

Among other financing techniques that may be employed to encourage private sector financial support for Merged Project Area redevelopment, the Agency may, consistent with the Redevelopment Law, facilitate the formation and financing of, and may cooperate with, community development financing institutions and land trusts involved in Merged Project Area redevelopment activities.

### **PART VIII. 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 the Plan to prevent the recurrence or spread in the area of conditions causing blight. Action by the City may include, but shall not be limited to, the following:

A. Acquisition of any real and personal property inside or outside the Merged Project Area required for public use; demolition and removal of structures on such acquired property; and preparation of such property for construction. The costs to the City of such acquisition, demolition and site preparation may be reimbursed by the Agency from Project revenues.

B. Construction of any public improvements serving the purposes of this Plan. The costs to the City of such construction may be reimbursed by the Agency from Project revenues.

C. Establishment of an assessment district mechanism, to the extent permitted by applicable law including receipt of any required voter or property owner approval, to collect assessments, fees or other charges from property owners and developers within the Merged Project Area for purposes of Project financing.

D. Initiation and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public right-of-ways, as appropriate to carry out this Plan.

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

F. Imposition wherever necessary (by subdivision approval, conditional use permits or other means) of appropriate controls, within the limits of this Plan, upon parcels in the Merged Project Area to ensure their proper development and use.

G. Provision for administrative enforcement of this Plan.

H. Imposition of conditions or other requirements upon parcels in the Merged Project Area to implement the regulations or policy guidelines adopted by the Agency pursuant to Part V, Section F of this Plan in satisfaction of the requirements of Health and Safety Code Section 33413(b).

I. Performance of the above, and of all other functions and services relating to public health, safety, and physical development normally rendered by the City, in accordance with a schedule that will permit the development of the Merged Project Area to be commenced and carried to completion without unnecessary delay.

## **PART IX. ENFORCEMENT**

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

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

The provisions of the Plan do not in any way limit or restrict the City's authority or power to enforce any local land use regulations or any provisions of the municipal code.

## **PART X. DURATION OF THIS PLAN AND RELATED TIME LIMITS**

### **A. EASTLAND PROJECT AREA**

This Section A applies to the Eastland Project Area.

Except as provided by Health and Safety Code Sections 33333.6(g) and (h), and except for any other authority in excess of the following limits that may from time to time be granted by statute (which authority shall be deemed to be incorporated into the provisions of the Plan by this reference and shall supersede the following limits):

1. The effectiveness of the Plan with respect to the Eastland Project Area (including, without limitation, the effectiveness of the Agency's land use controls for the Eastland Project Area) shall terminate on July 16, 2030. After expiration of this time limit on the effectiveness of the Plan with respect to the Eastland Project Area, the Agency shall have no authority to act pursuant to the Plan with respect to the Eastland Project Area, except to pay previously incurred indebtedness, to enforce existing covenants, contracts, or other obligations, and to complete any unfulfilled obligations under Health and Safety Code Section 33413.

2. The Agency shall not pay indebtedness or receive property taxes pursuant to Health and Safety Code Section 33670 with respect to the Eastland Project Area after July 16, 2040.

B. MIDTOWN PROJECT AREA

This Section B applies to the Midtown Project Area.

Except for any other authority in excess of the following limits that may from time to time be granted by statute (which authority shall be deemed to be incorporated into the provisions of the Plan by this reference and shall supersede the following limits):

1. The Agency shall not establish or incur loans, advances, or indebtedness to finance in whole or in part redevelopment in the Midtown Project Area beyond twenty (20) years from the date of adoption of the ordinance initially establishing the Midtown Project Area. Loans, advances, or indebtedness may be repaid over a period of time beyond this time limit, subject to the further provisions of Section 3 below. The limit set forth in this Section 1 may be extended only by amendment of this Plan. The limit set forth in this Section 1 shall not prevent the Agency from incurring debt to be paid from the Housing Fund established pursuant to Health and Safety Code Section 33334.2 and 33334.3 or from establishing more debt in order to fulfill the Agency's housing obligations under Health and Safety Code Section 33413.

2. The effectiveness of this Plan (including, without limitation, the effectiveness of the Agency's land use controls for the Midtown Project Area under this Plan) shall terminate on the date which is thirty (30) years after the date of adoption of the ordinance initially establishing the Midtown Project Area. After expiration of this time limit on effectiveness of this Plan, the Agency shall have no authority to act pursuant to the Plan, except to pay previously incurred indebtedness, to enforce existing covenants, contracts and other obligations, and to complete any unfulfilled obligations under Health and Safety Code Section 33413.

3. The Agency shall not pay indebtedness or receive property taxes pursuant to Health and Safety Code Section 33670 for the Midtown Project Area beyond forty-five (45) years from the date of adoption of the ordinance initially establishing the Midtown Project Area.

C. GENERAL EXCEPTION

Notwithstanding any other time limitations set forth in this Part X, the nondiscrimination and nonsegregation provisions of this Plan shall run in perpetuity, and the affordable housing covenants imposed by the Agency with respect to development, rehabilitation, and/or preservation of Project-related affordable housing (whether inside or outside the Merged Project Area) shall continue in effect for such period as may be determined and specified by the Agency.

**PART XI. SEVERABILITY**

If any provision, section, subsection, subdivision, sentence, clause or phrase of the Plan is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion or portions of the Plan. In the event that any portion of the Merged Project Area shall be determined to have been invalidly or incorrectly included in the Merged Project Area that is the subject of this Plan, such portion of the Merged Project Area shall be deemed severable from the remainder of the Merged Project Area and the remainder of the Merged Project Area shall remain fully subject to the provisions of this Plan.

**PART XII. PROCEDURE FOR AMENDMENT**

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

**PART XIII. AUTHORITY OF THE AGENCY**

To the extent legally permissible, the Agency is hereby authorized to undertake any redevelopment activity or exercise any power not already included herein, provided such action is not inconsistent with this Plan.

**PART XIV. MERGER OF PROJECT AREAS**

A. MERGER

Pursuant to, and for the purpose of pooling of tax increment revenue among the merged areas as described in, Health and Safety Code Section 33485 et seq., the Midtown Project Area is hereby merged with the Eastland Project Area.

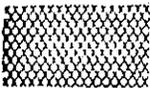
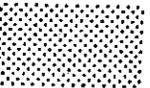
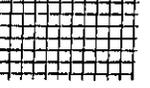
This Part XIV authorizes the taxes attributable to each Constituent Project Area which are allocated to the Agency pursuant to Health and Safety Code 33670(b) to be allocated for redevelopment in any of the Constituent Project Areas for the purpose of paying the principal of, and interest on, indebtedness incurred by the Agency to finance or refinance, in whole or in part, the redevelopment project in any of the Constituent Project Areas; except that any such taxes attributable to a particular Constituent Project Area shall first be used to pay indebtedness in compliance with the terms of any bond resolution or other agreement adopted or approved by the

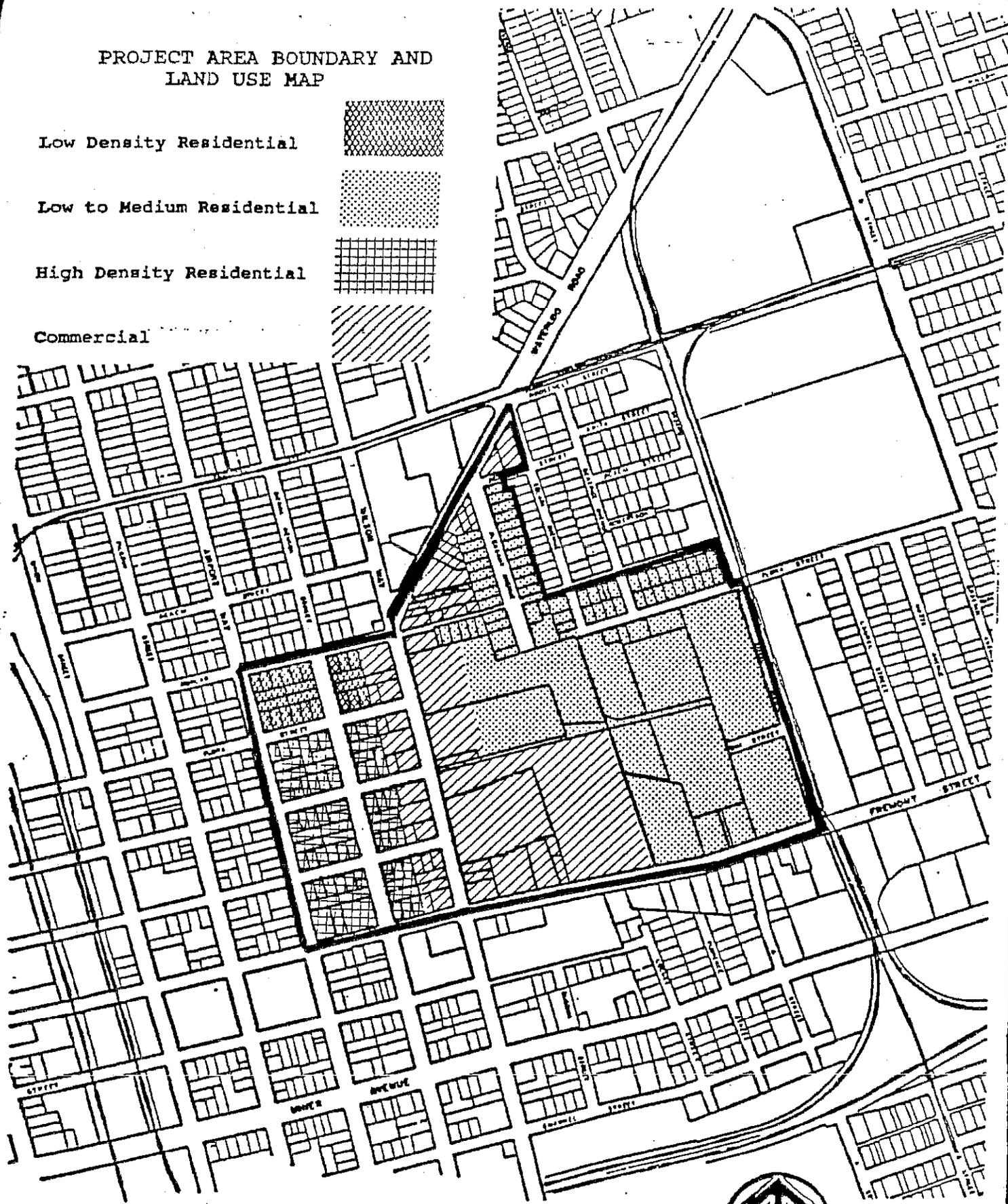
Agency prior to the merging of the two Constituent Project Areas which pledges such taxes from that particular Constituent Project Area. Except as otherwise noted in this Part XIV, Section A, tax increment revenue attributable to each Constituent Merged Project Area may be used for any lawful purpose in any of the Constituent Project Areas.

B. BONDED INDEBTEDNESS LIMIT

In accordance with Health and Safety Code Section 33334.1, the amount of bonded indebtedness to be repaid in whole or in part from the combined allocation of taxes to the Agency pursuant to Health and Safety Code Section 33670 from the Midtown Project Area and the Eastland Project Area, together, which can be outstanding at any one time shall not exceed One Hundred Fifty Million Dollars (\$150,000,000) in principal amount, except by amendment of this Plan.

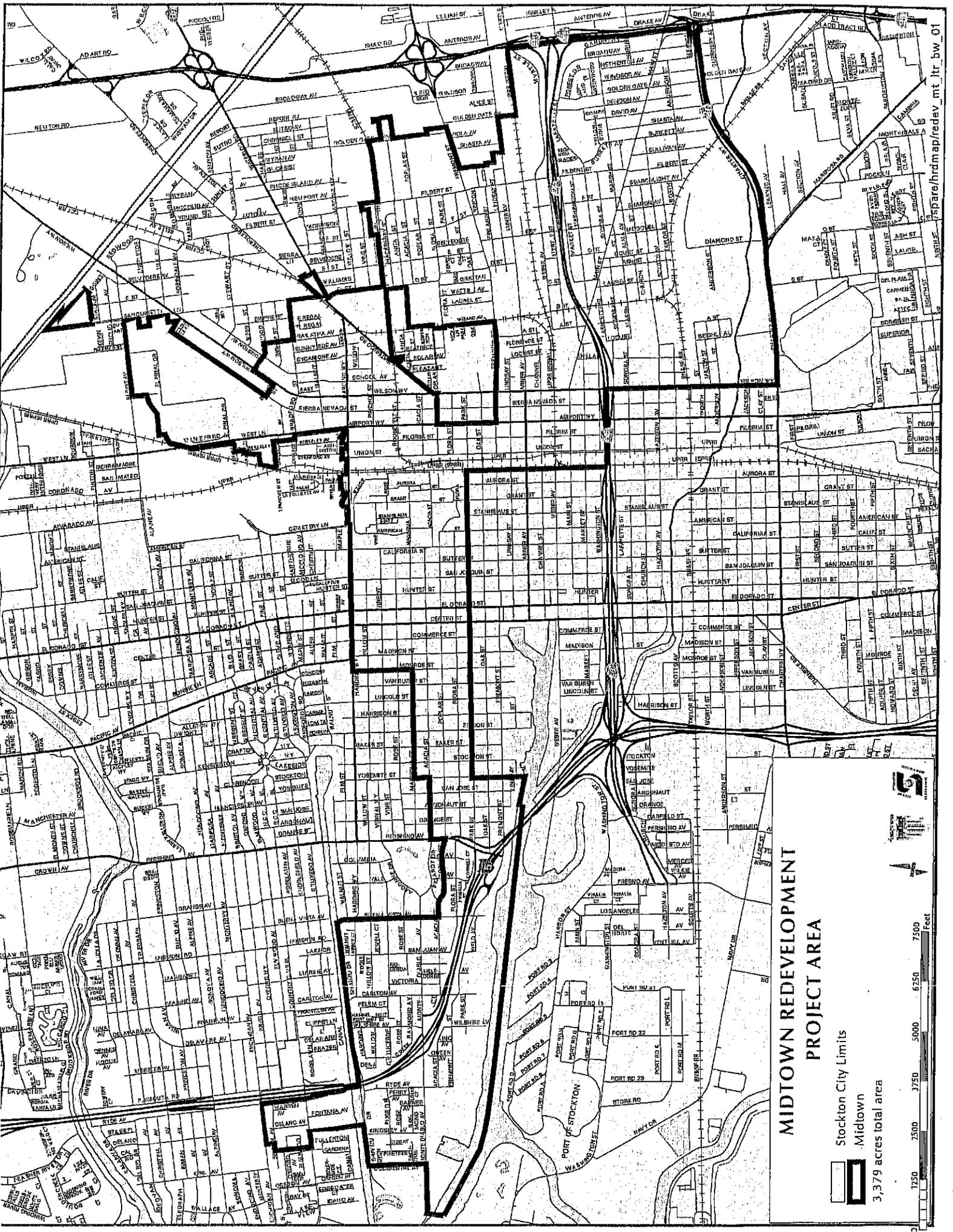
# PROJECT AREA BOUNDARY AND LAND USE MAP

- Low Density Residential 
- Low to Medium Residential 
- High Density Residential 
- Commercial 



EASTLAND REDEVELOPMENT PROJECT AREA





**MIDTOWN REDEVELOPMENT  
PROJECT AREA**

Stockton City Limits  
Midtown  
3,379 acres total area



EXHIBIT B-1

EASTLAND PROJECT AREA LEGAL DESCRIPTION

All that real property situated within the County of San Joaquin, State of California, more particularly described as follows:

Commencing at the northwest corner of Lot 1, Block 3 of Rose Terrace filed for record in Book of Maps and Plats, Volume 9, page 22 San Joaquin County Records;

Thence S. 15° 51' E., 544.5 feet, plus or minus, along westerly lines of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of said Block 3 of said Rose Terrace to the northerly line of Poplar Street;

Thence N. 74° 41' E. along north line of said Poplar Street and the easterly extension thereof, 882.31 feet, plus or minus, to a point on the easterly line of Wizard Avenue;

Thence S. 15° 51' E. along said easterly line 287.5 feet, plus or minus;

Thence N. 73° 45' E. 36 feet, plus or minus, to the easterly line of Wizard Avenue;

Thence S. 15° 53' E. 1263 feet, plus or minus, along easterly line of Wizard Avenue, and the extension thereof, to its intersection with the centerline of Fremont Street;

Thence S. 75° 10' W. along the centerline of Fremont Street 591.5 feet, plus or minus;

Thence S. 80° 00' W. along the centerline of Fremont Street 1191 feet, plus or minus, to the centerline of Wilson Way;

Thence N. 12° 00' W. 10 feet, plus or minus;

Thence S. 78° 03' W. along the centerline of Fremont Street 760 feet, more or less, to its intersection with the center of Airport Way;

Thence N. 12° 00' W. along the centerline of said Airport Way 1440 feet, plus or minus; to its intersection with the centerline of Poplar Street;

Thence N. 78° 03' E. along centerline of Poplar Street 760 feet, plus or minus, to its intersection with the centerline of Wilson Way;

Thence N. 12° 00' W. 76 feet, plus or minus, along the centerline of Wilson Way to its intersection with the centerline of Waterloo Road;

Thence N. 21° 41' E. per Book of Maps and Plats, Volume 11, page 163 San Joaquin County Records, along the centerline of Waterloo Road 219 feet, plus or minus;

Thence N. 31° 03' E. along the centerline of Waterloo Road 1060 feet, plus or minus, to the intersection with the northerly extension of the east line of Solari Road;

Thence S. 15° 51' E. along the east line of Solari Road 400 feet, plus or minus, to the intersection of the south line of Acacia Street;

Thence S. 74° 19' W. along said south line of Acacia Street 168.5 feet, plus or minus, to the northwest corner of that certain 15 foot wide strip of land designated as parcel 4 in Deed filed for record in Official Records Instrument No. 79070374, San Joaquin County Records;

Thence S. 15° 51' E. along said 15 foot strip of land 50 feet, plus or minus, to the southwest corner thereof;

Thence N. 74° 19' E. 15 feet, plus or minus, to point of commencement.

Containing 94 acres, more or less.

**DESCRIPTION****MIDTOWN STOCKTON REDEVELOPMENT AREA**

All that certain area for redevelopment purposes lying within the City of Stockton, County of San Joaquin, State of California, being more particularly described as follows:

Beginning at a point marking the northwesterly corner of the West End Redevelopment Area, said point being the intersection of the north line of Park Street with the west line of Yosemite Street, said point having the coordinates of 2,172,041.1 feet North and 6,329,241.7 East; thence along the westerly line of said West End Redevelopment Area the following three (3) courses:

- 1) South 11° 41' 04" East 1,327.99 feet along the west line of Yosemite Street;
- 2) South 10° 38' 16" East 105.66 feet and
- 3) North 87° 20' 27" West 699.28 feet to a point in the Port Industrial Redevelopment Area boundary said point having the coordinates of 2,170,669.2 North and 6,328,831.6 East;

thence leaving said West End Redevelopment Area boundary along the northerly line of said Port Industrial Redevelopment Area and the centerline of the Stockton Deep Water Channel the following five (5) courses:

- 1) South 85° 59' 15" West 5,460.46 feet;
- 2) South 86° 00' 57" West 1,032.64 feet;
- 3) South 87° 17' 35" West 1,292.20 feet;
- 4) North 89° 23' 18" West 414.41 feet and
- 5) North 84° 59' 31" West 519.68 feet to a point having the coordinates of 2,170,204.1 North and 6,320,131.5 East;

thence continuing along the centerline of the Stockton Deep Water Channel, leaving the Port Industrial Redevelopment Area boundary North 69° 47' 05" West 1,938.74 feet; thence leaving the centerline of said Stockton Deep Water Channel North 00° 43' 24" East 339.70 feet to a point in the northerly line of Mount Diablo Avenue; thence North 78° 46' 57" East 1,245.29 feet along said northerly line to a point in the west line of Occidental Avenue; thence North 10° 56' 23" West 1,461.54 feet along said west line to a point in the centerline of Smiths Canal; thence North 74° 04' 08" East 833.36 feet along said centerline; thence leaving said centerline North 16° 52' 34" West 1,250.38 feet to a point in the south line of Country Club Boulevard; thence South 72° 57' 15" West 188.09 feet along said south line; thence leaving said south line, along the southerly projection of and the city limits line North 17° 05' 39" West 928.46 feet to the north line of Bristol Avenue; thence continuing along said city limits line the following three (3) courses:

- 1) North 72° 53' 49" East 179.16 feet along said north line;
- 2) North 14° 25' 44" West 194.64 feet to the south line of Michigan Avenue and
- 3) North 73° 26' 05" East 1,017.06 feet along said south line to a point in the east line of Ryde Avenue;

MIDTOWN STOCKTON REDEVELOPMENT AREA (Cont'd.)

thence along said east line the following five (5) courses:

- 1) South 17° 01' 05" East 1,087.07 feet;
- 2) South 24° 07' 55" East 634.72 feet;
- 3) South 19° 54' 24" East 320.13 feet
- 4) South 57° 37' 31" East 60.17 feet and
- 5) South 18° 50' 12" East 246.39 feet to intersection with the centerline of Smiths Canal;

thence North 72° 40' 02" East 4,251.69 feet along said centerline to intersection with the northerly extension of the east line of Buena Vista Avenue; thence along said east line and its northerly projection South 11° 29' 50" East 2,516.24 feet; thence southeasterly along a curve, concave to the northeast, said curve having a radius of 20.00 feet, a central angle of 89° 22' 52", an arc length of 31.20 feet and a chord bearing South 56° 14' 24" East 28.13 feet to a point in the north line of Poplar Street; thence along said north line the following nine (9) courses:

- 1) North 79° 04' 10" East 228.88 feet;
- 2) Southeasterly along a curve, concave to the south, said curve having a radius of 350.00 feet, a central angle of 35° 23' 32", an arc length of 216.20 feet and a chord bearing South 83° 14' 04" East 212.78 feet;
- 3) South 65° 32' 18" East 60.30 feet;
- 4) Southeasterly along a curve, concave to the north, said curve having a radius of 225.00 feet, a central angle of 36° 13' 36", an arc length of 142.26 feet and a chord bearing South 83° 39' 06" East 139.90 feet;
- 5) North 78° 14' 06" East 371.42 feet;
- 6) North 75° 11' 53" East 99.81 feet;
- 7) North 69° 09' 02" East 89.02 feet;
- 8) Northeasterly along a curve, concave to the south, said curve having a radius of 1,250.00 feet, a central angle of 28° 32' 44", an arc length of 622.77 feet and a chord bearing North 83° 25' 24" East 616.34 feet and
- 9) South 82° 18' 14" East 28.14 feet;

thence northeasterly along a curve, concave to the northwest, said curve having a radius of 25.00 feet, a central angle 109° 18' 57", an arc length of 47.70 feet and a chord bearing North 43° 02' 18" East 40.79 feet to a point in the west line of Pershing Avenue; thence along said west line North 11° 37' 11" West 316.17 feet to a point in the westerly projection of the northerly line of Acacia Street; thence along said westerly projection and the northerly line of Acacia Street North 78° 27' 43" East 1,538.57 feet to the west line of Yosemite Street; thence North 11° 28' 18" West 364.53 feet along said west line to the north line of Magnolia Street; thence North 78° 16' 52" East 2,678.33 feet along said north line to the west line of Monroe Street; thence North 11° 34' 49" West 1,472.37 feet along said west line to a point in the north line of Harding Way, said point having the coordinates of 2,175,448.4 North and 6,331,283.9 East; thence North 78° 14' 38" East 3,719.59 feet along said north line to a point in the east line of Cemetery Lane also being a point in the city limits line of the City of Stockton; thence along the city limits line of the City of Stockton the following one-hundred

MIDTOWN STOCKTON REDEVELOPMENT AREA (Cont'd.)

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and twenty-two (122) courses and along the northerly line of Harding Way for the first seven (7) courses:

- 1) North 78° 08' 18" East 442.93 feet;
- 2) Northeasterly along a tangent curve, concave to the northwest, said curve having a radius of 20.00 feet, a central angle of 86° 42' 05", an arc length of 30.26 feet and a chord bearing North 34° 47' 15" East 27.46 feet;
- 3) North 08° 33' 47" West 24.43 feet;
- 4) Northeasterly along a tangent curve, concave to the southwest, said curve having a radius of 90.37 feet, a central angle of 116° 34' 40", an arc length of 183.87 feet and a chord bearing North 49° 43' 33" East 153.76 feet;
- 5) South 71° 59' 07" East 130.72 feet;
- 6) Southeasterly along a tangent curve, concave to the north, said curve having a radius of 50.00 feet, a central angle of 29° 02' 39", an arc length of 25.35 feet and a chord bearing South 86° 30' 27" East 25.08 feet;
- 7) North 78° 58' 14" East 63.01 feet;
- 8) leaving said north line North 16° 59' 27" West 75.29 feet;
- 9) North 75° 07' 06" East 73.98 feet;
- 10) North 17° 12' 58" West 18.58 feet;
- 11) North 75° 51' 28" East 65.48 feet;
- 12) South 17° 31' 32" East 4.98 feet;
- 13) North 74° 27' 01" East 119.37 feet;
- 14) North 78° 53' 52" East 229.80 feet to the west line of the Union Pacific Railroad right-of-way;
- 15) South 11° 25' 23" East 148.95 feet along last said west line to the north line of Harding Way;
- 16) North 78° 26' 36" East 375.61 feet along last said north line;
- 17) leaving last said north line North 12° 00' 20" West 100.96 feet;
- 18) North 78° 33' 50" East 267.31 feet;
- 19) South 11° 18' 36" East 99.43 feet to the north line of Harding Way;
- 20) North 78° 40' 16" East 148.90 feet along last said north line;
- 21) leaving last said north line North 10° 58' 20" West 99.82 feet;
- 22) North 86° 33' 09" East 41.58 feet;
- 23) South 79° 51' 26" East 55.37 feet;
- 24) North 21° 39' 12" East 71.82 feet to the south line of Fairfax Road;
- 25) South 68° 48' 38" East 121.73 feet along last said south line;
- 26) South 03° 38' 22" West 70.89 feet to the north line of Harding Way;
- 27) North 79° 03' 33" East 136.99 feet along last said north line to the west line of West Lane;
- 28) North 17° 22' 27" West 1,264.18 feet along last said west line to the north line of College Avenue;
- 29) South 78° 15' 41" West 117.97 feet along last said north line;
- 30) North 16° 45' 26" West 378.05 feet;
- 31) North 06° 44' 10" West 63.94 feet;
- 32) North 18° 12' 37" West 100.80 feet;

MIDTOWN STOCKTON REDEVELOPMENT AREA (Cont'd.)

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- 33) South 72° 35' 14" West 669.17 feet;
- 34) North 01° 10' 47" East 412.84 feet;
- 35) North 71° 38' 03" East 261.84 feet;
- 36) North 06° 40' 39" West 258.00 feet;
- 37) North 20° 07' 39" West 50.86 feet;
- 38) North 71° 33' 54" East 42.69 feet;
- 39) North 17° 32' 32" West 86.26 feet;
- 40) North 72° 32' 01" East 60.80 feet;
- 41) North 17° 50' 25" West 205.64 feet to the north line of Klinger Road;
- 42) North 71° 57' 51" East 189.47 feet along last said north line;
- 43) Northeasterly along a tangent curve, concave to the northwest, said curve having a radius of 25.00 feet, a central angle of 90° 16' 05", an arc length of 39.39 feet and a chord bearing North 26° 49' 48" East 35.44 feet to the west line of West Lane;
- 44) North 18° 18' 14" West 1,003.49 feet along last said west line to the southeast line of Union Pacific Railroad right-of-way;
- 45) North 04° 32' 56" East 592.62 feet along last said right-of-way;
- 46) North 45° 09' 54" East 122.68 feet;
- 47) North 55° 08' 32" East 122.48 feet;
- 48) North 15° 05' 59" West 153.55 feet;
- 49) North 74° 05' 29" East 534.47 feet;
- 50) North 42° 28' 58" East 285.77 feet;
- 51) North 47° 40' 53" East 64.24 feet;
- 52) North 54° 27' 44" East 64.52 feet;
- 53) North 61° 03' 11" East 64.57 feet;
- 54) North 66° 49' 51" East 64.18 feet;
- 55) North 14° 57' 08" West 356.57 feet to the south line of Alpine Avenue;
- 56) North 72° 48' 57" East 1,915.18 feet along last said south line to a point in the west line of Sanguinetti Lane having the coordinates of 2,182,647.1 North and 6,338,975.2 East;
- 57) South 17° 10' 05" East 373.73 feet along last said west line;
- 58) South 72° 37' 44" West 200.13 feet;
- 59) South 17° 00' 38" East 251.24 feet;
- 60) North 72° 49' 27" East 201.49 feet to a point in the in the west line of Sanguinetti Lane;
- 61) South 17° 16' 08" East 481.71 feet along last said west line;
- 62) South 72° 30' 15" West 168.81 feet;
- 63) South 16° 53' 39" East 232.27 feet;
- 64) North 70° 30' 05" West 298.10 feet;
- 65) South 24° 20' 00" West 2,885.60 feet to the north line of Bishop Street;
- 66) South 66° 41' 57" East 349.51 feet along last said north line to the northwest line of Wilson Way;
- 67) North 24° 29' 37" East 623.74 feet along last said northwest line to the northwesterly projection of the northerly line of Orwood Street;
- 68) South 65° 29' 43" East 387.83 feet along last said northerly line;
- 69) South 63° 26' 06" East 88.52 feet continuing along last said northerly line;

MIDTOWN STOCKTON REDEVELOPMENT AREA (Cont'd.)

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- 70) continuing Southeasterly along a tangent curve, concave to the northeast, said curve having a radius of 100.00 feet, a central angle of  $43^{\circ} 42' 11''$ , an arc length of 76.28 feet and a chord bearing South  $85^{\circ} 17' 12''$  East 74.44 feet continuing along last said northerly line;
- 71) North  $72^{\circ} 51' 43''$  East 223.72 feet continuing along last said northerly line to the east line of Hiawatha Avenue projected northerly;
- 72) South  $17^{\circ} 18' 58''$  East 743.68 feet along last said east line to the south line of Bradford Street;
- 73) North  $72^{\circ} 37' 44''$  East 1,000.64 feet along last said south line to the west line of Sanguinetti Lane;
- 74) South  $18^{\circ} 13' 43''$  East 766.15 feet along last said west line to the southerly line of Cherokee Lane;
- 75) North  $31^{\circ} 04' 16''$  East 673.01 feet along last said southerly line;
- 76) South  $41^{\circ} 23' 13''$  East 154.28 feet;
- 77) South  $50^{\circ} 23' 22''$  West 37.64 feet;
- 78) South  $32^{\circ} 26' 00''$  East 226.64 feet to the southerly line of Waterloo Road;
- 79) South  $50^{\circ} 28' 25''$  West 708.58 feet along said southerly line to the east line D Street;
- 80) South  $41^{\circ} 39' 32''$  West 94.03 feet crossing D Street to the westerly line of D Street;
- 81) Southwesterly along a curve to the right, said curve having a radius of 400.00 feet, a central angle of  $35^{\circ} 06' 10''$ , an arc length of 245.06 feet and a chord bearing South  $43^{\circ} 09' 09''$  East 241.25 feet;
- 82) South  $17^{\circ} 22' 06''$  East 1,112.18 feet continuing along last said east line and said City limits line projected southerly to the south line of the Stockton Terminal & Eastern Railroad right-of-way and a point on the City limits line;
- 83) North  $73^{\circ} 06' 58''$  East 1,388.34 feet along last said south line and City limits line to the east line of F Street;
- 84) North  $17^{\circ} 38' 17''$  West 153.46 feet along last said east line;
- 85) North  $72^{\circ} 58' 18''$  East 650.52 feet;
- 86) North  $16^{\circ} 57' 58''$  West 154.21 feet to the south line of Vine Street;
- 87) North  $72^{\circ} 44' 33''$  East 88.48 feet along last said south line;
- 88) North  $65^{\circ} 05' 00''$  East 77.74 feet continuing along last said south line projected to the east line of Filbert Street;
- 89) South  $17^{\circ} 21' 51''$  East 418.84 feet along last said east line to the north line of Roosevelt Street;
- 90) North  $72^{\circ} 34' 28''$  East 1,099.46 feet along last said north line;
- 91) North  $69^{\circ} 45' 31''$  East 127.90 feet continuing along last said north line;
- 92) North  $65^{\circ} 57' 31''$  East 147.28 feet continuing along last said north line;
- 93) North  $62^{\circ} 02' 19''$  East 174.35 feet continuing along last said north line to the east line of Golden Gate Avenue;
- 94) South  $17^{\circ} 28' 15''$  East 318.37 feet along last said east line to the north line of Anita Street;
- 95) North  $71^{\circ} 20' 40''$  East 461.68 feet;
- 96) North  $16^{\circ} 46' 05''$  West 119.58 feet;
- 97) North  $71^{\circ} 39' 20''$  East 50.04 feet;
- 98) North  $17^{\circ} 29' 22''$  East 119.79 feet;

MIDTOWN STOCKTON REDEVELOPMENT AREA (Cont'd.)

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- 99) South 30° 12' 22" East 61.62 feet;
- 100) South 16° 57' 01" East 234.96 feet;
- 101) South 71° 42' 27" West 540.83 feet to the east line of Golden Gate Avenue;
- 102) South 17° 20' 45" East 840.21 feet along last said east line;
- 103) North 72° 59' 46" East 117.12 feet;
- 104) South 17° 31' 21" East 486.58 feet to the south line of Fremont Street;
- 105) South 61° 21' 30" West 1,098.41 feet along last said south line;
- 106) South 17° 06' 10" East 673.27 feet;
- 107) North 72° 05' 26" East 43.09 feet;
- 108) South 16° 56' 13" East 190.51 feet;
- 109) North 71° 37' 26" East 230.77 feet;
- 110) South 17° 13' 27" East 239.58 feet;
- 111) North 71° 58' 08" East 888.70 feet;
- 112) South 17° 51' 56" East 448.59 feet to the south line of Miner Avenue;
- 113) North 72° 10' 16" East 1,651.70 feet along last said south line to a point having the coordinates of 2,174,524.5 North and 6,347,334.5 East said point being on the west line of State Highway Route 99;
- 114) South 17° 48' 34" East 1,383.03 feet along last said west line;
- 115) South 16° 25' 58" East 880.20 feet continuing along last west line;
- 116) South 14° 05' 49" East 800.61 feet continuing along last west line;
- 117) South 17° 46' 03" East 1,652.21 feet continuing along last said west line and along said city limits line and its southerly projection to intersection with the easterly projection of the city limits line along the south line of Charter Way;
- 118) South 72° 00' 00" West 1,496.89 feet along said easterly projection and city limits line along last said south line;
- 119) continuing Southwesterly along a tangent curve, concave to the southeast, said curve having a radius of 2,750.00 feet, a central angle of 31° 30' 26", an arc length of 1,512.24 feet and a chord bearing South 56° 14' 47" West 1,493.25 feet along last said south line;
- 120) South 40° 29' 34" West 616.62 feet continuing along last said south line;
- 121) Southwesterly along a tangent curve, concave to the northwest, said curve having a radius of 2,000.00 feet, a central angle of 32° 21' 19", an arc length of 1,129.41 feet and a chord bearing South 56° 40' 13" West 1,114.46 feet continuing along last said south line and
- 122) South 71° 52' 19" West 880.21 feet continuing along last south line;

thence leaving the city limits line of the City of Stockton South 78° 09' 47" West 667.63 feet to a point in the centerline of Charter Way; thence along said centerline the following four (4) courses:

- 1) South 71° 27' 26" West 672.93 feet;
- 2) South 72° 43' 39" West 1,028.90 feet;
- 3) South 74° 24' 06" West 662.33 feet and
- 4) South 78° 37' 41" West 719.69 feet to intersection with the centerline of Wilson Way, said point of intersection having the coordinates of 2,166,389.7 North and 6,340,255.0 East;

MIDTOWN STOCKTON REDEVELOPMENT AREA (Cont'd.)

thence North 11° 41' 07" West 4,225.93 feet along said centerline to intersection with the centerline of State Highway Route 4 (Crosstown Freeway); thence South 77° 54' 57" West 1,955.02 feet along said centerline to a point in the west line of the Union Pacific Railroad (formerly Sacramento Street) and a point in the boundary of the West End Redevelopment Area; thence along said West End Redevelopment Area boundary the following two (2) courses:

- 1) North 11° 42' 24" West 3540.33 feet and
- 2) South 78° 24' 19" West 7,684.20 feet to the POINT OF BEGINNING.

Containing 3,525 acres, more or less.

EXCEPT THEREFROM the Eastland Plaza Redevelopment Area.

Containing 94 acres, more or less.

ALSO EXCEPT THEREFROM that area lying within the County of San Joaquin lying immediately north and east of and adjacent to the Eastland Plaza Redevelopment Area.

Containing 33 acres, more or less.

The basis of this description and accompanying map is the "City of Stockton G.I.S. System Base Map" which is based upon the California Coordinate System 83, Zone 3.

Total area 3,398 acres, more or less



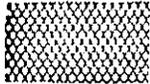
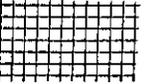
*Stephen R. Thumlert*

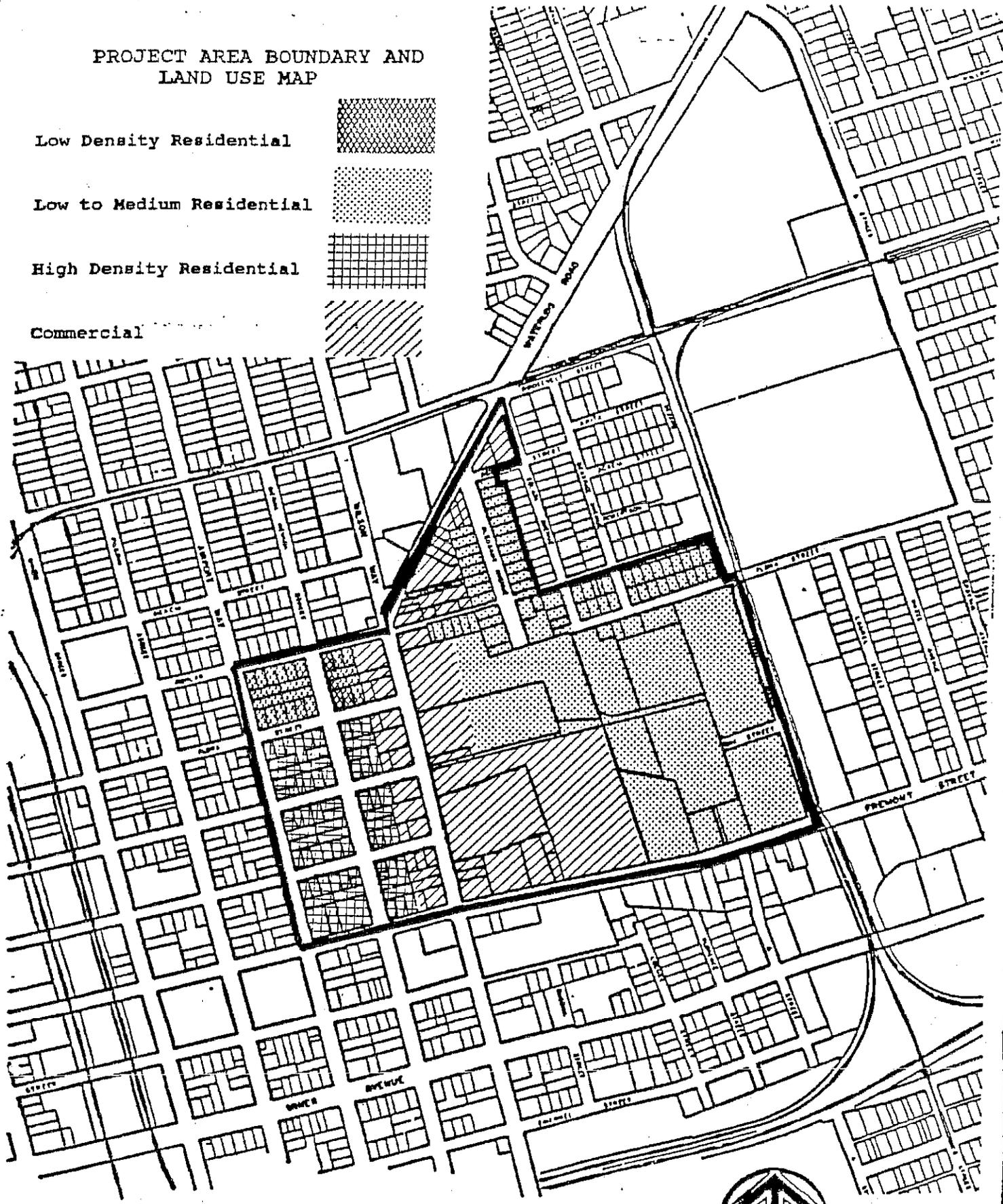
Stephen R. Thumlert, P.L.S. #4334

Dated: 11\14\01

00392-0001  
03\05\01  
11\14\01 Revised

# PROJECT AREA BOUNDARY AND LAND USE MAP

- Low Density Residential 
- Low to Medium Residential 
- High Density Residential 
- Commercial 



EASTLAND REDEVELOPMENT PROJECT AREA





## EXHIBIT D

### PROPOSED ACTIONS AND PROJECTS

#### **List of Potential Redevelopment, Affordable Housing, Infrastructure and Public Facility Projects for the Merged Project Area**

##### **Affordable Housing Programs**

Increase and improve the community's supply of affordable housing for very low, low, and moderate income households. Projects include, but are not limited to, the following:

- Homebuyer Assistance Programs: The Agency will invest housing set-aside funds into its Homebuyers Assistance Program (HAP).
- Homeowner Assistance Programs: The Agency will contribute housing set-aside funds to assist in the funding of their Single Family Housing Loan Program, Emergency Repair Loan Program (ERLP), and Exterior Beautification Loan Program.
- Rental Assistance Programs: The Agency will contribute housing set-aside funds to assist in the funding of their Rental Rehabilitation Loan Program.

##### **Infrastructure Programs**

Improve pedestrian, bicycle, and vehicular traffic flows, upgrade utilities and drainage systems, enhance public safety, and promote recreational opportunities. Projects include, but are not limited to, the following:

###### Sanitary Sewer System Improvements:

- RWCF Modification and Replacements
- RWCF Plant Expansion
- Sanitary Pump Station Rehabilitation/Modification
- Sanitary Separation
- Sanitary System Deficiency Improvements
- Sanitary System Repairs
- Sanitary Telemetry
- Sludge Removal and Reuse/Disposal

###### Storm Drain Projects:

- Storm Drain Alleviation-Repairs

- Storm Pump Station Rehabilitation
- Storm System Rehabilitation/Street Improvements
- Storm System Improvements
- Storm Water Telemetry

Street Projects:

- Alley Abandonment
- Street Tree Planting
- Bridge Repair
- Railroad Crossing Protection
- Street Construction and Replacement
- Sidewalk, Curb, and Gutter
- Steel Street Light Pole Replacement
- Street Light Installation
- Street Lighting Upgrade
- Street Name Sign Installation
- Street Repair Program
- Street Resurfacing Program
- Traffic Signal Control System
- Traffic Signals-Modifications
- Traffic Signals-New
- Utility Underground
- Wheel Chair Ramps

Water Projects:

- Central Control System
- Pipelines Project
- Service System Additions

- Service System Replacements
- Aqueducts
- Groundwater Monitoring Wells
- Water Supply-New Wells
- Water Supply Facilities-Well Rehab/Repair
- Water System Expansions
- Water Transmission Mains
- Water Treatment Equipment
- Well Replacement
- Well/Reservoir Site Improvements
- Minor Infrastructure Improvements

### **Public Facility Programs**

Develop and renovate community facilities that meet the needs of both the Merged Project Area and City. Such projects include, but are not limited to, the following:

- Roof Replacement Program
- Library Construction/Repairs/Rehabilitation
- Play Equipment Replacements
- Swimming Pool Repairs and Construction
- Community Center Construction, Rehabilitation and Expansion
- Park and Recreational Facilities Construction and Replacement
- Tot Lots Replacements
- Fire Station Construction and Rehabilitation

### **Commercial Rehabilitation and Economic Development Programs**

Implement projects that result in the redevelopment of obsolete structures, cleanup contaminated properties, consolidate irregular lots under mixed ownership, and facilitate development of modern industrial, commercial, and other nonresidential facilities. Such projects include, but are not limited to, the following:

- Revitalization Loan Programs: Provide additional funding in order to expand the already existing loan and grant programs including; Downtown Façade Improvement Grant, Emergency Grant, Enterprise Zone Façade Improvement Loan, and the Commercial Economic Development Loan.
- Economic Development Programs: Assist in providing additional funding to the San Joaquin Revolving Loan Fund (RLF), the Small Business Administration Loan Program, the Industrial Development Bonds Program (IDBs), the Small Business Incubator Program and the San Joaquin Delta College Small Business Development Center (SBDC).
- Fee Deferral Program: Provide assistance to developers by allowing nonresidential projects to defer a portion of the development fees.
- Promote the Stockton/San Joaquin Enterprise Zone: Assist in attracting businesses to locate within the Enterprise Zone in order to provide additional job opportunities and tax revenue.
- ADA Compliance Program
- Underground Fuel Tanks
- Asbestos Abatement Program

### **Initial Implementation Projects/Programs**

The following projects and programs shall be the focus of the initial Agency Plan implementation efforts:

- Street lights
- Façade improvements
- Rehabilitation of units cited by Code Enforcement occupied by low and moderate-income households
- Beautification and landscaping projects in Project Area neighborhoods
- Sidewalk repairs
- Implement catalyst project(s) to stimulate tax increment revenue growth, such as development of the El Pinal Industrial Park, redevelopment of the Filbert Street/Miner Avenue industrial area, or development of waterfront properties that maximize the potential of this amenity
- Improvement of trailer and mobile home parks
- Rehabilitation of the Sutter Street Corridor (from the 500 block to the 1100 block)
- Development of quality affordable housing for ownership

- Study of feasibility of ordinance amendments for the Project Area: 1) require use permits and notification to the neighborhood for the location or expansion of the following projects (to the extent permitted by state and federal law): expanded prisons, halfway houses, transitional units, alternative treatment centers, board and care homes, shelters, treatment centers, drop-in centers, residential treatment centers; and 2) require annual City inspection of residential rental properties receiving public assistance