

RECORDING FOR THE BENEFIT OF
RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

BOOK 6564 PAGE 1984

EG

CITY OF RIDGECREST
100 W. CALIFORNIA AVE.
RIDGECREST, CA 93555

112243

1991 SEP -3 A 8:20

RECORDED BY GALE S. ENSFAD
KERN COUNTY CLERK RECORDER

ORDINANCE NO. 91-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF RIDGECREST APPROVING AND ADOPTING THE FIRST
AMENDMENT TO THE RIDGECREST REDEVELOPMENT
PLAN.

ORS 100
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OR
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RF
NA

WHEREAS, the City Council has received from the Ridgecrest Redevelopment Agency (the "Agency") the proposed First Amendment to the Redevelopment Plan (the "Amended Redevelopment Plan") for the Ridgecrest Redevelopment Project (the "Project") as approved by the Agency, a copy of which is on file with the City Clerk at the Office of the City Clerk, City Hall, 100 West California Avenue, Ridgecrest, California, together with the Report of the Agency, including a discussion of certain matters as set forth in Section 33352 of the California Health and Safety Code of the physical, social and economic conditions existing in the Project Area, the proposed method of financing the redevelopment of the Project Area, a plan for the relocation of business owners and tenants who may be temporarily or permanently displaced from the Project Area, the report and recommendations of the Planning Commission of the City of Ridgecrest (the "Planning Commission"), a summary of meetings with Project Area residents, and a neighborhood impact report; and

WHEREAS, the Planning Commission has submitted to the City Council of the City of Ridgecrest its report and recommendations for approval of the Amended Redevelopment Plan and its certification that the Amended Redevelopment Plan conforms to the General Plan for the City of Ridgecrest; and

WHEREAS, the City Council and the Agency held a joint public hearing on April 17, 1991 concerning the adoption of the Amended Redevelopment Plan and the certification of the negative declaration on the Amended Redevelopment Plan, in the City Council Chambers, City Hall, 100 West California Avenue, Ridgecrest, California; and

WHEREAS, notice of the hearing was duly and regularly published in a newspaper of general circulation in the City of Ridgecrest in accordance with Section 33361 of the California Health and Safety Code, and copy of said notice and affidavit of publication are on file with the City Clerk of the City of Ridgecrest and Secretary of the Agency; and

WHEREAS, copies of the notice of joint public hearing were mailed by certified mail with return receipt requested to the last known address of each addressee, as shown on the last equalized assessment roll of the County of Kern, of each parcel of land in the Ridgecrest Redevelopment Project; and

WHEREAS, each assessee in the Project Area was sent a separate statement, attached to the notice of joint public hearing, that his property may be subject to acquisition by purchase or condemnation under the provisions of the Amended Redevelopment Plan; and

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

WHEREAS, the Agency has prepared and submitted a program from the relocation of persons and businesses who may be displaced as a result of carrying out the Project in accordance with the Amended Redevelopment Plan; and

WHEREAS, the Council has general knowledge of the conditions existing in the Project Area and of the availability of suitable housing in the City for the relocation of families and persons who may be displaced by the Project, and in light of such knowledge of local housing conditions, has carefully considered and reviewed such program for relocation; and

WHEREAS, the City Council has considered the report and recommendations of the Planning Commission, the report of the Agency, the Amended Redevelopment Plan and its economic feasibility, the feasibility of the relocation program and the Negative Declaration, and has provided an opportunity for all persons to be heard and has received and considered all evidence and testimony presented for or against any and all aspects of the Amended Redevelopment Plan; and

WHEREAS, the Agency and the City Council have reviewed and considered the Negative Declaration for the Amended Redevelopment Plan, adopted pursuant to Public Resources Code Section 21080(c) and Health & Safety Code Section 33352, and the City Council hereby adopts the negative declaration.

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

Section 1:

That the purpose and intent of the City Council with respect to the First Amendment is to accomplish to the greatest extent feasible the following:

- (a) To eliminate the conditions of blight existing in the Project Area.
- (b) To prevent recurrence of blighting conditions with the Project Area.
- (c) To provide for participation by owners and tenants and reentry preferences to persons engaged in business within the Project Area to participate in the redevelopment of the Project Area; to encourage and ensure the development

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of the Project Area in the manner set forth in the proposed Amended Redevelopment Plan; and to provide for the relocation of any residents, if any, displaced by the effectuation of the proposed Amended Redevelopment Plan.

- (d) To improve and construct or provide for the construction of public facilities, roads, and other public improvements and to improve the quality of the environment in the Project Area to the benefit of the Project Area and the general public as a whole.
- (e) To encourage and foster the economic revitalization of the Project Area by protecting and promoting the sound development and redevelopment of the Project Area and by replanning, redesigning, or developing portions of the Project Area which are stagnant or improperly utilized because of the lack of adequate utilities and because of other causes.
- (f) To provide housing as required to satisfy the needs and desires of the various age, income and ethnic groups of the community.

Section 2:

The City Council has by the adoption of Ordinance No. 86-37 previously found and determined that:

(a) The Project Area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in the California Community Redevelopment Law (Health and Safety Code Section 33000, et seq.). This finding is based upon the following conditions which characterize the Project Area:

- (1) The existence of buildings, structures and properties which suffer from deterioration and disuse because of inadequate public improvements, facilities and utilities, including inadequate and insufficient traffic circulation, parking, drainage, sidewalks, curbs, gutters and traffic signals, which cannot be remedied with private and governmental action without redevelopment.
- (2) A lack of proper utilization of property, resulting in a stagnant and unproductive condition of land potentially useful and valuable.
- (3) A prevalence of impaired investments and economic maladjustment.
- (4) The existence of unfit or unsafe buildings and

deficient structures due to age, obsolescence dilapidation, deterioration, defective design and character of physical construction, faulty interior arrangement and exterior spacing, overcrowding or inadequate provision for ventilation, light, sanitation, open spaces and recreation.

- (5) The subdividing and sale of lots of irregular form and shape and inadequate size for proper usefulness and development.
- (6) The laying out of lots in disregard of the contours and other topography or physical characteristics of the ground surrounding conditions.

It has further found and determined that such conditions constitute a serious physical, social and economic burden on the City which cannot reasonably be expected to be reversed or alleviated by private enterprise acting alone, requiring redevelopment in the interest of the health, safety and general welfare of the people of the City and the State. Such finding was based in part on the fact that governmental action available to the City without redevelopment would be insufficient to cause any significant correction of the blighting conditions, and that the nature and costs of the public improvements are beyond the capacity of the City and cannot be undertaken or borne by private enterprise, acting alone or in concert with available governmental action. This finding was supported in part by the fact that development has not proceeded within the Project, due to blighting conditions as identified herein which discourage development.

b. The Project Area is an urbanized area. Not less than eighty percent (80%) of the privately owned property in the Project Area has been or is developed for urban uses or, is an integral part of an area developed for urban uses, as demonstrated by the Agency's Report to Council.

c. The Amended Redevelopment Plan will redevelop the Project Area in conformity with the Community Redevelopment Law and in the interests of the public health, safety and welfare. This finding is based upon the fact that redevelopment of the Project Area will implement the objectives of the Community Redevelopment Law by aiding in the elimination and correction of the conditions of blight, providing for planning, development, redesign, clearance, reconstruction or rehabilitation of properties which need improvement, and providing for higher economic utilization of potentially useful land.

d. The adoption and carrying out of the Amended Redevelopment Plan is economically sound and feasible. This finding is based in part on the fact that under the Amended

Redevelopment Plan no public redevelopment activity will be undertaken unless the Agency can demonstrate that it had adequate revenue to finance the activity; the Agency's Report to City Council further discusses and demonstrates the economic soundness and feasibility of the Amended redevelopment Plan and undertakings pursuant thereto.

e. The Amended Redevelopment Plan conforms to the General Plan of the City of Ridgecrest. This finding is based in part on the finding of the Planning Commission that the Amended Redevelopment Plan conforms to the General Plan for the City of Ridgecrest.

f. The carrying out of the Amended Redevelopment Plan will promote the public health, safety and welfare of the City of Ridgecrest and will effectuate the purposes and policy of the Community Redevelopment Law. This finding is based on the fact that redevelopment will benefit the Project Area and the community by correcting conditions of blight and by coordinating public and private actions to stimulate development, contribute toward needed public improvements and improve the economic, social and physical conditions of the Project Area and the community.

g. The condemnation of real property to the extent provided for in the Amended Redevelopment Plan is necessary to the execution of the Amended Redevelopment Plan and adequate provisions have been made for payment for property to be acquired as provided by law. This finding is based upon the need to assemble sites for certain public facilities, to assemble developable units for economic activity and to prevent the recurrence of blight.

h. The Agency has a feasible method or plan for the relocation of families and persons displaced from the Project Area. Although such displacement is not contemplated, the City Council and the Agency recognize that the provisions of Sections 7260 to 7276 of the California Government Code would be applicable in the event relocation would occur due to the implementation by the Agency of the Amended Redevelopment Plan. The City Council finds and determines that the provision of relocation assistance according to law constitutes a feasible method for relocation.

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

j. Inclusion of any land, buildings or improvements which are not detrimental to the public health, safety or welfare is necessary for the effective redevelopment of the entire area of which they are a part, and any such area is not included for the purpose of obtaining the allocation of tax increment revenues from such area pursuant to Section 33670 of the Community Redevelopment Law without other substantial justification for its inclusion. This finding is based in part upon the fact that the boundaries of the Project Area were chosen as a unified and consistent whole to include lands that were underutilized because of blighting influences, or affected by the existence of blighting influences, and land uses significantly contributing to the conditions of blight, whose inclusion is necessary to accomplish the objectives and benefits of the Amended Redevelopment Plan.

k. The elimination of blight and the redevelopment of the Project Area would not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency. This finding is based upon the existence of blighting influences, including without limitation the lack of adequate public improvements and facilities, structural deficiencies and other indications of blight more fully enumerated in the record, and the infeasibility due to cost of requiring individuals (by means of assessments or otherwise) to eradicate or significantly alleviate existing deficiencies in public improvements and facilities and the inability and inadequacy of other governmental programs and financing mechanisms to eliminate the blighting conditions.

l. The effect of tax increment financing will not cause a severe financial burden or detriment on any taxing agency deriving revenues from the Added Territory. This finding is based in part upon the analysis contained in the Agency's Report to the City Council.

m. The Amended Redevelopment Plan contains adequate safeguards so that the work of redevelopment will be carried out pursuant to the Amended redevelopment Plan, and it provides for the retention of controls and the establishment of restrictions and covenants running with the land sold or leased for private use for periods of time and under conditions specified in the Amended Redevelopment Plan, which this Council deems necessary to effectuate the purposes of the Community Redevelopment Law.

Section 3:

The City Council is satisfied that permanent housing facilities will be available within three (3) years from the time occupants of the Project Area, if any, are displaced, and that pending the development of such permanent facilities, there will be available to any such displaced occupants temporary housing

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facilities at rents comparable to those in the City of Ridgecrest at the time of their displacement. No persons or families of low or moderate income shall be displaced from residence unless and until there are suitable housing units available and ready for occupancy by such displaced persons or families at rents comparable to those at the time of displacement. Such housing units shall be suitable to the needs of such displaced persons or families and dwellings. The Agency shall not displace any such persons or families until such housing units are available and ready for occupancy.

Section 4:

The City Council has considered written objections to the Amended Redevelopment Plan filed with the City Clerk of the City of Ridgecrest before, at, or during the noticed joint public hearings. All written and oral objections have been overruled.

Section 5:

That certain document entitled "First Amendment to the Ridgecrest Redevelopment Project", the maps contained therein and such other reports as are incorporated therein by reference, a copy of which is on file in the Office of the City Clerk of the City of Ridgecrest having been duly reviewed and considered, is hereby incorporated in this Ordinance by reference and made a part hereof, and as so incorporated, is hereby designated, approved and adopted as the official "First Amendment to the Ridgecrest Redevelopment Project".

Section 6:

In order to implement and facilitate the effectuation of the Amended Redevelopment Plan as hereby approved, this City Council hereby (a) pledges its cooperation in helping to carry out the Amended Redevelopment Plan, (b) requests the various officials, departments, boards and agencies of the City of Ridgecrest having administrative responsibilities in the Project Area likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the redevelopment of the Project Area, (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Amended Redevelopment Plan, and (d) declares its intention to undertake and complete any proceeding necessary to be carried out by the City under the provisions of the Amended Redevelopment Plan.

Section 7:

The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency whereupon the Agency is vested with

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the responsibility for carrying out the Amended Redevelopment Plan.

Section 8:

The City Clerk is hereby directed to record with the County Recorder of Kern County a description of the land within the Project Area and a statement that proceedings for the redevelopment of the Project Area have been instituted under the Community Development Law.

Section 9:

The City Clerk is hereby directed to transmit a copy of the description and statement to be recorded by the City Clerk pursuant to Section 8 of this Ordinance, a copy of this Ordinance and a map or plat indicating the boundaries of the Project Area, to the Auditor and Assessor of the County of Kern, to the governing body of each of the taxing agencies which receives taxes from property in the Project Area and to the State Board of Equalization.

Section 10:

The Building Department of the City of Ridgecrest is hereby directed for a period of two (2) years after the effective date of this Ordinance to advise all applicants for building permits within the Project Area that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment project area.

Section 11:

This Ordinance shall be in full force and effect thirty (30) days from and after the date of final passage.

Section 12:

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

Section 13:

This Ordinance shall be introduced at least five (5) days prior to the City Council meeting at which this Ordinance is to be adopted. The full text of this Ordinance shall also be published once within fifteen (15) days after this Ordinance's passage in a

newspaper of general circulation, published and circulated in the City of Ridgecrest. The City Clerk shall post in the Office of the City Clerk a certified copy of the full text of such adopted Ordinance along with the names of those City Council Members voting for and against the Ordinance in accordance with Government Code Section 36933.

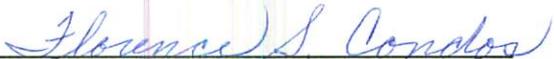
APPROVED AND ADOPTED THIS 1st day of May, 1991, by the following vote:

Ayes: Mayor Condos, Council Members Auld, Corlett, Lilly and Mower.

Noes: None.

Abstain: None.

Absent: None.



Florence S. Condos, Mayor

ATTEST:



Joyce M. Taft, City Clerk

I hereby certify that the foregoing Ordinance was introduced at the Regular meeting of the City Council held on the 17th day of April, 1991, and thereafter at a Regular meeting of said City Council held on the 1st day of May, 1991, was duly passed and adopted by the following vote:

Ayes: Mayor Condos, Council Members Auld, Corlett, Lilly and Mower.

Noes: None.

Abstain: None.

Absent: None.



Joyce M. Taft, City Clerk

RECORDING FOR THE BENEFIT OF
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WHEN RECORDED RETURN TO:

BOOK 6564 PAGE 1993

EG

112244

1991 SEP -3 A 8:20

CITY OF RIDGECREST
100 W. CALIFORNIA AVE.
RIDGECREST, CA 93555

RECORDED BY GALE S. ENSTAD
KERN COUNTY CLERK-RECORDER

REDEVELOPMENT PLAN

FOR THE

RIDGECREST

REDEVELOPMENT PROJECT AREA

ORS .00
FREE REC .00
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*Original filed in
RPA Notebook*

Adopted: November 16, 1986
Ordinance Number: 86-37

First Amendment Adopted: April 17, 1991
Ordinance Number: 91-05

Prepared For:

Ridgecrest Redevelopment Agency
100 West California Avenue
Ridgecrest, California 93555
619/371-3737

Prepared By:

Rosenow Spevacek Group Inc.
540 North Golden Circle, Suite 305
Santa Ana, California 92705
714/541-4584

DOCUMENT RECORDED WITHOUT EXHIBIT "A" -- PROJECT AREA MAPS. *Jms*