

AGENDA ITEM: 3.

DATE: 09-21-09

STAFF REPORT

CONFORMITY REPORT AS IT PERTAINS TO THE PROPOSED AMENDMENT NO. 2 TO THE REDEVELOPMENT PLAN FOR THE LANCASTER FOX FIELD REDEVELOPMENT PROJECT

DATE: September 21, 2009

TO: Lancaster Planning Commission

FROM: Lancaster Redevelopment Agency

REQUEST: Approval of Conformity Report as it pertains to the Proposed Amendment No. 2 to the Redevelopment Plan for the Lancaster Fox Field Redevelopment Project

RECOMMENDATION: Adopt Resolution No. 09-27 finding that the Proposed Amendment No. 2 "Amendment No. 2" to the Redevelopment Plan for the Lancaster Fox Field Redevelopment Project does not affect the General Plan of the City of Lancaster, recommending to the City Council adoption of the Negative Declaration prepared for Amendment No. 2, and recommending approval and adoption of Amendment No. 2.

BACKGROUND: The City Council of the City of Lancaster (the "City Council" and "City" respectively) adopted the Redevelopment Plan (the "Original Redevelopment Plan") for the Lancaster Fox Field Redevelopment Project on December 20, 1982, by Ordinance No. 289, and subsequently amended it in 1994 and 1995. The Original Redevelopment Plan, as previously amended, is termed the "Redevelopment Plan," and the Lancaster Fox Field Redevelopment Project which is the subject of the Redevelopment Plan is the "Project" or "Project Area" as appropriate.

The California Community Redevelopment Law (CCRL; California Health and Safety Code, Section 33000 et seq.) allows redevelopment agencies to exercise the right of eminent domain in a redevelopment project for a period of up to twelve years following the adoption of a redevelopment plan for that project. The Original Redevelopment Plan provided for the Lancaster Redevelopment Agency (the "Agency") to exercise the right of eminent domain in the Project Area commencing in 1982 and terminating in 1994. The 1995 amendment to the Original Redevelopment Plan extended this right to September 2007. The Agency, by its Resolution No. 09-08 adopted on December 9, 2008, indicated its intent to amend the Redevelopment Plan to extend its right of eminent domain for another 12 years ("Amendment No. 2").

DISCUSSION: The Planning Commission's role and the various actions associated with this project area amendment are discussed below.

Planning Commission Role

Attached to this staff report is a copy of Amendment No. 2 for the Planning Commission's review and report in accordance with CCRL Section 33458. CCRL Section 33458 requires that the redevelopment agency submit its proposed amendment to the Planning Commission prior to the Agency/City Council joint public hearing (tentatively scheduled by the same bodies for November 10, 2009), as provided in CCRL Section 33453. CCRL Section 33453 requires that "substantial changes [in this case Amendment No. 2] in the [redevelopment] plan which affect the general plan... shall be submitted to the Planning Commission for its report and recommendation to the legislative body...." The attached resolution represents the Planning Commission's report and recommendation on these "changes." Further, CCRL Section 33346 specifically requires that a proposed redevelopment plan [in this case, Amendment No. 2] be "submitted to the Planning Commission for its report and recommendation concerning the redevelopment plan and its conformity to the general plan..." The attached resolution also represents the Planning Commission's "Report and Recommendation" and "Conformity Report" pursuant to CCRL Section 33346.

Further, CCRL Section 33352 (j) requires every redevelopment plan [amendment] to be accompanied by the conformity report required by Government Code Section 65402, which prohibits a local agency [the Agency] from acquiring or disposing of real property, constructing or authorizing public buildings or structures, and vacating or abandoning streets until the location, purpose and extent of such activities have been submitted to and reported upon by the planning [commission] as to their conformity with the general plan of the community. The attached resolution also represents the Planning Commission's "Conformity Report" pursuant to Government Code Section 65402.

Section 15074(a) of the CEQA Guidelines provides that "[a]ny advisory body [in this case the Planning Commission] of a public agency making a recommendation to the decision-making [sic] body shall consider the proposed negative declaration or mitigated negative declaration before making its recommendation." The attached resolution evidences this consideration.

Relevant General Plan Issues

Status of the General Plan: The City has a general plan which complies with the requirements set forth in the State of California Government Code, commencing with Section 65300 of Chapter 3 of Division 1 of Title 7 (herein referred to as "Article 5"). The City's General Plan (the "General Plan") contains all elements required by Article 5. An update to the General Plan Housing Element was adopted in 2008; however, the updated housing element has not yet been certified by the State Department of Housing and Community Development. Consequently, the General Plan Housing Element may undergo further modifications to bring it into compliance with State Housing Element Law; the Commission formally recommended such modifications to the City Council on July 20, 2009.

Effects of Amendment No. 2 upon the General Plan: The possible future acquisition (including through the use of eminent domain), assembly, and disposition of real property by the Agency is not done under authority of the General Plan. However, implementation of these activities could help the Agency assist the City to realize certain goals, objectives, and policies of the General Plan, particularly with respect to land use and development objectives and policies. If adopted, Amendment No. 2 would amend the Redevelopment Plan for the

purpose of extending the Agency's eminent domain authority for twelve (12) years beyond the date of the ordinance adopting Amendment No. 2, the maximum time limit permissible by the CCRL, and amending and codifying the Agency's eminent domain program with respect to the Project in the Plan. Amendment No. 2 would also impose a limitation which would prohibit the Agency from using its eminent domain authority to acquire real property located in the Project Area on which any person resides; therefore, adoption of the Amendment No. 2 per se does not create a situation where the issue of conformity would be in question. Further, Section 522 of the Redevelopment Plan provides that "[a]ll development within the Project Area shall be consistent with the General Plan and zoning requirements of the City, except as variations therefrom may be permitted thereunder." Amendment No. 2 does not propose to modify Section 522 of the Redevelopment Plan. Therefore, the Redevelopment Plan would continue to be consistent with the General Plan, as required by CCRL Section 33331, should the City Council elect to approve and adopt Amendment No. 2.

Proposed Negative Declaration

Copies of the Proposed Negative Declaration and Initial Study/Environmental Checklist prepared for Amendment No. 2 are included as attachments to this staff report in order to allow Commissioners an opportunity for consideration and discussion. As discussed *supra*, the public hearing on Amendment No. 2 and the Proposed Negative Declaration, has been tentatively set by the Agency and City Council for the regular meeting of the Agency, November 10, 2009.

The purpose of the Proposed Negative Declaration is to provide an environmental disclosure document that has been prepared and will subsequently be made available to the public for review and comment prior to the joint public hearing, pursuant to the provisions promulgated under the California Environmental Quality Act (CEQA). The documents are intended to provide the City Council, Agency, Planning Commission, environmental entities, and general public with an appropriate data base and analysis thereof, that demonstrates the potential environmental effects of Amendment No. 2 and any measures to mitigate potentially significant environmental effects. To this end, the Proposed Negative Declaration relies on information provided in the Initial Study/Environmental Checklist (also attached hereto) to make the determination that "there is no substantial evidence...that Amendment No. 2 will have a significant effect on the environment that has not been previously evaluated and, as necessary, mitigated as part of previous environmental analyses" and that Amendment No. 2 "will have no significant impact on the environment..."

Any comments on the Proposed Negative Declaration received from noticed parties prior to November 10, 2009, will be identified at the joint public hearing of the City Council and Agency.

Attachments:

Project Area Map (Proposed Amendment No. 2)
Draft Amendment No. 2 to the Redevelopment Plan
Appendix A: Redevelopment Plan
Amendment No. 1 to the Redevelopment Plan
Ordinance No. 671 (Assembly Bill 1290 Amendment)
Proposed Negative Declaration and Initial Study

RESOLUTION NO. 09-27

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, FINDING THAT THE PROPOSED AMENDMENT NO. 2 TO THE REDEVELOPMENT PLAN FOR THE LANCASTER FOX FIELD REDEVELOPMENT PROJECT CONFORMS TO THE CITY OF LANCASTER GENERAL PLAN AND AFTER CONSIDERING THE PROPOSED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR THE PROPOSED AMENDMENT NO. 2 AND RECOMMENDING THAT THE LANCASTER REDEVELOPMENT AGENCY APPROVE AND THE CITY COUNCIL ADOPT AMENDMENT NO. 2

WHEREAS, by its Ordinance No. 289 dated December 20, 1982, the City Council of the City of Lancaster (the "City Council") adopted the Redevelopment Plan (the "Plan") for the Lancaster Fox Field Redevelopment Project (the "Project" or the "Project Area," as appropriate) pursuant to procedures codified within the California Community Redevelopment Law (CCRL; Health and Safety Code Section 33000 *et seq.*); and

WHEREAS, on December 5, 1994, the City Council adopted Ordinance No. 671 amending the Plan to conform to certain time limit requirements mandated by CCRL Section 33333.6 (Assembly Bill 1290) enacted subsequent to Plan adoption; and

WHEREAS, on August 21, 1995, the City Council adopted Ordinance No. 708, which further amended the Plan for the purpose of extending the eminent domain authority of the Lancaster Redevelopment Agency (the "Agency") within the Project Area for a period of twelve (12) years from the effective date of Ordinance No. 708; and

WHEREAS, the Agency's eminent domain authority expired in September 2007 in accordance with the 12-year time limit codified in the Plan, as amended by Ordinance No. 708; and

WHEREAS, in accordance with CCRL Article 12, commencing with Section 33450, the City Council may amend a redevelopment plan upon the recommendation of the Agency; and

WHEREAS, CCRL Section 33458 provides that prior to the joint public hearing of the Agency and City Council on Amendment No. 2, the Agency shall submit the proposed changes to the Redevelopment Plan to the Planning Commission as provided in CCRL Section 33453; and

WHEREAS, CCRL Section 33453 provides that if a redevelopment agency recommends changes in a redevelopment plan which affect the general plan adopted by the legislative body, such changes shall be submitted to the planning commission for its report and recommendations to the legislative body and that, if the planning commission does not report upon the changes within 30 days after such submission by the redevelopment agency then the planning commission shall be deemed to have waived its report and recommendations concerning the changes; and

WHEREAS, pursuant to CCRL Section 33356, prior to a joint public hearing of the Agency and the City Council on Amendment No. 2, it is necessary that the Agency submit the Plan for the Project to the Planning Commission by the same procedures as provided for in CCRL Section 33346; and

WHEREAS, to more effectively administer and implement redevelopment projects and programs in the Project Area, the Agency is proposing an amendment ("Amendment No. 2") to the Plan for the Project for the purpose of extending the Plan's limited eminent domain authority for the maximum permissible period of 12 years in accordance with CCRL Section 33333.4(g)(2) and amending and codifying the Agency's eminent domain program with respect to the Project in the Plan; and

WHEREAS, CCRL Section 33346 provides that prior to its being submitted to the legislative body, a redevelopment plan [here, Amendment No. 2] shall be submitted to the planning commission for its report and recommendation concerning the redevelopment plan and its conformity to the community's general plan and pursuant to such review, the planning commission may recommend to the agency for or against the approval of said redevelopment plan; and

WHEREAS, pursuant to CCRL Section 33453, the proposed changes to the Plan, vis-à-vis Amendment No. 2, are being submitted to the Planning Commission so that it may make a report and recommendation as to how the changes affect the City of Lancaster's General Plan (the "General Plan"); and

WHEREAS, the General Plan contains all elements required by Title 7, Chapter 3, Article 5 of the California Government Code (commencing with Section 65300), and its housing element, required to be updated on a five year cycle, is currently in the process of being updated, as required by State Housing Element Law; and

WHEREAS, CCRL Section 33352 (j) requires every redevelopment plan [in this case, Amendment No. 2] to be accompanied by the conformity report required by Government Code Section 65402, which provides in part:

- “(a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan...
- (c) A local agency [the Agency] shall not acquire real property for any of the purposes specified in paragraph (a) nor dispose of any real property, nor construct or authorize

a public building or structure, in any county or city, if such county or city has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan..."; and

WHEREAS, Section 522 of the Plan, which will not be modified by Amendment No. 2, provides that "[a]ll development within the Project Area shall be consistent with the General Plan and zoning requirements of the City, except as variations therefrom may be permitted thereunder;" and

WHEREAS, Amendment No. 2 proposes no changes to land use designations within the Project Area and land use designations contained in the Plan are the same as those land use designations shown on the adopted land use maps of the General Plan; and

WHEREAS, Amendment No. 2 proposes no changes to existing development policies, guidelines, and/or standards for properties located within the Project Area, and development policies, guidelines, and/or standards applicable to the Project, as enforced by the Plan, are the same as the development policies, guidelines, and/or standards contained in the General Plan; and

WHEREAS, Amendment No. 2 is a tool that will be used by the City and Agency to help implement the General Plan's goals, objectives, and policies; and

WHEREAS, pursuant to Section 15025(c) and 15074(a) of the California Environmental Quality Act ("CEQA") Guidelines (Public Resources Code Section 21000 *et seq.* and Title 14, California Code of Regulations Section 15000 *et seq.*), the Planning Commission shall review and consider the Proposed Negative Declaration prepared for Amendment No. 2 prior to making its report and recommendations regarding Amendment No. 2.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LANCASTER DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The above recitals are true and correct, and are a substantive part of this resolution.

Section 2. The Planning Commission has reviewed Amendment No. 2 and the staff report accompanying this resolution, and hereby finds and determines that Amendment No. 2 does not affect and is consistent with the General Plan because Amendment No. 2 does not make changes to the General Plan land use designations in the Project Area, or to other General Plan controls or limitations. The Plan, as amended by Amendment No. 2, will always conform to land use designations, the general location and extent of existing and proposed transportation routes and other public facilities and utilities identified in the various elements of the General Plan and housing policies and other policies contained in the General Plan's various elements. Section 522 of the Redevelopment Plan states that "[a]ll development within the Project Area shall be consistent with the General Plan and zoning requirements of the City, except as variations therefrom may be permitted there under."

Section 3. Pursuant to Government Code Section 65402, the Planning Commission hereby finds and determines that the location, purpose, and extent of any real property to be acquired by dedication or otherwise for street, public square, park or other public purposes, any real property to be disposed of, any street to be vacated or abandoned and any public buildings or structure to be constructed pursuant to the Plan as amended by Amendment No. 2 are in conformity with the General Plan and the City's Zoning Ordinance.

Section 4. The Planning Commission has reviewed and considered the Proposed Negative Declaration prepared for Amendment No. 2.

Section 5. The Planning Commission hereby recommends the approval of Amendment No. 2 by the Agency and adoption of Amendment No. 2 by the City Council.

Section 6. The Planning Commission hereby authorizes and directs the officers, employees, staff, consultants and attorneys for the Planning Commission to take any action that may be necessary to effectuate the purposes of this resolution or which are appropriate or desirable in the circumstances. In the event that prior to the adoption of Amendment No. 2, the Agency or City Council desire to make any minor, or technical or clarifying changes to Amendment No. 2 or any documents related thereto, the Planning Commission hereby finds and determines that any such minor, technical or clarifying changes need not be referred to it for further report and recommendations.

Section 7. The Planning Commission hereby finds and determines that this resolution shall constitute the report and recommendation of the Planning Commission to the Agency and the City Council concerning Amendment No. 2.

Section 8. The Planning Commission hereby authorizes and directs the Secretary of the Planning Commission to transmit a copy of this resolution to the Agency and the City Council.

PASSED, APPROVED and ADOPTED this 21st day of September, 2009, by the following vote:

AYES:

NOES:

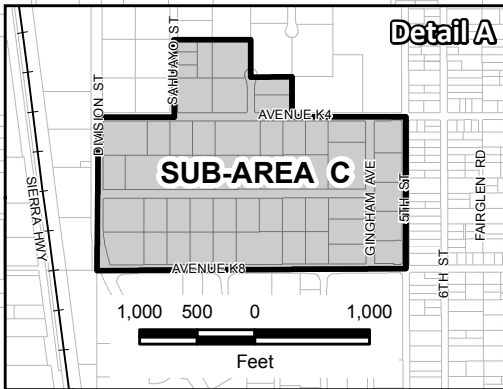
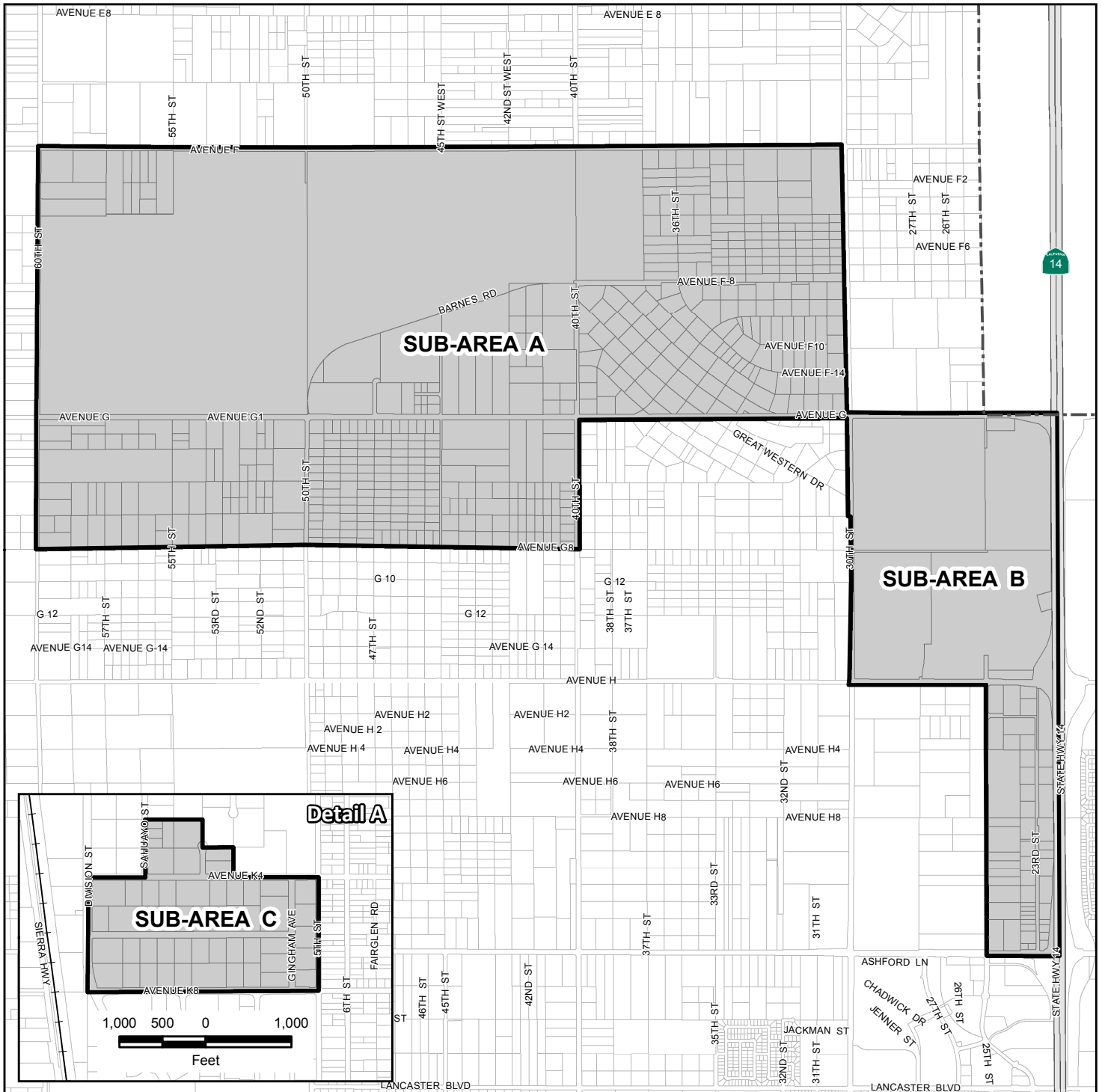
ABSTAIN:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster



Lancaster Redevelopment Agency

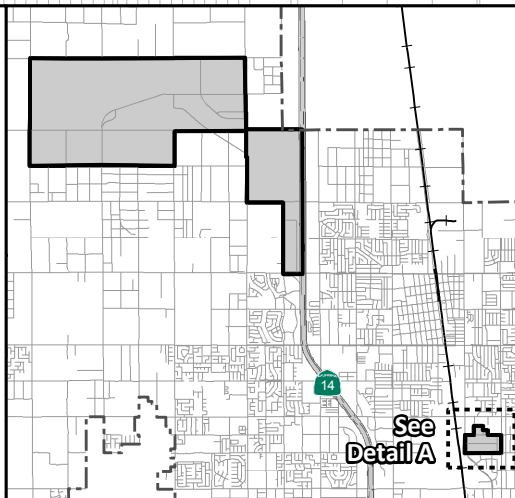
PROPOSED AMENDMENT NO. 2 TO
THE REDEVELOPMENT PLAN FOR
THE LANCASTER FOX FIELD
REDEVELOPMENT PROJECT

ATTACHMENT A

MAP OF THE PROJECT AREA



Prepared By: Urban Futures, Inc.
Base Map Source: City of Lancaster
Date: 08/20/09
File: LC_PA_8x11.mxd



LEGEND

- Lancaster City Limits
- Project Area*
- Freeways
- Railroads

* Boundaries shown are for general reference and illustrative purposes only.



Amendment No. 2

to the

Redevelopment Plan

for the

Lancaster Fox Field Redevelopment Project

LANCASTER REDEVELOPMENT AGENCY

1. INTRODUCTION

This is Amendment No. 2 (the "Amendment No. 2") to the Redevelopment Plan, as previously amended, (the "Plan" or "Redevelopment Plan") for the Lancaster Fox Field Redevelopment Project (the "Project"). The purpose of Amendment No. 2 is to reinstate limited authority for the Lancaster Redevelopment Agency (the "Agency") to exercise eminent domain proceedings within the boundaries of the Project for an additional twelve (12) years from the date of adoption of the City Ordinance adopting Amendment No. 2 and amend and codify the Agency's eminent domain program with respect to the Project in the Plan.

Amendment No. 2 has been prepared pursuant to Article 12, Sections 33450 through 33458 of the California Community Redevelopment Law (CCRL, being Section 33000 *et seq.* of the California Health and Safety Code). Amendment No. 2 amends "B. (Sec. 402) Property Acquisition" of the Redevelopment Plan. Amendment No. 2 makes no other changes to the Redevelopment Plan. The legal authority to extend the Agency's authority to conduct eminent domain proceedings is contained in CCRL Section 33333.4(g)(2).

The Redevelopment Plan, as amended by this Amendment No. 2, shall continue to be

the regulatory and policy instrument controlling the Agency's redevelopment activities within the boundaries of the Project.

2. BACKGROUND

The original redevelopment plan for the Lancaster Fox Field Redevelopment Project was adopted by the Lancaster City Council on December 20, 1982 by Ordinance No. 289 and was amended on December 5, 1994 by Ordinance No. 671, and on August 21, 1995 by Ordinance No. 708. The Redevelopment Plan is attached hereto and incorporated herein by reference as Appendix A.

3. AMENDMENT NO. 2 TO THE REDEVELOPMENT PLAN

Upon approval of Amendment No. 2 by the Agency and subsequent adoption by the City Council of the ordinance amending the Redevelopment Plan, the Redevelopment Plan shall effectively be amended as follows: At page 3, B. (Sec 402) Property Acquisition shall be amended to read as follows:

B. (Sec. 402) Property Acquisition

1. (Sec. 403) Acquisition of Real Property; Eminent Domain Program

The Agency may purchase, lease, obtain option upon or otherwise acquire real property located in the Project Area by gift, devise, exchange, purchase, or any other means authorized by law including the use of eminent domain for purposes of redevelopment, except that the Agency shall not acquire property on which any person resides through the use of eminent domain. *Any eminent domain proceedings to acquire real property within the Project Area must commence within twelve (12) years of the date of adoption of the City Ordinance approving and adopting Amendment No. 2. Such time limitation may be extended only by amendment of this Plan.* Acquisition of property will generally be achieved by cooperative negotiation between the owner of such property and the Agency.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement unless provision for such acquisition is made in the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest in real property less than a fee.

The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner, unless (1) such building requires structural alteration, improvement, modernization, or rehabilitation, or (2) the site or lot on which the building is situated requires modification in size, shape, or use, or (3) it is necessary to impose upon such property any of the standards, restrictions and controls of this Plan and the owner fails or refuses to participate in the Plan by executing a participation agreement.

Unless otherwise provided by law, property already devoted to a public use may be acquired by the Agency through eminent domain, but property of a public body shall not be acquired without its consent.

The Agency's program for the acquisition of real property by eminent domain is hereby described as follows:

(a) The Agency may, but is not required to, exercise its authority to acquire real property and real property interests by eminent domain, except as limited in Section 403 hereof. The Agency may exercise that authority only when the following conditions are met:

(1) The proposed acquisition is necessary to execute this Plan; and

(2) The real property in the Project Area proposed to be acquired by eminent domain is not real property on which any persons reside; and

(3) The proposed acquisition is in compliance with all applicable law and regulations, including but not limited to the California Eminent Domain Law, California Code of Civil Procedure Section 1230.010 *et seq.* ("Eminent Domain Law"); and

(4) Proceedings to acquire real property or real property interests by eminent domain are commenced within twelve (12) years of the date of adoption of the ordinance approving and adopting this Plan.

(b) The Agency shall offer participation and reasonable reentry opportunities to owners, business operators, and tenants in the Project Area in accordance with this Plan, the California Community Redevelopment Law (the "CCRL"; California Health and Safety Code Section 33000 *et seq.*) and the Agency's rules governing participation and reentry (the "Owner Participation Rules"), as such rules may be amended from time to time.

(c) The Agency shall provide relocation benefits and assistance and make all payments in accordance with applicable State law, including but not limited to the California Relocation Assistance Act (the "State Act"; Government Code Section 7260 *et seq.*), the CCRL, and the guidelines adopted and promulgated by the California Department of Housing and Community Development to interpret the State Act (the "State Relocation Guidelines"; Chapter 6 of Title 25 of the California Code of Regulations, beginning with Section 6000), and the

Relocation Assistance and Real Property Acquisition Guidelines adopted by the Agency (the "Agency Relocation Guidelines"). Such relocation assistance shall be provided in the manner required by the Agency Relocation Guidelines as they as they may be amended from time to time. If and when applicable, the Agency shall provide relocation assistance and benefits in accordance with Federal law, including but not limited to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C., Section 4601 et seq.)(the "Federal Act") and the Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs Regulations (49 Code of Federal Regulations, Part 24, beginning with Section 24.1)(the "Federal Guidelines"). The Agency may provide additional benefits or payments as it may deem appropriate from available funds to implement the objectives of this Plan and to alleviate hardship. Relocation shall be conducted in accordance with Article 9, Chapter 4 of the CCRL.

(d) If the Agency's Owner Participation Rules or Agency Relocation Guidelines are amended or superseded subsequent to the adoption of the ordinance approving and adopting this Plan, the foregoing description of the Agency's eminent domain program is automatically amended to be consistent with any such amendment or new rules and no amendment of this Plan shall be required.



APPENDIX A

**REDEVELOPMENT PLAN FOR THE LANCASTER
FOX FIELD REDEVELOPMENT PROJECT**



AMENDMENT No. 1

**ADOPTED ON AUGUST 21, 1995,
BY ORDINANCE No. 708**

**(ALSO CONTAINS THE ORIGINAL
REDEVELOPMENT PLAN ADOPTED ON
DECEMBER 20, 1982,
BY ORDINANCE No. 289)**

AB 1290 AMENDMENT

**ADOPTED ON DECEMBER 5, 1994,
BY ORDINANCE No. 671**

**PROPOSED AMENDMENT NO. 1 TO
THE REDEVELOPMENT PLAN
PREPARED FOR THE LANCASTER FOX FIELD
REDEVELOPMENT PROJECT**

Prepared By:

THE LANCASTER REDEVELOPMENT AGENCY

In Conjunction With:

URBAN FUTURES, INC.
3111 N. Tustin Avenue
Suite 230
Orange, CA 92665

May 1995

**Proposed Amendment No. 1 to
the Redevelopment Plan
Prepared for the Lancaster Fox Field
Redevelopment Project**

Prepared By:

THE LANCASTER REDEVELOPMENT AGENCY

In Conjunction With:

**URBAN FUTURES, INC.
3111 N. Tustin Ave.
Suite 230
Orange, CA 92665**

May 1995

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- A Map of the Lancaster Fox Field Redevelopment Project Area
- B Redevelopment Plan for the Lancaster Fox Field Redevelopment Project

1. INTRODUCTION

This is Amendment No. 1 (the "Amendment") to the Redevelopment Plan (the "Plan") for the Lancaster Fox Field Redevelopment Project (the "Project"). The sole purpose of the Amendment is to extend the Lancaster Redevelopment Agency's (the "Agency") authority to exercise eminent domain proceedings within the boundaries of the Project for an additional twelve (12) years from the effective date of the City Ordinance adopting the Amendment.

The Amendment has been prepared pursuant to Article 12, Sections 33450 - 33457 of the California Community Redevelopment Law (CCRL). The Amendment amends B. (Sec. 402) Property Acquisition of the Plan. The legal authority to extend the Agency's authority to conduct eminent domain proceedings is contained in Section 33333.2 of the CCRL. The Amendment makes no other changes to the Plan.

A copy of the Plan, adopted by the Lancaster City Council on December 20, 1982, by City Ordinance No. 289, and which was recorded in the official records of the Recorder's Office of Los Angeles County on December 21, 1982, as instrument Number 82-1278274, is attached hereto, and incorporated herein by reference, as Appendix B.

The Plan, as amended by the Amendment, shall continue to be the regulatory and policy instrument controlling the Agency's redevelopment activities within the boundaries of the Project.

2. **AMENDMENT NO. 1 TO THE REDEVELOPMENT PLAN FOR THE LANCASTER FOX FIELD REDEVELOPMENT PROJECT**

Upon approval of the Amendment by the Agency and subsequent adoption by the City Council of the Ordinance amending the Plan, the Plan shall effectively be amended as follows: At page 3, B. (Sec. 402) Property Acquisition shall be amended to read:

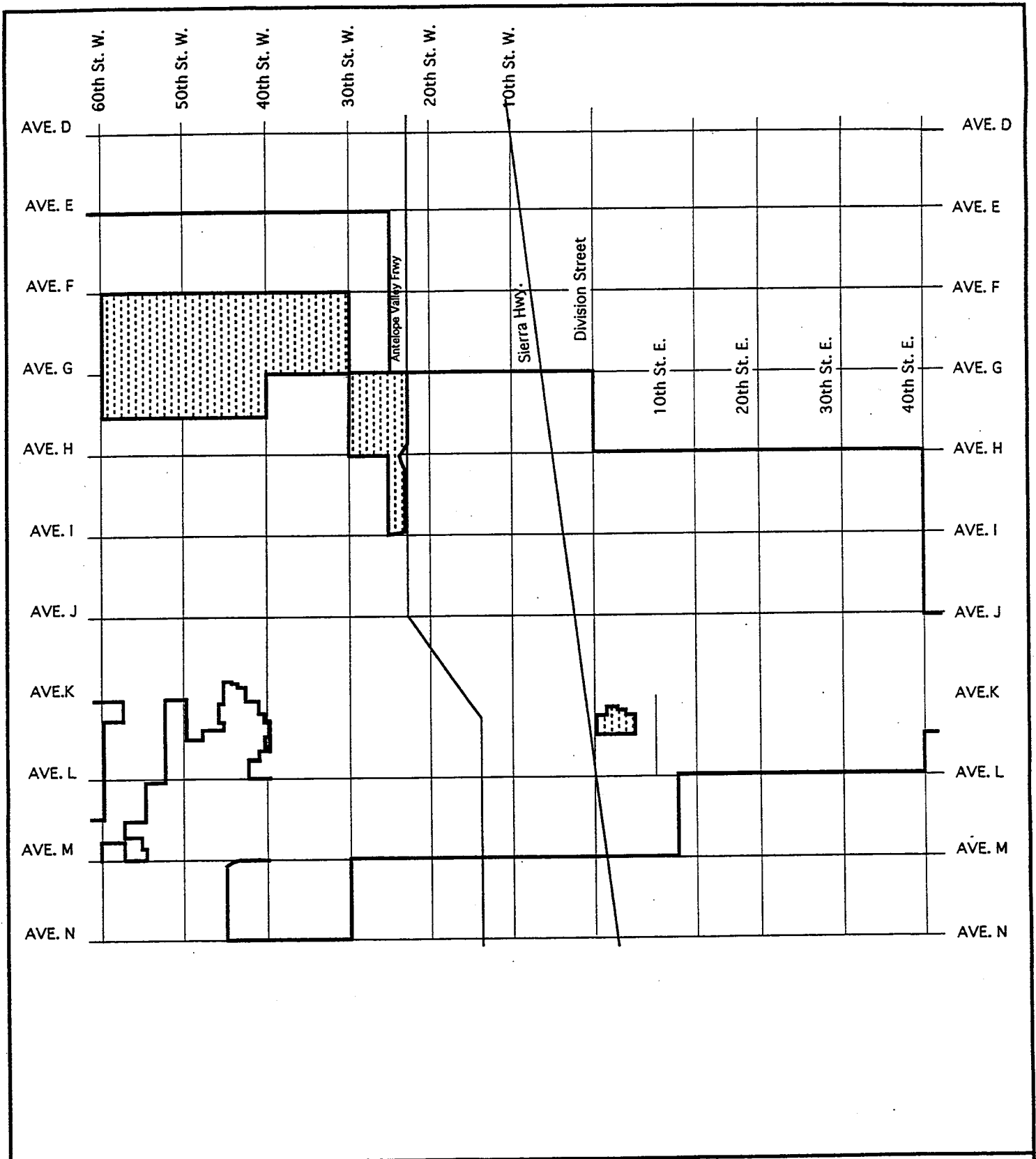
1. (Sec. 403) Acquisition of Real Property "The Agency may purchase, lease, obtain option upon or otherwise acquire real property located in the Project Area by gift, devise, exchange, purchase, or any other means authorized by law including the use of eminent domain for purposes of redevelopment. Acquisition of property will generally be achieved by cooperative negotiation between the owner of such property and the Agency. *Any eminent domain proceedings within the Project Area must commence within twelve (12) years of the effective date of the City Ordinance approving and adopting this Amendment. Such time limitation may be extended only by amendment of this Amendment.* Acquisition of property will generally be achieved by cooperative negotiation between the owner of such property and the Agency.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement unless provision for such acquisition is made in the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest in real property less than a fee.

APPENDICES

APPENDIX A

***MAP OF THE LANCASTER FOX FIELD
REDEVELOPMENT PROJECT AREA***



NOT TO SCALE
REV 3/94

**LANCASTER REDEVELOPMENT
AGENCY
FOX FIELD PROJECT AREA**

APPENDIX B

***REDEVELOPMENT PLAN FOR THE LANCASTER
FOX FIELD REDEVELOPMENT PROJECT***

THE LANCASTER REDEVELOPMENT AGENCY

REDEVELOPMENT PLAN
FOR THE
LANCASTER FOX FIELD
REDEVELOPMENT PROJECT

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By Agency

REDEVELOPMENT PLAN
FOR
LANCASTER FOX FIELD
REDEVELOPMENT PROJECT

I. (Sec. 100) INTRODUCTION

The Redevelopment Plan for the Lancaster Fox Field Redevelopment Project consists of Part I (Text) and Part II (Map). This Plan has been prepared by the Lancaster Redevelopment Agency pursuant to the Community Redevelopment Law of the State of California, and all applicable laws and ordinances.

II. (Sec. 200) GENERAL DEFINITIONS

The following references will be used generally in this Plan unless the context otherwise requires:

- A. "Agency" means the Lancaster Redevelopment Agency
- B. "City" means the City of Lancaster, California.
- C. "City Council" means the City Council of the City of Lancaster, California.
- D. "County" means the County of Los Angeles.
- E. "Map" means the Redevelopment Plan Map for the Lancaster Fox Field Redevelopment Project.
- F. "Person" means any individual, or any public or private entity.

- G. "Plan" means the Redevelopment Plan for the Lancaster Fox Field Redevelopment Project.
- H. "Project" means the Lancaster Fox Field Redevelopment Project.
- I. "Project Area" means the area included within the boundaries of the Project.
- J. "Redevelopment Law" means the Community Redevelopment Law of the State of California (California Health and Safety Code, Section 33000 et seq.).
- K. "State" means the State of California.

III . (Sec. 300) PROJECT AREA BOUNDARIES

The boundaries of the Project Area are illustrated on the Map contained in Part II hereof. The legal description of the boundaries of the Project Area are as enumerated in Exhibit A, attached hereto.

IV. (Sec. 400) PROPOSED DEVELOPMENT ACTIONS

A. (Sec. 401) General

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

- (1) Installation, construction, reconstruction, redesign, or reuse of streets, utilities, curbs, gutters, sidewalks and other public improvements;

- (2) Disposition of property acquired for uses in accordance with this Plan;
- (3) Redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
- (4) Financing of the construction of residential, commercial, and industrial buildings and the permanent mortgage financing of residential, commercial, and industrial buildings, as permitted by applicable State and local laws, to increase the residential, commercial, and industrial base of the City and the number of temporary and permanent jobs within the City;
- (5) In appropriate cases rehabilitation of structures and improvements or development of vacant land by present owners, their successors and the Agency for uses in accordance with this Plan.

B. (Sec. 402) Property Acquisition

1. (Sec. 403) Acquisition of Real Property

The Agency may purchase, lease, obtain option upon or otherwise acquire real property located in the Project Area by gift, devise, exchange, purchase, or any other means authorized by law including the use of eminent domain for purposes of redevelopment. Acquisition of property will generally be achieved by cooperative negotiation between the owner of such property and the Agency.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement unless provision for such acquisition is made in the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. Th Agency is also authorized to acquire any other interest in real property less than a fee.

2. (Sec. 404) Acquisition of Personal Property

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

C. (Sec. 405) Participation by Owners and Tenants

1. (Sec. 406) Owner and Tenant Participation

The Agency shall extend reasonable preferences to the present owners and tenants in the Project Area, to participate in the development of the Project Area if they otherwise meet the requirements prescribed by the Plan and the rules governing participation promulgated by the Agency, which rules may be amended from time to time.

The Agency desires participation in redevelopment by as many owners and tenants as possible. However, participation opportunities shall necessarily be subject to and limited by such factors as the expansion of public facilities; elimination and changing of land uses; realignment of streets; the ability of the Agency and/or owners to finance acquisition and development in accordance with the

Plan; assembly and development of areas for public and/or private development in accordance with this Plan; and any reduction in the total number of individual parcels in the Project Area.

2. (Sec. 407) Participation Agreements

The Agency may enter into a binding agreement with each person desiring to participate in redevelopment pursuant to the Redevelopment Plan by which the participant agrees to rehabilitate, develop, or use the property in conformance with the Plan and be subject to the provisions hereof. In the agreement, participants who retain real property shall be required to join in the recordation of such documents as are necessary to make the provisions of this Plan applicable to their properties.

In the event that the Agency is not directly involved in the development of a particular property, a participation agreement may not be required. The determination of whether or not a participation agreement is required shall be made by the Executive Director of the Agency or his designated representative whose decision shall be final. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

D. (Sec. 408) 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. However, the Agency shall seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. Any public body which owns or leases property in the Project Area will be afforded all the privileges of owner and tenant participation if such public body is willing to enter into a participation agreement with the Agency.

In addition to the responsibilities and the activities of the Agency as set forth in Section 401 hereinabove, other local governmental and public entities shall be responsible for carrying out this Plan.

E. (Sec. 409) Property Management; In Lieu Payments

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

As provided for in Health and Safety Code Section 33401, the Agency may pay an amount of money in lieu of taxes in any year during which it owns property in the project area. Such payment shall be made directly to a City, County, or special

district, including, but not limited to, a school district, or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt.

The Agency may also pay to any taxing agency with territory located within the Project Area other than the City, any amounts of money which in the Agency's determination is appropriate to alleviate any financial burden or detriment caused to the taxing agency by the Redevelopment Project.

F. (Sec. 410) Relocation of Persons Displaced
by the Project

1. (Sec. 411) Assistance in Finding Other
Locations

The Agency shall assist in the relocation of all persons (including families, business concerns, and others) displaced by Agency acquisition of property in the Project Area. The Agency intends to accomplish all redevelopment pursuant to this Redevelopment Plan with as little displacement of persons from businesses or residences as is feasible. In order to carry out the Project with a minimum of hardship to persons displaced from their homes, the Agency shall assist individuals and families in finding housing that is decent, safe, sanitary, within their financial means, in reasonably convenient locations, and otherwise suitable to their needs. The Agency is also authorized to provide housing outside the Project Area for displaced persons.

In accordance with Health and Safety Code Section 33334.5, if dwelling units housing persons and families of low or moderate income are destroyed or removed from the low and

moderate income housing market as part of a redevelopment project, the Agency shall, within four 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 rents within the Project Area or within the territorial jurisdiction of the Agency, in accordance with all the provisions of Health and Safety Code Sections 33413 and 33413.5.

2. (Sec. 412) Relocation Payments

The Agency is authorized to pay all relocation payments and to provide relocation advisory assistance in conformity with the adopted Relocation Plan and the California Relocation Assistance Guidelines or as otherwise required or authorized by law to all Project residents and business concerns relocated from the Project Area. All relocation shall be conducted in accordance with Article 9, Chapter 4 of the Redevelopment Law.

G. (Sec. 413) Demolition, Clearance, Public
Improvements, Building and
Site Preparation

1. (Sec. 414) Demolition and Clearance

The Agency may clear or move buildings, structures, or other improvements from real property as necessary to carry out the purposes of this Plan.

2. (Sec. 415) Public Improvements

To the extent permitted and in the manner required by law, the Agency is authorized to install and construct

or to cause to be installed and constructed the public improvements and public utilities (within or outside the Project Area) necessary to carry out the Plan. Such public improvements include, but are not limited to: parking lots or structures, over or underpasses, bridges, streets, curbs, gutters, sidewalks, street lights, sewers, storm drains, traffic signals, electrical distribution systems, natural gas distribution systems, water distribution systems, parks, plazas, playgrounds, and any buildings, structures or improvements necessary and convenient to the full development of any of the above. A list of possible projects is set forth at Exhibit B.

The Agency, with the prior consent of the City Council, may pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, or other improvement described at Exhibit B which is publicly owned either within or outside the Project Area upon a determination by resolution of the Agency and City Council: (1) that such buildings, facilities, structures and other improvements are of benefit to the Project Area or the immediate neighborhood in which the Project Area is located, regardless of whether such improvements are within another project area or, in the case of a project area in which substantially all of the land is publicly owned, that such improvement is of benefit to an adjacent project area of the Agency; (2) that no other reasonable means of financing such buildings, facilities, structures or other improvements are available to the community.

When the value of such land or the cost of the installation and construction of such building, facility or other improvement, or both, has been, or will be, paid or provided for initially by the community or other public corporation, the Agency may enter into a contract with the community or other public corporation under which it agrees to reimburse the community or other public corporation for all or part of the value of such land or all or part of the cost of such building, facility or other improvement, or both, by periodic payments over a period of years.

Any obligation of the Agency under such contract shall constitute an indebtedness of the Agency for the purpose of carrying out the Redevelopment Project for such Project Area.

3. (Sec. 416) Preparation of Building Sites

The Agency may develop as a building site any real property owned or acquired by it. In connection with such development it may cause, provide or undertake or make provision with other agencies for the installation, or construction of parking facilities, streets, utilities, parks, playgrounds and other public improvements necessary for carrying out in the Project Area the Redevelopment Plan.

H. (Sec. 417) Rehabilitation and Moving of Structures by the Agency

1. (Sec. 418) Rehabilitation

The Agency is authorized and directed to advise, encourage, and, with the consent of the owner, assist in the rehabilitation of property in the Project Area not owned by the Agency. The Agency is also authorized to rehabilitate

or to cause to be rehabilitated buildings or structures in the Project Area.

2. (Sec. 419) Moving of Structures

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

I. (Sec. 420) Property Disposition and Development

1. (Sec. 421) Real Property Disposition and Development

a. (Sec. 422) General

For the purpose of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, assign, encumber or otherwise dispose of any interest in real property. Except as permitted by law no real or personal property owned by the Agency, or any interest therein, shall be sold or leased to a private person for an amount less than its fair value for uses in accordance with the Redevelopment Plan and the covenants and controls recorded against the property by the Agency.

To the extent permitted by law, the Agency is authorized to dispose of real property by leases or sales by negotiation without public bidding.

All real property acquired by the Agency in the Project Area shall be sold or leased to persons

or entities 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.

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.

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

In the manner required and to the extent permitted by law, before any property of the Agency acquired in whole or in part, directly or indirectly, with tax increment monies is sold or leased for development pursuant to this Plan, such sale, lease or other disposition shall first be approved by the City Council after a public hearing held in accordance with the provisions of Health and Safety Code, Section 33433.

b. (Sec. 423) Purchase and Development
by Participants

Pursuant to the provisions of this Plan and the rules adopted by the Agency, the Agency shall to the greatest extent feasible offer real property acquired by the

Agency for disposition to and development by owner and tenant participants on a preference basis over other persons.

c. (Sec. 424) Purchase and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements, is subject to the provisions of this Plan.

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

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, religion, national origin, or ancestry, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a participation agreement shall be made expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as are required by law including Health and Safety Code Section 33436.

d. (Sec. 425) Development of Publicly
Owned Improvements

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct any building, facility, structure, or other improvement either within or outside the Project Area for itself or for any public body or entity to the extent that such improvement would be of benefit to the Project Area.

The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures or other improvements (within or outside the Project Area) to the extent permitted by law.

During the period of development in the Project Area, the Agency shall insure that all provisions of this Plan and other documents formulated pursuant to this Plan are being observed, and that development of the Project Area is proceeding in accordance with development documents and time schedules.

All development must conform to this Plan and all applicable federal, state, and local laws, including without limitation, the City's zoning, building, environmental and other land use development standards; and must receive the approval of all other appropriate public agencies.

2. (Sec. 426) Personal Property Disposition

For the purpose of the Plan, the Agency is

authorized to sell, lease, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property which is acquired by the Agency.

3. (Sec. 427) Tax Increment Funds

Not less than twenty percent (20%) of all taxes which are allocated to the Agency pursuant to Health and Safety Code Section 33670 shall be used by the Agency for the purpose of increasing and improving the City's supply of housing for persons and families of low or moderate income and very low income households all as required by Health and Safety Code Section 33334.2.

V. (Sec. 500) USES PERMITTED IN THE PROJECT AREA

A. (Sec. 501) Map

In addition to illustrating the location of the Project Area boundaries, the Map also illustrates the proposed land uses to be permitted in the Project Area. The location of such proposed land uses including proposed rights-of-way and easements is consistent with the General Plan and zoning of the City, and may be altered from time to time by changes to the General Plan or zoning regulations of the City.

B. (Sec. 502) Residential

The Project Area contains areas designated for Non-Urban Residential Very Low Density. Residential dwellings are permitted in such areas with a maximum density of one (1) dwelling unit per two and one-half gross acres all requirements of the City's zoning code as it now exists or is hereafter amended shall apply to residential development hereunder.

C. (Sec. 503) Commercial

The Project Area does contain areas designated for commercial uses. Uses permitted in areas designated as commercial include, but are not limited to neighborhood and highway related commercial uses, and supporting vehicle parking facilities. New development in the areas shall be developed according to City standards and General Plan designations. All requirements of the City's zoning code as it now exists or as hereafter amended shall apply to commercial development hereunder.

D. (Sec. 504) Industrial

The Project Area contains areas wherein industrial uses shall be permitted. Uses permitted in areas designated as industrial include, but are not limited to industrial parks, light manufacturing and wholesale and distributive uses. Except as inconsistent with this Plan all requirements of the City's zoning code and General Plan as they now exist or as hereafter amended shall apply to industrial development uses hereunder.

D. (Sec. 505) Public Uses

1. (Sec. 506) Rights-of-Way

The public street system in the Project Area shall be developed in accordance with the Circulation Element of the General Plan. The major streets located in the Project Area are shown on the Map, which is attached to this Plan.

Streets and alleys may be widened, altered, abandoned, or closed as necessary for proper development of the Project.

It is contemplated that the Agency will construct, or aid in the construction of, certain streets designated in the Plan which are not now constructed or which may require further widening or improvement.

The public rights-of-way shall 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. In addition, all necessary easements for public uses, public facilities, and public utilities may be retained or erected.

2. (Sec. 507) Other Public Uses

Parking, open space, public and semi-public uses may be interspersed with other uses in any area.

F. (Sec. 508) Other Public, Semi-Public
Institutional and Non-Profit Uses

In any area the Agency is authorized to permit the establishment or enlargement of public, semi-public, institutional, or non-profit uses, including park, recreational and vehicle parking facilities, libraries, hospitals, educational, fraternal, employee, philanthropic and charitable institutions, and facilities of other similar associations or organizations. All such uses shall conform so far as possible to the provisions of this Plan applicable to the uses in the specific area involved. The Agency shall impose such other reasonable restrictions as are necessary to protect the development and use in the Project Area.

G. (Sec. 509) General Controls and Limitations

All real property in the Project Area is hereby made subject to the controls and requirements of this Plan.

No real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of the Plan except in conformance with the provisions of this Plan.

1. (Sec. 510) New Construction

All new construction shall comply with all applicable State and local laws in effect from time to time, including without limitation the Building, Electrical, Heating and Ventilating, Housing and Plumbing Codes of the City and the City Zoning Code.

Building setbacks are required on certain streets in the Project Area. These streets along with their setbacks are listed on the City's General Plan and zoning maps.

Off-street parking spaces and loading facilities shall be designed to comply with the City's zoning ordinance. The number of off-street parking spaces required shall be regulated by the City's zoning ordinance. All off-street parking spaces and loading areas shall be paved and lighted in accordance with the City's zoning ordinance.

2. (Sec. 511) Existing Nonconforming Uses

Subject to the requirements of the Lancaster Municipal Code existing nonconforming uses may remain in an existing building, provided that such use is generally compatible with the developments and uses in the Project Area.

The Agency may, but shall not be required to authorize additions, alterations, repairs or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project where, in the determination of the Agency, such improvements would be compatible as interim uses with surrounding uses and development.

3. (Sec. 512) Rehabilitation

Any existing structure within the Project Area which the Agency shall approve for retention and rehabilitation shall be repaired, altered, reconstructed, or rehabilitated in such manner that it will meet the following requirements: be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding areas. Property rehabilitation standards for rehabilitation of existing building and site improvements may be established by the Agency.

4. (Sec. 513) Limitations on the Number of Buildings

The number of buildings in the Project Area may be regulated by the Agency, consistent with the zoning ordinance of the City.

5. (Sec. 514) Open Space and Landscaping

The approximate amount of open space to be provided in the Project Area is the total of all areas which will be in the public rights-of-way, the public grounds, the space around buildings, and all other amount of outdoor areas

not permitted through limits on land covered by this Plan to be covered by buildings.

6. (Sec. 515) Land Coverage

Land coverage by structures in the Project Area shall not exceed the land coverage permitted by the City's zoning ordinance.

7. (Sec. 516) Light, Air and Privacy

In all areas sufficient space shall be maintained between buildings to provide adequate light, air and privacy.

8. (Sec. 517) Signs

All signs shall be subject to the provisions of the Lancaster Municipal Code.

9. (Sec. 518) Utilities

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

10. (Sec. 519) Incompatible Uses

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

11. (Sec. 520) Nondiscrimination and Non-segregation

There shall be no discrimination or segregation based upon race, color, creed, religion, national origin, or ancestry permitted in the sale, lease, sublease, transfer, use occupancy, tenure, or enjoyment of property in the Project Area.

12. (Sec. 521) Minor Variations

Under exceptional circumstances, the Agency is authorized to permit a variation from the limits, restrictions and controls established by the Plan. In order to permit such variation, the Agency must determine that:

(1) The application of certain provisions of the Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Plan.

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

(3) Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area.

(4) Permitting a variation will not be contrary to the objectives of the Plan or of the General Plan of the City.

In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public health, safety, or welfare, and to assure compliance with the purpose of the Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under City codes and ordinances.

13. (Sec. 522) Consistency with General
Plan to Zoning Ordinances

All development within the Project Area shall be consistent with the General Plan and zoning requirements of the City, except as variations therefrom may be permitted thereunder.

H. (Sec. 523) Design for Development

Within the limits, restrictions, and controls established in the Plan, the Agency is authorized to establish traffic circulation, traffic access, and other development controls necessary for proper development of both private and public areas within the Project Area.

New improvements in this area shall be reviewed in accordance with all of the City's zoning, building, planning and environmental ordinances, rules, regulations and requirements. No separate agency review of development within the Project Area shall be required.

I. (Sec. 524) Building Permits

No permit shall be issued for the construction of any new building or for any construction on an existing building in the Project Area from the date of adoption of this Plan until the application for such permit has been processed and, in the case of property which is the subject of a disposition and development or participation agreement with the Agency and any other property in the discretion of the Agency Board, unless and until the application for such permit has been approved by the Agency Board. Any such permit that is issued must be in conformance with the provisions of this Plan.

VI. (Sec. 600) METHODS FOR FINANCING THE PROJECT

A. (Sec. 601) General Description of the
Proposed Financing Methods

Upon adoption of this Plan by the City Council, the Agency is authorized to finance the Project with property tax increments, interest income, Agency bonds, loans from private institutions, proceeds from the sale or lease of property, financial assistance from the City, County, State of California, Federal Government, or any other public agency, or any other legally available source.

The City may, in accordance with the law, make advances and expend money as necessary to assist the Agency in carrying out this Project. Such assistance shall be on terms established by an agreement between the City and the Agency.

As available, gas tax funds from the State of California and the County will be used for the street system. As available, federal loans and grants will be used to finance portions of Project costs.

The Agency is authorized to issue bonds if appropriate and feasible in an amount sufficient to finance all or any part of the Project.

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

B. (Sec. 602) Tax Increments

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

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Redevelopment Project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds for the respective taxing agencies as taxes by or for said taxing agencies on all other property all paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory of the Project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the Project on said effective date); and

2. That portion of 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 bonds, loans, moneys advanced to, or indebtedness (whether funded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Redevelopment Project. Unless and until the total assessed value of the taxable property in the Project exceeds the total assessed value of the taxable property in the Project as shown by the last equalized assessment roll referred to above, all of the taxes levied and collected upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies. When said bonds, loans, advances and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

3. That portion of tax revenues allocated to the Agency pursuant to paragraph (2) above which is attributable to increases in the rate of tax imposed for the benefit of any affected taxing agency which levy occurs after the tax year in which the ordinance adopting this Plan becomes effective, shall be allocated to such affected taxing agency to the extent the affected taxing agency has elected in the manner required by law to receive such allocation.

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

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

Taxes shall be allocated and paid to the Agency consistent with the provisions of this Plan only to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the Redevelopment Project.

The number of dollars of taxes which may be divided and allocated to the Agency pursuant to California Health and Safety Code Section 33670 shall not exceed Two Hundred Fifty Million Dollars (\$250,000,000.00) except by amendment of this Redevelopment Plan.

No loan, advance or indebtedness to be repaid from such allocation of taxes established or incurred by the Agency to finance in whole or in part the Redevelopment Project shall be established or incurred after Twenty years following the date of adoption of the ordinance approving and adopting this Redevelopment Plan. Such loan, advance or indebtedness

may be repaid over a period of time longer than such time limit. Such time limitation may be extended only by amendment of this Redevelopment Plan.

The amount of bonded indebtedness, to be repaid, in whole or in part from such allocation of taxes, which can be outstanding at one time shall not exceed One Hundred Twenty Five Million Dollars (\$125,000,000.00), without an amendment of this Redevelopment Plan.

C. (Sec. 603) Other Loans and Grants

Any other loans, grants, guarantees or financial assistance from the United States or any other public or private source will be utilized if available as appropriate in carrying out the Project.

VII. (Sec. 700) ACTIONS BY THE CITY

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Action by the City shall include, but not be limited to, the following:

A. Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-way, and for other necessary modifications of the streets, the street layout, and other public rights-of-way in the Project Area. Such action by the City shall include the requirements of abandonment and relocation by the public utility companies of their operations in public rights-of-way as appropriate to carry out this Plan.

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

C. Revision of zoning within the Project Area to permit the land uses and development authorized by this Plan.

D. Performance of the above, and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.

E. The undertaking and completing of any other proceedings necessary to carry out the Project.

VIII. (Sec. 800) ADMINISTRATION AND ENFORCEMENT OF THE
PLAN

The administration and enforcement of this Plan or other documents implementing this Plan shall be performed by the Agency. The City Council of the City constitutes the Agency board.

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, re-entry, 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 Project Area may be enforced by such owners.

XI. (Sec. 900) DURATION OF THIS PLAN

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

X. (Sec. 1000) PROCEDURE FOR AMENDMENT

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

EXHIBIT A

PROJECT AREA LEGAL DESCRIPTION

Exhibit A

Page 1 of 3

LEGAL DESCRIPTION FOR LANCASTER FOX FIELD
REDEVELOPMENT PROJECT SITE 2

That property in the City of Lancaster, County of Los Angeles, State of California being a portion of Sections 26 & 27, T.7N, R.12W., S.B.M. and a portion of Tract No. 32548 per map recorded in Book 968, Pages 1 through 5 of Maps, Records of Los Angeles County described as a whole as follows:

Beginning at the intersection of the westerly line of Bradstock Road (40 feet wide) with the westerly prolongation of the south line of Avenue K-8 (40 feet wide); thence generally northerly along said westerly line and the westerly line of Division Street (100 feet wide) to the intersection with the westerly prolongation of the northerly line of Avenue K-4 (66 feet wide); thence easterly along said prolongation and said northerly line to the centerline of Sahuayo Street (66 feet wide); thence northerly 631 feet more or less along said centerline to the intersection with the westerly prolongation of the northerly line of Lots 13 and 15 of said tract 32548; thence easterly 635.52 feet along said prolongation and said northerly line to the easterly line of said Lot 15; thence southerly along said easterly line to a point, said point being on the northerly terminus of Foxton Avenue and being on a curve concave southerly, having a radius of 55.00 feet, thence southeasterly, southerly and southwesterly, along said curve 103.35 feet to the northerly line of Lot 18 of said Tract 32548; thence easterly along said northerly line 303.03 feet to the easterly line of said Lot 18; thence southerly 310 feet along said easterly line and the easterly line of Lot 17 of said Tract No. 32548 to the northerly line of Avenue K-4 (66 feet wide); thence easterly along said northerly and its easterly prolongation to the intersection with the northerly prolongation of the center line of 5th Street East (60 feet wide); thence southerly along said prolongation and said center line and its southerly prolongation to the intersection with the easterly prolongation of the southerly line of the northerly 40 feet of Avenue K-8 (70 feet wide), private street as shown on Tract No. 32548; thence westerly along the southerly line of Avenue K-8 and its prolongation to the point of beginning.

August 28, 1982

RECORDING REQUESTED BY AND NAME
LANCASTER REDEVELOPMENT AGENCY
NAME
STREET 44811 N. DATE AVE.
CITY LANCASTER, CA 93534

82-1283256

AMENDMENT TO DOCUMENT NO. 82-1278274,
LEGAL DESCRIPTION FOR LANCASTER FOX FIELD
REDEVELOPMENT PROJECT, SITE 1

FREE T

That property in the City of Lancaster, County of Los Angeles, State of California being portions of Sections 1 & 2, T.7N., R.13W., S.B.M.; Sections 5 & 8, T.7N., R.12W., S.B.M.; Section 31, T.8N., R.12W., S.B.M., and Sections 35 & 36, T.8N., R.13W., S.B.M. described as a whole is hereby amended to read as follows:

Beginning at a point in Section 2, T.7N., R.13W., S.B.M., said point being the center of Section 2; thence westerly along said east and west center line of Section 2 to the westerly line of said last Section, thence northerly along said line of Section 2 T.7N., R.13W., and the westerly line of Section 35, T.8N., R.13W., to the northerly line of Section 35 T.8N., R.13W., thence easterly along the northerly line of Section 35 & 36, T.8N., R.13W., and Section 31, T.8N., R.12W., to the easterly line of said last Section; thence southerly along said line to the westerly prolongation of southerly line of Avenue G (100 feet wide); thence easterly along said prolongation and southerly westerly line of the Antelope Valley Freeway Right-of-way; thence generally southerly along the westerly line of said Right-of-way to the northerly line of Avenue I (80 feet wide); thence westerly along said northerly line to the easterly line of west one-half of Section 8, T.7N., R.12W., S.B.M.; thence northerly along said easterly line to the southerly line of the North 1/2, North 1/2 of said last mentioned Section; thence along said southerly line to the intersection with the easterly line of the east 10 feet of the Northwest 1/4, Northeast 1/4 of said Section 8; thence northerly along said line to the southerly line of Avenue H; thence westerly along said southerly line to the westerly line of said Section 8; thence northerly along said line and the westerly line of Section 5, T.7N., R.12W., to the easterly prolongation of the southerly line of Avenue G (100 feet wide); thence westerly along said prolongation and said southerly line to the northeasterly line of Lot 83 of R.S. 69-4-7; thence northwesterly along said line and southwesterly along the northwesterly lines of Lots 81, 82 and 83, R.S. 69-4-7 to the westerly line of said Lot 81; thence south along said last line to the south line of Avenue G; thence westerly and southwesterly along said line and on a diagonal line to the westerly line of 40th Street (100 feet wide); thence south along said line to the east-west line of Section 1, T.7N., R.13W., thence westerly along said line and the east-west line of Section 2, T.7N., R.13W. to the point of beginning.

RECORDED IN OFFICIAL RECORDS
RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA
31 MIN. 2 P.M. DEC 22 1982
PAST.

Fox

EXHIBIT B

PUBLIC IMPROVEMENTS TO BE
CONSTRUCTED BY AGENCY

The Redevelopment Agency is authorized by this Plan to construct the following improvements:

1. Installation, construction, reconstruction, redesign, or reuse of streets, utilities, curbs, gutters, sidewalks and other public improvements.
2. Construction of vehicle parking facilities.
3. Construction and or reconstruction of various flood control and drainage facilities.
4. Signalization of various intersections within the Project area and proper signing of said intersections.
5. Over or underpasses.
6. Bridges.
7. Electrical and natural gas distribution systems.
8. Water distribution systems.
9. Recreational facilities.
10. Various structures and buildings necessary to the above.
11. Various other public facilities as may be determined.

EXHIBIT C
STREET LAYOUT

ORDINANCE NO. 671

**AN ORDINANCE OF THE CITY OF LANCASTER AMENDING
THEREDEVELOPMENT PLAN FOR THE FOX FIELD REDEVELOPMENT
PROJECT IN ACCORDANCE WITH HEALTH AND SAFETY CODE SECTION
33333.6**

WHEREAS, the Lancaster Redevelopment Agency (the "Agency") is a public body, corporate and politic, organized and existing under the Redevelopment Law of the State of California (Part 1 of Division 24 of the Health and Safety Code of the State of California); and

WHEREAS, by enacting Ordinance No. 289 adopted on December 20, 1982, the City Council of the City of Lancaster adopted the Redevelopment Plan for the Fox Field Redevelopment Project (the "Plan"); and

WHEREAS, Assembly Bill 1290, which was enacted by the State of California and became effective on January 1, 1994, amended Section 33333.6 of the California Community Redevelopment Law, Health and Safety Code Section 33000 *et seq.*, (the "CCRL"; unless otherwise expressly set forth or unless the context otherwise requires, all references to "Section" are Section(s) of the CCRL) and required, in part, that redevelopment agencies impose new time limitations upon redevelopment plans adopted prior to December 31, 1993, and further required that legislative bodies of redevelopment agencies enact ordinances amending redevelopment plans adopted prior to January 1, 1994, to comply therewith; and

WHEREAS, CCRL Section 33333.6(a)(1) provides: "The time limit on the establishing of loans, advances, and indebtedness adopted pursuant to paragraph (2) of subdivision (a) of Section 33333.2 or paragraph (2) of subdivision (a) of Section 33333.4 shall not exceed 20 years from the adoption of the redevelopment plan or January 1, 2004, whichever is later. This limit, however, shall not prevent agencies for incurring debt to be paid from the Low and Moderate Income Housing fund or establishing more debt in order to fulfill the agency's housing obligations under Section 33413."; and

WHEREAS, CCRL Section 33333.6(a)(2) provides: "The time limitation by this subdivision may be extended, only by amendment of the redevelopment plan, after the agency finds, based on substantial evidence that: (A) significant blight remains within the project area; and (B) this blight cannot be eliminated without the establishment of additional debt. However, this amended time limitation may not exceed 10 years from the time limit established pursuant to this subdivision or the time limit on the effectiveness of the plan established pursuant to subdivision (b), whichever is earlier."; and

WHEREAS, CCRL Section 33333.6(b) provides: "The effectiveness of every redevelopment plan to which this section applies shall terminate at a date which shall not exceed 40 years from the adoption of the redevelopment plan or January 1, 2009, whichever is later. After the time limit on the effectiveness of the redevelopment plan, the agency shall have no authority to act pursuant to the redevelopment plan except to pay previously incurred indebtedness and to enforce existing covenants, contracts, or other obligations."; and

WHEREAS, CCRL Section 33333.6(c) provides: "Except as provided in subdivisions (g) and (h), a redevelopment agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 after 10 years from the termination of the effectiveness of the redevelopment plan pursuant to subdivision (b)"; and

WHEREAS, CCRL Section 33333.6(e)(1) provides: "Unless a redevelopment plan adopted prior to January 1, 1994, contains all of the limitations required by this section and each of these limitations does not exceed the applicable time limits established by this section, the legislative body, acting by ordinance on or before December 31, 1994, shall amend every redevelopment plan adopted prior to January 1, 1994, either to amend an existing time limit that exceeds the applicable time limit established by this section or to establish time limits that do not exceed the provisions of subdivision (a), (b), or (c);" and

WHEREAS, CCRL Section 33333.6(e)(2) provides: "The limitations established in the ordinance adopted pursuant to this section shall apply to the redevelopment plan as if the redevelopment plan had been amended to include those limitations. However, in adopting the ordinance required by this section, neither the legislative body nor the agency is required to comply with Article 12 (commencing with Section 33450) or any other provision of this part relating to the amendment of redevelopment plans;" and

WHEREAS, CCRL Section 33333.6(f)(1) provides: "If a redevelopment plan adopted prior to January 1, 1994, contains one or more limitations required by this section, and the limitation does not exceed the applicable time limit required by this section, this section shall not be construed to require an amendment of this limitation;" and

WHEREAS, CCRL Section 33333.6(f)(2) provides: "A redevelopment plan adopted prior to January 1, 1994, that has a limitation shorter than the terms provided in this section may be amended to extend the limitation, within the applicable time limit established by this section, pursuant to Section 33354.6;" and

WHEREAS, CCRL Section 33333.6(g) provides: "The limitations established in the ordinance adopted pursuant to this section shall not be applied to limit allocation of taxes to an agency to the extent required to eliminate project deficits created under subdivision(e) of Section 33320.5, subdivision (g) of Section 33334.6, or subdivision (d) of Section 33487, in accordance with the plan adopted pursuant thereto for the purpose of eliminating the deficits or to implement a replacement housing program pursuant to Section 33413. In the event of a conflict between these limitations and the obligations under Section 33334.6 or to implement a replacement housing program pursuant to Section 33413, the legislative body shall amend the ordinance adopted pursuant to this section to modify the limitations to the extent necessary to permit compliance with the plan adopted pursuant to subdivision (g) of Section 33334.6 and to allow full expenditure of moneys in the agency's Low and Moderate Income Housing Fund in accordance with Section 33334.3 or to permit implementation of the replacement housing program pursuant to Section 33413. The procedure for amending the ordinance pursuant to this subdivision shall be the same as for adopting the ordinance under subdivision (e)."; and

WHEREAS, CCRL Section 33333.6(h) provides: "This section shall not be construed to affect the validity of any bond, indebtedness, or other obligation, including any mitigation agreement entered into pursuant to Section 33401, authorized by the legislative body, or the agency pursuant to this part, prior to January 1, 1994. Nor shall this section be construed to affect the right of an agency to receive property taxes, pursuant to Section 33670, to pay the indebtedness or other obligation."; and

WHEREAS, CCRL Section 33333.6(i) provides: "A redevelopment agency shall not pay indebtedness or receive property taxes pursuant to Section 33670, with respect to a redevelopment plan adopted prior to January 1, 1994, after the date identified in subdivision (c) or the date identified in the redevelopment plan, whichever is earlier, except as provided in

paragraph (2) of subdivision (f) or in subdivision (h)"; and

WHEREAS, CCRL Section 33333.6(j) provides: "The Legislature finds and declares that the amendments made to this section by the act that adds this subdivision are intended to add limitations to the law on and after January 1, 1994, and are not intended to change or express legislative intent with respect to the law prior to that date. It is not the intent of the Legislature to affect the merits of any litigation regarding the ability of a redevelopment agency to sell bonds for a term that exceeds the limit of a redevelopment plan pursuant to law that existed prior to January 1, 1994"; and

WHEREAS, the Plan as previously adopted by the Agency currently contains certain time limitations which may not accord with those time limitations required by CCRL Section 33333.6; and

WHEREAS, the City of Lancaster (the "City") is adopting this ordinance to amend certain time limitations of the Plan, as more particularly provided below, to comply with the time limitations pursuant to Section 33333.6.

NOW, THEREFORE, the City Council of the City of Lancaster does ordain as follows:

Section 1. Except to the extent a longer period of time may be allowed pursuant to CCRL Section 33333.6 or other provisions of the CCRL as it exists now or may be amended, the time limitation to pay indebtedness or receive property taxes to pay debt under the Plan is ten (10) years from the date of termination of the Plan, as amended. To the extent of a conflict, this section shall take precedence over Section 602 of the Plan, as amended.

Section 2. No action with respect to the time limitation set forth in CCRL Section 33333.6(a)(2) is being taken at this time but the right to consider extension of the time limitation in the future as conditions within the project area warrant is being reserved.

Section 3. The City Council finds and determines amendments to the Plan as adopted by this ordinance are in compliance with the time limitations set forth in 33333.6.

Section 4. The Plan shall remain in full force and effect, unmodified except to the extent of those particular amendments expressly set forth in this Ordinance.

Section 5. The City Clerk is hereby authorized and directed to certify to the passage of this Ordinance and to cause the same to be published in a newspaper of general circulation which is published and circulated in the City of Lancaster.

Section 5. This Ordinance shall be in full force and effect thirty (30) days after passage.

Ordinance No. 671
Page 4

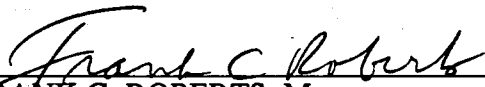
PASSED AND ADOPTED at a regular meeting of said City Council held the 5th day of December, 1994, by the following roll call vote:

AYES: Council Member Hearn, Shelton, Singer, Vice Mayor Runner, Mayor Roberts

NOES: None


ABSENT: None

ABSTAIN: None



FRANK C. ROBERTS, Mayor
City of Lancaster

ATTEST:



BARBARA A. HOWARD, City Clerk
City of Lancaster

[PROPOSED] NEGATIVE DECLARATION

- LEAD AGENCY:** Lancaster Redevelopment Agency
44933 N. Fern Avenue, Lancaster, CA 93534
- PROJECT NAME:** Proposed Amendment (“Amendment No. 2”) to the Redevelopment Plan (the "Plan") for the Lancaster Fox Field Redevelopment Project (hereafter referred to as the "Project," or "Project Area," as appropriate).
- PROJECT PROPONENT:** Lancaster Redevelopment Agency (hereafter referred to as the "Agency")
- PREPARED BY:** Lancaster Redevelopment Agency (Lead Agency)
- PROJECT LOCATION:** City of Lancaster, County of Los Angeles, State of California. See Project Area Map, included herewith and made part hereof by reference.
- PROJECT DESCRIPTION:** The Agency is proposing Amendment No. 2 for the sole purpose of reinstating and extending the Agency’s eminent domain authority in the Project Area, except property on which any persons reside, as permitted by CCRL Section 33333.4(g)(2) for an additional 12-year period. The necessity to reinstate eminent domain authority is based on the fact that, where and under the circumstances permitted, condemnation of real property (on which no persons reside) may be necessary for successful implementation of the Plan. The Plan, as proposed to be amended by Amendment No. 2 (hereafter referred to as the “Amended Plan”), will provide that any eminent domain proceedings initiated by the Agency must commence within 12 years from the date of the Ordinance adopting Amendment No. 2. The time limit in which eminent domain proceedings must commence can only be extended by amendment of the Amended Plan.
- MITIGATION MEASURES:** None recommended.
- DETERMINATION:** Pursuant to the Initial Study, on file in the City Clerk’s Office at the address above, potential physical impacts resulting from Amendment No. 2 have been evaluated within environmental impact analyses previously prepared pursuant to the California Environmental Quality Act (CEQA) and applicable to Amendment No. 2 (see Initial Study, Section V – Documents Relied on in the Initial Study, Incorporated by Reference, and Availability for Review; and Section VI – Project Description and Objectives, Responsible Agencies and Initial Study Purpose). Amendment No. 2 is administrative in character, and the Plan, as proposed to be amended, will in and of itself effect no physical impacts in the Project Area. The Initial Study prepared for Amendment No. 2 shows there is no substantial evidence, in light of the whole record before the Agency, as Lead Agency, that Amendment No. 2 will have a significant effect on the environment that has not been previously evaluated and, as necessary, mitigated as part of previous environmental analyses.
- Therefore, an Initial Study having been conducted and a finding made that the proposed action will have no significant effect on the environment in accordance with CEQA Guidelines 15070(a), the Agency, as Lead Agency, hereby determines that an environmental impact report is not required for Amendment No. 2 to the Plan for the Project and adoption of a Negative Declaration is appropriate.

ENVIRONMENTAL CHECKLIST FORM

INITIAL STUDY

I. PROJECT INFORMATION

1. Project Title:

Proposed Amendment No. 2 to the Redevelopment Plan for the Lancaster Fox Field Redevelopment Project

2. Lead Agency Name and Address:

Lancaster Redevelopment Agency
44933 North Fern Avenue, Lancaster, CA 93534

3. Contact Person and Phone Number:

Steve Gocke, Redevelopment Project Coordinator
(661) 723-6128

4. Project Location:

City of Lancaster, County of Los Angeles

5. Project Sponsor's Name and Address:

City of Lancaster Redevelopment Agency
44933 North Fern Avenue, Lancaster, CA 93534

6. Project Description:

The Agency is proposing the Amendment No. 2 for the sole purpose of reinstating and extending the Agency's eminent domain authority in the Project Area, as permitted by CCRL Section 33333.4(g)(2) for an additional 12-year period except on property on which any persons reside. The Amended Plan will provide that any eminent domain proceedings initiated by the Agency must commence within 12 years from the date of the Ordinance adopting Amendment No. 2. The time limit in which eminent domain proceedings must commence can only be extended by amendment of the Amended Plan.

7. General Plan Land Use Designation(s):

Permitted Redevelopment Plan land Uses consistent with General Plan Designations and Zoning Code regulations: Specific Plan (Fox Field Industrial Corridor Specific Plan and Lancaster Business Park Specific Plan, Phases I and II), Light Industry and Commercial

8. Zoning Designation(s):

Consistent with General Plan Land Use Designations

9. Surrounding Land Use and Settings: Briefly describe the project's surroundings:

The areas surrounding the Project Area are variously surrounded by residential, industrial, commercial and undeveloped land uses, and a major transportation route (State Highway 14).

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

Lancaster City Council and Lancaster Planning Commission (Advisory)

II. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

III. LEAD AGENCY DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Vern Lawson, Economic Development/Redevelopment Director

Printed Name, Title

October 08, 2009

Date

Lancaster Redevelopment Agency

For

IV. DEFINITIONS

The following **bold** terms shall have the following meanings unless the context in which they are used clearly requires otherwise:

"Agency" means the Lancaster Redevelopment Agency.

"Amended Plan" means the Original Plan, as defined below, as proposed to be amended by the Amendment No. 2.

"Amendment No. 2" or "Amendment" means the proposed Amendment No. 2 to the Redevelopment Plan, as defined below, for the Fox Field Redevelopment Project.

"CEQA" means the California Environmental Quality Act (CEQA; Public Resources Code, Section 21000, *et seq.*, referred to as the "CEQA Statutes," and Title 14, California Code of Regulations, Section 15000, *et seq.*, referred to as the "CEQA Guidelines"), as currently drafted and as may be amended from time to time.

"CCRL" means the California Community Redevelopment Law, Section 33000, *et seq.* of the California Health and Safety Code as currently drafted and as may be amended from time to time.

"City Council" and **"City"** mean the City Council of the City of Lancaster and the City of Lancaster, respectively; the City Council is also the Agency's Board of Directors (the "Agency Board").

"County" means Los Angeles County, State of California.

"General Plan" means the Lancaster General Plan 2020, as it may be amended from time to time.

"Original Project" means the Lancaster Fox Field Redevelopment Project as previously amended.

"Project" means the program of redevelopment for the Lancaster Fox Field Redevelopment Project as amended by Amendment No. 2, and as described in Section VI.1, Project Description, below.

"Project Area" means the 3,290 acre-area included within the boundaries of the Original Project, as defined. The Project Area is described in more detail in Section VI.1, Project Description below and shown on the Map in Attachment "A" hereto, incorporated herein by reference.

"Redevelopment Plan" or **"Plan"** means the Redevelopment Plan for the Original Project, as adopted on December 20, 1982, by Ordinance No. 289 and as subsequently amended in 1994 and 1995.

"State" means the State of California.

"Zoning Ordinance" means the City's zoning Ordinance as codified in Title 17 of the City's Municipal Code.

V. DOCUMENTS RELIED ON IN THE INITIAL STUDY, INCORPORATION BY REFERENCE, AND AVAILABILITY FOR REVIEW

- City of Lancaster, *City of Lancaster 2020 General Plan*, approved October 28, 1997, and as subsequently revised from time to time (hereafter referred to as the “General Plan”).
- City of Lancaster, *City of Lancaster 2020 General Plan Master Environmental Assessment and Final Environmental Impact Report*, Vols. 1 and 2, SCH 97011074, October 28, 1997 (hereafter referred to as the “General Plan EIR”).
- Redevelopment Plan – the Lancaster Fox Field Redevelopment Project Area, adopted on December 20, 1982, by City Council Ordinance No. 289.

Copies of the above document(s) are available for public review at Agency/City offices Lancaster City Hall, 44933 N. Fern Avenue, Lancaster, CA 93534.

VI. PROJECT DESCRIPTION AND OBJECTIVES, RESPONSIBLE AGENCIES AND INITIAL STUDY PURPOSE

1. Project Description

The City Council adopted the Plan for the Original Project on December 20, 1982, by Ordinance No. 289 and subsequently amended it in 1994 and 1995. Amendment No. 2, as proposed, will reinstate and extend the Agency's eminent domain authority in the Project Area, except for property on which any persons reside. The Project Area is one of seven redevelopment project areas in the City and includes 3,290 acres. The portion of the Project Area north of Avenue I is known as the Fox Field Industrial Corridor Specific Plan area and contains the General William J. Fox Airfield, a County airport, which is the dominant land use within the Project Area.

The California Community Redevelopment Law (CCRL; California Health and Safety Code, Section 33000, *et seq.*) allows redevelopment agencies to exercise the right of eminent domain in a redevelopment project for a period of up to twelve years following the adoption of a redevelopment plan for that project. The Redevelopment Plan for the Project originally provided for the Agency to exercise its authority to acquire real property through use of eminent domain in the Project Area commencing in 1982 and terminating in 1994. The 1995 amendment to the Redevelopment Plan extended this authority to September 2007.

2. Amendment Objectives

The Amendment's sole purpose is to reinstate and extend the Agency's eminent domain authority in the Project Area, as permitted by CCRL Section 33333.4(g)(2) for an additional 12-year period. The necessity to reinstate eminent domain authority is based on the fact that, where and under the circumstances permitted, condemnation of real property (on which no persons reside) may be necessary for successful implementation of the Plan. The Amended Plan will provide that any eminent domain proceedings initiated by the Agency must commence within 12 years from the date of the ordinance adopting Amendment No. 2. The time limit in which eminent domain proceedings must commence can only be extended by an amendment of the Amended Plan. Adoption of Amendment No. 2 includes adoption of the Agency's Eminent Domain Policy for the Project Area with the restriction that eminent domain shall be prohibited from use to acquire property on which any persons reside.

The Agency anticipates that adoption of Amendment No. 2 and its subsequent implementation will help in the Agency's efforts to lessen or alleviate continuing conditions of deficiency, documented at the time the Plan was adopted and subsequently amended; and, in addition, will help the Agency to continue to: i) implement the General Plan and facilitate

creation of a more cohesive and better functioning community, ii) improve existing community services and facilities, and provide new services, as necessary to complement redevelopment, iii) improve circulation, utilities and other infrastructure deficiencies, iv) spur additional economic development and job growth, and v) provide additional affordable housing opportunities; all of which are activities which will promote the goals and objectives of the City's General Plan.

The Amendment does not propose any of the following:

- a. To add additional projects/programs to the Plan.
- b. To add or delete territory to/from the Project Area.
- c. To modify any existing or create any new fiscal agreements with affected taxing entities.
- d. Any construction or reconstruction of any site-specific project in the Project Area.

Amendment No. 2 does not propose Project Area boundary changes, street layout changes, land use or zoning changes; it is an administrative modification to the Redevelopment Plan to accomplish future implementation of redevelopment projects and programs within the Project Area, as appropriate and necessary.

3. Responsible Agencies' Actions

The following agencies will be responsible for certain actions regarding adoption of the Amendment as proposed:

- City Planning Commission
- City Redevelopment Agency
- City Council

4. Purpose of the Initial Study

The Agency has caused an initial study for Amendment No. 2 to be prepared pursuant to the requirements and procedures found in CEQA, as defined above, to determine if adoption of the Amendment may result in significant adverse environmental impacts on the Project Area's environment. The sole purpose of the Amendment, discussed more fully above, is to reinstate and extend the Agency's eminent domain authority to acquire real property in the Project Area. The Amended Plan is the legal framework from which the Agency will continue to implement redevelopment projects and programs within the Project Area. Attached to this Initial Study as Attachment A is a map of the Project Area.

Anticipated environmental impacts either directly or indirectly attributable to Amendment No. 2 have been previously evaluated within the CEQA compliance completed in accordance with those requirements mandated by CEQA and the CCRL at the time of Original Project adoption. Further, all development/redevelopment activities implemented under the Amended Plan are required, as a matter of law, to be in conformity with the City's General Plan, and its Land Use, Circulation, Housing, Conservation and Open Space, Safety and Public Facilities Elements. This Initial Study relies upon, and "tiers" upon the City's General Plan EIR because the 2020 General Plan Master EIR is the most recent, and most current CEQA assessment addressing environmental impacts related to General Plan build out in the Project Area. As a result, in assessing Project Area-wide environmental impacts, if any, and because the Amended Plan must, as a matter of law, be consistent with the General Plan, impacts related to Amendment No. 2 implementation can be no more adverse than those envisioned by the General Plan build out scenario in the Project Area.

5. Persons Participating in the Initial Study

CEQA Guidelines, Section 15063(d)(6) requires that the Initial Study include, in brief form, the name of the person or persons who prepared or participated in the Initial Study. The following persons provided information and/or participated in the preparation of the Initial Study:

- City of Lancaster Redevelopment Agency: Steve Gocke, Redevelopment Project Coordinator

The following members of Urban Futures, Inc., 3111 N. Tustin, Suite 230, Orange CA 92865, redevelopment consultants to the City, have participated in the preparation of this Initial Study:

- Jon Huffman, Managing Principal
- Julie Myhra, Planner
- Steve Gonzales, Planner
- Jung Seo, GIS/Planner
- Jen Tran, Assistant Planner
- Ashley Frazier, Administrative Assistant

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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1. AESTHETICS – Would the Project:

a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative in nature and will not directly cause planning, development or redevelopment activities. Therefore, it is reasonable to conclude that the Proposed Amendment will have no significant environmental impacts upon aesthetics beyond those impacts identified in previously adopted CEQA compliance documents previously identified in this Initial Study, and which were prepared to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

Reinstating and extending eminent domain within the Project Area will better allow the Agency to continue funding projects and programs in the Project Area, thereby helping to eliminate conditions of blight, including structures which exhibit chipped or peeling paint, broken or boarded windows, and other unsafe conditions.

Adoption of the Proposed Amendment may also enable the Commission to better assist in improving or rehabilitating structures which are saddled with such conditions throughout the Project Area. These kinds of improvements can be expected to effect long-term positive impacts with respect to aesthetics.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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2. **AGRICULTURE RESOURCES** – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comments:

The Proposed Project Area is located within a urbanized area and contains no prime farmland, unique farmland, or farmland of statewide importance. The Project Area contains no parcels currently zoned for agricultural use or lands enforceably restricted by Williamson Act contracts. Furthermore, as detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative in nature and will not directly cause planning, development or redevelopment activities. Therefore, it is reasonable to conclude that the Proposed Amendment will have no significant environmental impacts upon agricultural resources.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	No IMPACT
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3. **AIR QUALITY** – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comments:

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative in nature and will not directly cause planning, development or redevelopment activities. Therefore, it is reasonable to conclude that the Proposed Amendment will have no significant environmental impacts upon air quality beyond those impacts identified in previously adopted CEQA compliance documents previously identified in this Initial Study, and which were prepared to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

As mentioned above, the Proposed Amendment contemplates no site-specific development or any other physical implementation activities; this fact notwithstanding, the State of California has recently enacted legislation which aims to reduce greenhouse gas emissions (carbon dioxide, methane, and nitrous oxide), assumed to be a cause of global climate change. The California Global Warming Solutions Act of 2006 (Assembly Bill 32) calls for a greenhouse gas emissions cap for 2020, to reduce such emissions to 1990 levels (essentially a 25% reduction below 2005 emission levels), and called for the California Air Resources Board to develop thresholds, methodologies and targets by January 1, 2009. At such time that it is appropriate and necessary, in accordance with current legal requirements, the City/Commission may require site-specific project analyses to determine environmental impacts with respect to any potential increases in greenhouse gas emissions as a part of specific project environmental review and approval process.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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4. BIOLOGICAL RESOURCES – Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) | Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	No IMPACT
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Comments:

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative in nature and will not directly cause planning, development or redevelopment activities. Therefore, it is reasonable to conclude that the Proposed Amendment will have no significant environmental impacts upon biological resources beyond those impacts identified in previously adopted CEQA compliance documents previously identified in this Initial Study, and which were prepared to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
5. <u>CULTURAL RESOURCES</u> – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative in nature and will not directly cause planning, development or redevelopment activities. Therefore, it is reasonable to conclude that the Proposed Amendment will have no significant environmental impacts upon cultural resources beyond those impacts identified in previously adopted CEQA compliance documents previously identified in this Initial Study, and which were prepared to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

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6. GEOLOGY AND SOILS – Would the project:

- | | | | | | |
|-----------|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| | i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	No IMPACT
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Comments:

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative in nature and will not directly cause planning, development or redevelopment activities. Therefore, it is reasonable to conclude that the Proposed Amendment will have no significant environmental impacts upon geology and soil beyond those impacts identified in previously adopted CEQA compliance documents previously identified in this Initial Study, and which were prepared to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

Reinstating and extending eminent domain within the Project Area will allow the Agency to continue to fund projects and programs which will eliminate conditions of physical blight (which includes the rehabilitation or demolition and replacement of construction that is vulnerable to serious damage from seismic or geologic hazards).

Adoption of the Proposed Amendment may also enable the Agency to better assist in improving structures throughout the Project Area. These kinds of improvements can be expected to effect long-term positive impacts with respect to seismic and geological hazards.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

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7. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

- | | | | | | |
|-----------|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) | For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	No IMPACT
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- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?
-

Comments:

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative and fiscal in nature and proposes no planning, development or redevelopment activities; therefore, it is reasonable to conclude that the Proposed Amendment will have no significant environmental impacts associated with "risk of upset" (hazards and hazardous materials) beyond those impacts identified in previously adopted CEQA documents previously identified in this Initial Study, and which were prepared to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

The General William J. Fox Airfield (Fox Field) Airport, a county airport is located within a portion of the Project Area. As previously indicated, the previously adopted CEQA documents which were prepared for the Project Area analyzed accident potential and aircraft noise with regard to the planning process for lands surrounding the Fox Field Airport.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

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8. HYDROLOGY AND WATER QUALITY – Would the project:

a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	No IMPACT
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative and fiscal in nature and proposes no planning, development or redevelopment activities; therefore, it is reasonable to conclude that the Proposed Amendment will have no significant environmental impacts upon hydrology and water quality beyond those impacts identified in previously adopted CEQA documents previously identified in this Initial Study, and which were prepared to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

Reinstating and extending eminent domain within the Project Area will allow the Agency to continue to fund projects and programs which will eliminate conditions of physical blight (which includes faulty or inadequate water or sewer utilities and the existence of inadequate public improvements).

Adoption of the Proposed Amendment may also enable the Agency to better assist in improving local water quality and reducing flooding risks throughout the Project Area. These kinds of improvements can be expected to effect long-term positive impacts with respect to hydrology and water quality.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

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9. LAND USE AND PLANNING – Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative and fiscal in nature and proposes no planning, development or redevelopment activities; therefore, it is reasonable to conclude that the Proposed Amendment will have no significant environmental impacts upon land use and planning beyond those impacts identified in previously adopted CEQA documents previously identified in this Initial Study, and which were prepared to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

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10. MINERAL RESOURCES – Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comments:

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative in nature and will not directly cause planning, development or redevelopment activities. Therefore, it is reasonable to conclude that the Proposed Amendment will have no significant environmental impacts upon mineral resources beyond those impacts identified in previously adopted CEQA compliance documents previously identified in this Initial Study, and which were prepared to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

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11. NOISE – Would the project result in:

a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative in nature and will not directly cause planning, development or redevelopment activities. Therefore, it is reasonable to conclude that the Proposed Amendment will have no significant noise impacts beyond those impacts identified in previously adopted CEQA compliance documents previously identified in this Initial Study, and which were prepared to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

As described in Section 7 of this Initial Study, The General William J. Fox Airfield (Fox Field) Airport, a county airport is located within a portion of the Project Area. As previously indicated, the previously adopted CEQA documents which were prepared for the Project Area analyzed accident potential and aircraft noise with regard to the planning process for lands surrounding the Fox Field Airport.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

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12. POPULATION AND HOUSING – Would the project:

a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

All proposed growth within the Project Area has been evaluated within the General Plan EIR. Because the Plan, as proposed to be amended by the Proposed Amendment, is required by law to be consistent with the current General Plan, as it may be amended from time to time, nothing in the Proposed Amendment will directly or indirectly induce substantial population growth or displace substantial numbers of people or existing housing beyond those impacts previously identified in the General Plan EIR.

Furthermore, as detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative in nature and will not directly cause planning, development or redevelopment activities. Therefore, it is reasonable to conclude that the Proposed Amendment will have no significant environmental impacts upon population and housing beyond those impacts identified in previously adopted CEQA compliance documents previously identified in this Initial Study, and which were prepared to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

Reinstating and extending eminent domain within the Project Area will better allow the Agency to continue funding projects and programs in the Project Area, thereby helping to eliminate conditions of blight, including the rehabilitation or demolition and replacement of substandard housing units.

Adoption of the Proposed Amendment may also enable the Agency to better assist in improving and/or increasing the available supply of affordable housing throughout the Project Area and the surrounding City. These kinds of improvements can be expected to effect long-term positive impacts with respect to population and housing impacts.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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13. PUBLIC SERVICES – Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative in nature and will not directly cause planning, development or redevelopment activities. Therefore, it is reasonable to conclude that the Proposed Amendment will have no significant environmental impacts upon public services beyond those impacts identified in previously adopted CEQA compliance documents previously identified in this Initial Study, and which were prepared to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

Reinstating and extending eminent domain within the Project Area will better allow the Agency to continue funding projects and programs in the Project Area, thereby helping to eliminate conditions of blight, including the existence of inadequate public improvements.

Adoption of the Proposed Amendment may also enable the Agency to better assist in the new construction, or improvement of existing public facilities such as police and fire stations in the Project Area. These kinds of improvements can be expected to affect long-term positive impacts with respect to public services.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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14. RECREATION:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comments:

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative in nature and will not directly cause planning, development or redevelopment activities. Therefore, it is reasonable to conclude that the Merger Amendment will have no significant environmental impacts upon recreation beyond those impacts identified in previously adopted CEQA compliance documents previously identified in this Initial Study, and which were prepared to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

Reinstating and extending eminent domain within the Project Area will better allow the Agency to continue funding projects and programs in the Project Area, thereby helping to eliminate conditions of blight, including the existence of inadequate public improvements.

Adoption of the Proposed Amendment may also enable the Agency to better assist in the new construction, or improvement of existing community recreational facilities such as parks and community centers in the Project Area. These kinds of improvements can be expected to affect long-term positive impacts with respect to recreation.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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15. TRANSPORTATION/TRAFFIC – Would the project:

a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	No IMPACT
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Comments:

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative in nature and will not directly cause planning, development or redevelopment activities. Therefore, it is reasonable to conclude that the Proposed Amendment will have no significant transportation and traffic impacts beyond those impacts identified in previously adopted CEQA compliance documents previously identified in this Initial Study, and which were prepared to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

Reinstating and extending eminent domain within the Project Area will better allow the Agency to continue funding projects and programs in the Project Area, thereby helping to eliminate conditions of blight, including the existence of inadequate public improvements.

Adoption of the Proposed Amendment may also enable the Agency to better assist in the construction of improvements to the transportation and circulation system which serves the Project Area. These kinds of improvements can be expected to affect long-term positive impacts with respect to transportation and traffic.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
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16. UTILITIES AND SERVICE SYSTEMS – Would the project:

a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project=s projected demand in addition to the provider=s existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project=s solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative in nature and will not directly cause planning, development or redevelopment activities. Therefore, it is reasonable to conclude that the Proposed Amendment will have no significant environmental impacts upon utilities and service systems beyond those impacts identified in previously adopted CEQA compliance documents previously identified in this Initial Study, and which were prepared

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	No IMPACT
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to evaluate the potential environmental impacts associated with establishing a redevelopment project area and, to the degree possible, potential impacts associated with implementation of the same.

Reinstating and extending eminent domain within the Project Area will better allow the Agency to continue funding projects and programs in the Project Area, thereby helping to eliminate conditions of blight, including the presence of faulty or inadequate water or sewer utilities and inadequate public improvements.

Adoption of the Proposed Amendment may also enable the Agency to better assist in the new construction, or improvement of existing water or sewer utilities and storm water drainage systems in the Project Area. These kinds of improvements can be expected to affect long-term positive impacts with respect to utilities and service systems.

No further environmental assessment is required for purposes of the Proposed Amendment.

VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	No IMPACT
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17. MANDATORY FINDINGS OF SIGNIFICANCE:

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|-----------|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comments:

The Proposed Amendment will not impact any of the environmental issue areas as evidenced by the assessment in the preceding checklist. There are mitigation measures in place from prior CEQA compliance documents designed, at the program level, to protect habitat, fish and wildlife species. As site-specific projects are proposed and assessed in compliance with CEQA requirements, additional project-specific CEQA analysis and specific mitigation measures may be required for project approval. The Proposed Amendment proposes no new development, nor any change in land uses, therefore the adoption of the Proposed Amendment will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

As detailed in the Project Description Section of this Initial Study, the Proposed Amendment is administrative and fiscal in nature and proposes no planning, development or redevelopment activities; therefore the Proposed Amendment does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals, and it will not result in cumulatively considerable impacts that have not previously been considered by the program EIRs previously prepared and certified as part of the Project. Furthermore, due to the fiscal and administrative nature of the Proposed Amendment, no environmental effects which will directly or indirectly cause substantial adverse effects on human beings are expected to occur as a consequence of adoption of the Proposed Amendment.

No further environmental assessment is required for purposes of the Proposed Amendment.

ATTACHMENT A

MAP OF PROJECT AREA
