

ADOPTED VERSION

**REDEVELOPMENT PLAN FOR THE MENDOCINO COUNTY
REDEVELOPMENT PROJECT AREA**

Prepared by the
Redevelopment Agency of the County of Mendocino

Adopted on July 8, 2003, by Ordinance No. 4111

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REDEVELOPMENT PLAN FOR THE MENDOCINO COUNTY REDEVELOPMENT PROJECT AREA

PART I. INTRODUCTION

This is the Redevelopment Plan for the Mendocino County Redevelopment Project Area (the "Plan"). This Plan consists of text (Part I through Part XIII), Boundary Maps (Exhibit A), a Legal Description (Exhibit B), a Land Use Map (Exhibit C), and a list of Initially Proposed Actions and Projects (Exhibit D).

This Plan has been prepared by the Redevelopment Agency of the County of Mendocino (the "Agency") pursuant to the Constitution of the State of California, the Community Redevelopment Law of the State of California (the "Redevelopment Law"), and all applicable laws and local ordinances.

The proposed redevelopment of the Mendocino County Redevelopment Project Area (the "Project Area") as described in this Plan conforms to the General Plan for the County of Mendocino, as applied in accordance with local codes and ordinances. This Plan is based upon the Preliminary Plan formulated and adopted by the Mendocino County Planning Commission on January 18, 2001.

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

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applicable to the Agency, the Project, or this Plan, the terms of this Plan that are so affected shall be automatically superseded by such statutory changes, to the extent necessary to be in conformity with such statutory changes (and all other terms of the Plan shall remain in full force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

PART II. GENERAL DEFINITIONS

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

- A. "Agency" means the Redevelopment Agency of the County of Mendocino, California.
- B. "Board of Supervisors" means the Mendocino County Board of Supervisors, California.
- C. "County" means the County of Mendocino, California, a political subdivision of the State of California.
- D. "General Plan" means the County of Mendocino General Plan, as it now exists or may hereafter be amended, and any specific plan applicable to all or portions of the Project Area that may hereafter be in effect from time to time.
- E. "Land Use Map" means the map setting forth the applicable land use designations (consisting of the General Plan land use designations), property devoted to public purposes, and major circulation routes in the Project Area. The Land Use Map is attached to this Plan as Exhibit C.
- F. "Owner" means any person owning fee title to, or a long-term leasehold interest in Real Property (as defined below) within the Project Area.
- G. "Owner Participation Rules" means the Rules for Business Tenant Preference and Owner Participation adopted by the Agency pursuant to the Redevelopment Law, as such Rules now exist or may hereafter be amended.
- H. "Person" means any individual, or any public or private entity.
- I. "Personal Property" means moveable property, chattels and any other property not part of real property.
- J. "Plan" or "Redevelopment Plan" means this Redevelopment Plan for the Mendocino County Redevelopment Project Area, as it now exists or may hereafter be amended.
- K. "Planning Commission" means the Planning Commission of the County of Mendocino, California.
- L. "Project" means the Project Area and the redevelopment activities undertaken pursuant to this Plan.
- M. "Project Area" means the area included within the boundaries of the Mendocino County Redevelopment Project Area, as shown on the Boundary Maps (Exhibit A) and described in the Legal Description (Exhibit B).
- N. "Real Property" means land, including land under water and waterfront property; buildings, structures, fixtures and improvements on the land; property appurtenant to or used in

connection with the land; and every estate, interest, privilege, easement, franchise and right in land, including but not limited to rights-of-way, terms of years and liens, charges or encumbrances by way of judgment, mortgages or otherwise and the indebtedness secured by such liens.

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

P. "State" means the State of California.

Q. "Zoning Ordinance" means the Zoning Ordinance of the County of Mendocino, California, as it now exists or may hereafter be amended.

PART III. PROJECT AREA BOUNDARIES

The Project Area consists of all properties within the boundaries shown on the Boundary Maps (Exhibit A) and described in the Legal Description (Exhibit B).

PART IV. REDEVELOPMENT GOALS AND OBJECTIVES

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

1. The elimination, over time, of conditions that blight much of the proposed Project Area.
2. The improvement of housing conditions in the proposed Project Area, including preserving, improving, and increasing the community supply of affordable housing.
3. The revitalization, strengthening, and expansion, as appropriate, of existing industries and business that benefit the proposed Project Area.
4. Economic development that leads to increased employment opportunities for local residents.
5. Improvement of streets and roads that serve the proposed Project Area to ensure safe vehicle, pedestrian, and bicycle movements.
6. Provision of storm and street drainage improvements to enhance public safety and minimize damage to public and private property.
7. Provision of other public improvements and facilities as may be appropriate.
8. Provision of recreation and park facilities for both local residents and visitors.

9. Elimination, over time, of adverse conditions that contribute to soils, groundwater and stream contamination, and air pollution.

PART V. LAND USE REGULATIONS

A. OVERVIEW OF REGULATIONS

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

The permitted land uses, land use standards, development goals, objectives and policies, and other evaluation guidelines of this Redevelopment Plan shall be those set forth in the General Plan, together with the specific redevelopment goals and objectives outlined in Part IV above (which are consistent with and serve to implement the more general goals and objectives of the General Plan). It is further intended that all provisions of the Zoning Ordinance, as it now exists or hereafter be amended, shall be applicable to developments in the Project Area, and that all development in the Project Area shall comply with all applicable state and local laws, codes and ordinances in effect from time to time in the County, in addition to any requirements of the Agency imposed pursuant to this Plan.

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

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

B. PERMITTED LAND USES

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

C. LAND USE MAP; PUBLIC RIGHTS OF WAY

1. Land Use Map

The Land Use Map (Exhibit C) shows the applicable land use designations, street layout, open space areas and public use areas within the Project Area. The specific types of uses and activities (including size, height, and number of buildings and dwelling units) permitted or conditionally permitted in each land use category mapped on the Land Use Map are those types of uses and activities (including size, height and number of buildings and dwelling units) described in the Zoning Ordinance consistent with the relevant land use category. The land uses shown on the Land Use Map are drawn from the Land Use Element of the General Plan in effect as of the adoption of this Redevelopment Plan, and shall be deemed to be automatically modified as the Land Use Element of the General Plan may be revised from time to time in order to maintain conformance of this Redevelopment Plan with the General Plan, as provided in Sections A and B of this Part.

2. Public Streets and Rights-of Way

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

Additional public streets, alleys and easements may be created in the Project Area as appropriate for proper development of circulation patterns for traffic and pedestrians. Existing streets, alleys and easements may be abandoned, closed or modified as necessary for proper development of the Project.

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

D. GENERAL CONTROLS AND LIMITATIONS

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

1. New Construction

All new construction shall comply with all applicable State and local laws and standards in effect from time to time. Parking facilities shall be provided in accordance with the criteria set forth in the General Plan and the Zoning Ordinance, as they now exist or may hereafter be amended, and any additional standards adopted by the Agency pursuant to Section E below.

2. Non-Conforming Uses

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

3. Rehabilitation

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

4. Open Spaces and Landscaping

Standards for open space to be provided within the Project Area shall be consistent with the General Plan and the Zoning Ordinance, as they now exist and may hereafter be amended. The precise amount of open space to be provided in the Project Area will depend on the particular plans for development submitted by developers of private property in the Project Area and approved by the County. Landscaping plans for development projects shall be submitted to the County for review and approval in accordance with applicable County regulations.

5. Height and Bulk

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

6. Density

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

7. Signs

Exterior signs necessary for the identification of buildings and premises shall be as permitted by the General Plan and the Zoning Ordinance, as they now exist or may hereafter be amended, provided that they comply with any design criteria established for the Project Area. The Agency may require that the complete sign program for a development and such additional standards as may be adopted by the Agency pursuant to Section E below be reviewed by the Agency staff, prior to the erection or installation of signs in any part of the Project Area.

8. Nondiscrimination and Nonsegregation

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

9. Resubdivision of Parcels

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

10. Variances

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

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

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

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

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

