
PIRU

EARTHQUAKE RECOVERY PROGRAM

REDEVELOPMENT PLAN

The County of Ventura
800 South Victoria Avenue
Ventura, California 93009

May, 1995

TABLE OF CONTENTS

INTRODUCTION	1
GENERAL DEFINITIONS	3
PROJECT AREA BOUNDARIES AND LEGAL DESCRIPTION	5
PROPOSED REDEVELOPMENT ACTIVITIES	5
LAND USES AND DEVELOPMENT REQUIREMENTS	16
METHODS FOR FINANCING THE PROJECT	19
DURATION OF PLAN'S CONTROLS	24
PROCEDURE FOR AMENDMENT	24
EXHIBIT 1 - REDEVELOPMENT PLAN MAP	i
EXHIBIT 2 - LEGAL DESCRIPTION OF PROJECT AREA	ii

REDEVELOPMENT PLAN
FOR THE
PIRU EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT

INTRODUCTION

Contents of the Plan

This is the Redevelopment Plan (the "Plan") for the Piru Earthquake Recovery Redevelopment Project (the "Project") in the County of Ventura (the "County"), State of California. This Plan consists of text, the Redevelopment Plan Map" (Exhibit No. 1), and the "Legal Description of the Project Area Boundaries" (Exhibit No. 2).

This Plan was prepared by the Redevelopment Agency of the County of Ventura (the "Agency") pursuant to the Community Redevelopment Law of the State of California (Health & Safety Code Sections 33000, *et seq.*), the Community Redevelopment Financial Assistance and Disaster Project Law (Health & Safety Code Sections 34000 *et seq.*, the Disaster Project Law"), the California Constitution, and all applicable local codes and ordinances.

Purpose of the Plan

This Plan is adopted in order to provide for and facilitate the repair, restoration, demolition and/or replacement of property or facilities damaged as a result of a disaster in a disaster stricken area, and/or to perform specific actions necessary to prevent or mitigate an emergency pursuant to the Disaster Project Law.

On January 17, 1994 and thereafter, the "Northridge Earthquake", followed by a series of aftershocks, occurred with disastrous consequences in the Piru Community. The Governor of the State of California, certified the need for assistance by directing the execution of the State Emergency Plan for the County of Ventura, by directing the Office of Emergency Services and other state departments and agencies to perform all appropriate actions under state law, and by requesting federal assistance in a letter to the president of the United States. The President has declared the earthquake to be a major disaster under federal law. The area covered by such actions includes the Project Area.

Agency Powers, Duties and Obligations for Implementation of Plan

This Plan provides that redevelopment powers will be used for projects to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of the Northridge Earthquake declared by proclamation of the Governor to be a state of emergency. The Project Area is determined by the Board of Supervisors, County of Ventura to be in need of redevelopment as a result of the disaster.

This Plan provides the Agency with powers, duties and obligations to implement and further the program generally formulated in this Plan for the redevelopment, rehabilitation and revitalization of the Project Area. The Plan presents a process and basic framework within which specific redevelopment activities will be presented, priorities established and specific solutions proposed. The Plan is based upon applicable portions of the Community Redevelopment Law in effect on the adoption date of the Plan. This shall not be construed to limit the powers or duties of the Agency under the Community Redevelopment Law, which powers and duties shall be governed by the Community Redevelopment Law in effect at the applicable time, for the action taken, obligation incurred and/or requirement imposed.

Project Objectives

The objectives of this Project with respect to the Project Area are the undertaking, carrying out, or approval of programs and projects to maintain, repair, restore, demolish, or replace buildings, structures or facilities damaged or destroyed as a result of the Earthquake, and to perform actions necessary to prevent or mitigate an emergency located within the Project Area in accordance with the Redevelopment Plan and local codes and ordinances. To this end, the following objectives are sought:

1. The provision of financial and technical assistance to owners and tenants of residential, commercial and other real property and improvements damaged as a result of the Earthquake.
2. The maintenance and promotion of private sector investment within the Project Area to prevent the loss of and to restore commercial sales activity.
3. The achievement of an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for attainment of the objectives of the Redevelopment Plan.
4. The retention and restoration of as many existing businesses as possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the

cooperation and participation of owners, businesses and public agencies in the redevelopment of the Project Area..

5. The preservation of the area's existing employment base and the restoration of local job opportunities affected by the Earthquake.
6. The replanning, redesign and development of areas which are damaged, stagnant or improperly utilized as a result of the Earthquake.
7. The repair or amelioration of the vehicular circulation systems; water, sewer and storm drainage systems; sidewalks; off-street parking; and other similar public improvements, facilities and utilities whose deficiencies adversely affect the Project Area.
8. The replacement and improvement of the community's supply of housing (inside or outside the Project Area), including opportunities for low and moderate income households.

Redevelopment of the Project Area pursuant to this Plan and the above goals and objectives will attain the purposes of the California Community Redevelopment Law and the Disaster Project Law by: (1) planning, design and/or redevelopment of areas which are in need of maintenance, repair, restoration, demolition or replacement as a result of the Earthquake; (2) protecting and promoting sound development and redevelopment of Earthquake-stricken areas and injurious conditions through the employment of appropriate means; (3) installing new or repairing or replacing existing public improvements, facilities and utilities in areas which are currently inadequately served with regard to such improvements, facilities and utilities; and (4) other means as determined appropriate by the Agency.

GENERAL DEFINITIONS

The following definitions are used in this Plan unless otherwise indicated by the text:

1. "Affected Taxing Entities" means any taxing entity (sometimes referred to as taxing agency"), other than the County, that levied property taxes within the Project Area in the fiscal year prior to the adoption of the Plan.
2. "Agency" means the Redevelopment Agency of the County of Ventura, California.
3. "Base Year Assessment Roll" means the 1994-95 assessment roll as last equalized on August 20, 1995.
4. "County" means the County of Ventura, California.

5. "Board" means the Board of Supervisors of Ventura County, California.
6. "Community Redevelopment Law" means the Community Redevelopment Law of the State of California (Health & Safety Code, Section 33000, et seq.).
7. "Disaster Project Law" means the Community Redevelopment Financial Assistance and Disaster Project Law (Health & Safety Code, Sections 34000-34014).
8. "Disaster" means the Northridge Earthquake which occurred January 17, 1994 and the subsequent occurring aftershocks ("Earthquake") respecting which the Governor of the State has certified the need for assistance and proclaimed a state of emergency pursuant to California Government Code Sections 8550 et seq., and which the President of the United States has determined to be a major disaster pursuant to federal law.
9. "General Plan" means the General Plan of the County, as it now reads or as it may be amended from time-to-time.
10. "Plan" means the Redevelopment Plan for the Piru Earthquake Recovery Redevelopment Project.
11. "Project" means the Piru Recovery Redevelopment Project.
12. "Project Area" means the area included within the boundaries of the Piru Earthquake Recovery Redevelopment Project and shown and described in Exhibit Numbers 1 and 2 attached thereto.
13. "State" means the State of California.

PROJECT AREA BOUNDARIES AND LEGAL DESCRIPTION

The boundaries of the Project Area are shown on the Redevelopment Plan Map, attached hereto and incorporated herein as Exhibit No. 1 and described in the Legal Description of the Project Area Boundaries, attached hereto and incorporated herein as Exhibit No. 2.

PROPOSED REDEVELOPMENT ACTIVITIES

General Redevelopment Actions

The Agency proposes to undertake and carry out this Plan, and to maintain, repair, restore, demolish and replace property or facilities damaged or destroyed as a result of the Disaster in the Project Area, and to perform actions necessary to prevent or mitigate an emergency, by:

1. Providing for participation in the redevelopment process by owners and occupants of properties located in the Project Area, consistent with the Plan and rules adopted by the Agency;
2. Encouraging, to the maximum extent feasible, the provision of dwellings suitable for the needs of families displaced by the Disaster or by redevelopment or rehabilitation activities.
3. Installation, construction, expansion, addition, extraordinary maintenance or reconstruction of streets, utilities and other public facilities and improvements;
4. Rehabilitation, development or construction of structures and improvements by present owners, their successors and the Agency;
5. Disposition of property for uses in accordance with this Plan;
6. Rehabilitation, development or construction of low and moderate income housing within the Project Area and/or the County, or other housing within the Project Area;
7. Redevelopment of land by private enterprise and public agencies for uses in accordance with this Plan; and
8. Providing for the retention of controls and establishment of restrictions or covenants running with the land so that property will continue to be used in accordance with this Plan.
9. Acquisition of property, subject to the limits set forth in this Plan;
10. Management of property under the ownership and control of the Agency;

11. Demolition or removal of buildings and improvements;

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by law, which powers are not expressly limited by this Plan.

Participation by Owners and Tenants and Business Reentry Preferences

Opportunities for Participation

In accordance with this Plan and the rules for owner participation adopted by the Agency pursuant to this Plan and the Community Redevelopment Law, persons who are owners of residential, business and other types of real property in the Project Area shall be given the opportunity to participate in redevelopment by rehabilitation, retention of improvements, or new development by retaining all or a portion of their properties, acquiring and developing adjacent or other properties in the Project Area, or selling their properties to the Agency and purchasing and developing other properties in the Project Area, by participating with developers in the redevelopment of all or a portion of their properties, or by other suitable means. If conflicts develop between the desires of participants for particular sites or land uses, the Agency is authorized to establish reasonable priorities and preferences among the owners and tenants.

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

Preferences for Reentry of Persons Engaged in Business

In accordance with this Plan and the rules for preference for businesses to reenter the Project Area adopted by the Agency pursuant to this Plan and the Community Redevelopment Law, the Agency shall extend reasonable preferences to persons who are engaged in business in the Project Area to reenter in business within the redeveloped area if they otherwise meet the requirements prescribed by the Plan.

Rules for Owner Participation and Preferences for Businesses to Reenter

The Agency shall promulgate rules for owner participation and preferences for businesses to reenter within the redeveloped Project Area. Where there is a conflict between the participation and reentry preferences provisions in this Plan and such rules adopted by the Agency, the rules shall prevail.

Participation Agreements

The Agency may require that each participant who has submitted an acceptable proposal to the Agency shall enter into an agreement with the Agency by which the participant agrees to rehabilitate, develop or use and maintain the property in conformance with the Plan and to be subject to the provisions hereof and such other provisions and conditions to which the parties may agree. In such agreements, participants who retain real property shall be required to sign and join in the recordation of such documents as are necessary to make the provisions of this Plan and such participation agreement applicable to their properties.

Acquisition of Property

Acquisition of Real Property

Except as specifically exempted herein, the Agency may acquire, but is not required to acquire, any real property located in the Project Area, by gift, devise, exchange, purchase, or any other means authorized by law, provided, however, the Agency shall not exercise the power of eminent domain to acquire any parcel of real property within the Project Area. 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 property less than a fee.

Acquisition of Personal Property

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

Property Owned and Managed by the Agency

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.

In any year during which it owns property in the Project Area, the Agency is authorized, but not required, to pay directly to any City, County, City and County, District, including, but not limited to, a School District, or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt, an amount of money in lieu of taxes.

Rehabilitation, Conservation and Moving of Structures

Rehabilitation and Conservation

The Agency is authorized to rehabilitate and conserve, or to cause to be rehabilitated and conserved, any building or structure in the Project Area. The Agency is also authorized and directed to advise, encourage and assist in the rehabilitation of property in the Project Area not owned or acquired by the Agency. The Agency may establish a program under which it loans funds to owners or tenants for the purpose of rehabilitating residential, commercial, industrial and other buildings and structures within the Project Area. The Agency is also authorized to acquire, restore, rehabilitate, move and conserve buildings of historic or architectural significance.

It shall be the purpose of this Plan to preserve and add to the economic life of properties in the Project Area by a program of voluntary participation in their conservation and rehabilitation. The Agency is authorized to conduct a program of assistance and enforcement to encourage owners of property within the Project Area to maintain, repair, restore, demolish or replace their property consistent with this Plan and such standards as may be developed for the Project Area.

Moving of Structures

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

Demolition, Clearance, Public Improvements, Building and Site Preparation

Demolition and Clearance

The Agency is authorized to demolish and clear buildings, structures and other improvements from any real property in the Project Area as necessary to carry out the purposes and objectives of this Plan. Dwelling units housing persons and families of low or moderate income shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to Sections 33413 and 33413.5 of the Community Redevelopment Law.

Public Improvements, Facilities and Utilities

To the extent and in the manner permitted by law, the Agency is authorized to install and construct, or to cause to be installed and constructed, the public improvements and facilities and public utilities (within or outside the Project Area) necessary to carry out the Plan. Such public improvements, facilities and utilities include, but are not limited to, over or underpasses, bridges, paving of streets, other street improvements, curbs, gutters, sidewalks, streetlights, medians, electrical, natural gas, telephone and water distribution systems, wastewater, sewers, storm drains, traffic signals and synchronization, parks and park facilities, lighting, plazas, playgrounds, motor vehicle parking facilities, landscaped areas, street furnishings, mass transportation, bicycle and pedestrian facilities, transportation control measures and circulation improvements.

Preparation of Building Sites

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

Disposition and Development of Property

Real Property Disposition and Development - General

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property. To the extent and in the manner permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale or transfer without public bidding, but only after public hearing.

All real property acquired, in whole or in part, directly or indirectly, by the Agency in the Project Area with tax increment moneys, shall be sold or leased for development for consideration which shall not be less than fair market value for the highest and best use in accordance with this Plan; or for consideration not less than the fair reuse value at the use and with the covenants and conditions and development costs authorized by the sale or lease. Real property acquired by the Agency may be conveyed by the Agency without charge to the County and where beneficial to the Project, without charge to any other public body. Property acquired by the Agency for rehabilitation and resale shall be offered for resale within one year after completion of rehabilitation or an annual report concerning such property shall be published by the Agency as required by law.

Pursuant to the provisions of this Plan and the rules adopted by the Agency, the Agency may offer real property acquired by the Agency in the Project Area for purchase and development by owner participants. Pursuant to the provisions of Section 33444.6 of the Community Redevelopment Law, as part of an agreement that provides for the development or rehabilitation of property in the Project Area to be used for industrial or manufacturing purposes, the Agency may assist with the financing of facilities or capital equipment, including, but not necessarily limited to, pollution devices. Prior to entering into such an agreement for development that will be assisted, the Agency shall find, after public hearing, that the assistance is necessary for the economic feasibility of the development and that the assistance cannot be obtained on economically feasible terms in the private market.

Disposition and Development Documents

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 developments are carried out pursuant to this Plan. All purchasers or lessees of property acquired from the Agency shall be made obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan. To provide adequate safeguards to ensure that the provisions of this Plan will be carried out, all real property sold, leased or conveyed by the Agency, as well as all property subject to participation agreements, shall be made subject to the provisions of this Plan and other conditions imposed the Agency by leases, deeds, contracts, agreements, declarations of restrictions, provisions of the zoning ordinance, conditional use permits, or other means. Where appropriate, as determined by the Agency, such documents or portions thereof shall be recorded in the Office of the Recorder of the County.

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

All property in the Project is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, marital status, 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 but not limited to the clauses required by Section 33436 of the Community Redevelopment Law.

Development by Agency or Other Public Bodies or Entities

To the extent and in the manner now or hereafter permitted by law, the Agency is authorized to pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, structure, or other improvement which is publicly owned either within or without the Project Area, if the Board determines: (1) that the buildings, facilities, structures, or other improvements are of benefit to the Project Area or the immediate neighborhood in which the Project is located; and (2) that no other reasonable means of financing such buildings, facilities, structures, or other improvements are available to the community. Such determinations by the Agency and the Board shall be final and conclusive.

The Agency may enter into contracts, leases and agreements with the County or other public body or entity pursuant to this Section and the obligation of the Agency under such contract, lease or agreement shall constitute an indebtedness of the Agency which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under subdivision (b) of Section 33670 of the Community Redevelopment Law and this Plan, or out of any other available funds.

In a case where such land has been or will be acquired by, or the cost of the installation and construction of such building, facility, structure or other improvement has been paid by a parking authority, joint powers entity, or other public corporation to provide a building, facility, structure, or other improvement which has been or will be leased to the County, such contract may be made with, and such reimbursement may be made payable to, the County.

Before the Agency commits to use the portion of taxes to be allocated and paid to the Agency pursuant to subdivision (b) of Section 33670 for the purpose of paying all or part of the value

of the land for, and the cost of the installation and construction of, any publicly owned building, other than parking facilities, the Board shall hold a public hearing in accord with the provisions of Section 33679 of the Community Redevelopment Law.

Development

All development in the Project Area must conform to this Plan and all applicable federal, state and local laws, and must receive the approval of the appropriate public agencies. During the period of development in the Project, the Agency shall insure that the provisions of this Plan and of other documents formulated pursuant to this Plan are being observed, and that development in the Project Area is proceeding in accordance with disposition and development documents and time schedules.

Disposal of Personal Property

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

Provision for Low and Moderate Income Housing

General Authority

The Agency may, inside or outside the Project Area, acquire land, improve sites, or construct or rehabilitate structures in order to provide housing for persons and families of low or moderate income. The Agency may also provide subsidies to, or for the benefit of, such persons and families or households to assist them in obtaining housing.

Increased and Improved Supply of Affordable Housing

Subject to any limitations and exceptions authorized by law and exercised by the Agency, not less than twenty percent (20%) of all taxes which are allocated to the Agency pursuant to Section 33670 of the Community Redevelopment Law for the Project shall be used by the Agency for the purposes of increasing, improving and preserving the community's supply of low and moderate-income housing available at affordable housing cost, as defined by Health & Safety Code Section 50052.5, to persons and families of low or moderate income, as defined in Health & Safety Code Section 50093, and very low income households, as defined in Health

& Safety Code Section 50105, unless one or more of the following findings are made: (1) that no need exists in the County to improve or increase the supply of low and moderate income housing in a manner which would benefit the Project Area; or (2) that some stated percentage less than 20 percent of the taxes which are allocated to the Agency is sufficient to meet such housing needs; or (3) that a substantial effort to meet low and moderate income housing needs in the County is being made and that this effort, including the obligation of funds currently available for the benefit of the County from state, local and federal sources for low and moderate income housing alone, or in combination with the taxes allocated under Section 33334.2, is equivalent in impact to the funds otherwise required to be aside pursuant to said Section.

In carrying out the purposes of Section 33334.2, the Agency may exercise any or all of its powers, including, but not limited to, the following:

1. Acquire land or building sites;
2. Improve land or building sites with on-site or off-site improvements;
3. Donate land to private or public persons or entities;
4. Construct buildings or structures;
5. Acquire buildings or structures;
6. Rehabilitate buildings or structures;
7. Provide subsidies to or for the benefit of persons or families of very low, low, or moderate income; and
8. Develop plans, pay principal and interest on bonds, loans, advances, or other indebtedness, or pay financing or carrying charges.

The Agency may use these funds to meet, in whole or in part the replacement and inclusionary housing provisions of the Community Redevelopment Law. These funds may be used inside or outside the Project Area provided, however, that funds may be used outside the Project Area only if findings of benefit to the Project are made as required by Section 33334.2 of the Community Redevelopment Law.

These funds shall be deposited by the Agency into a separate Low and Moderate Income Housing Fund established pursuant to Section 33334.3 of the Community Redevelopment Law, and held in such Fund until used. Any interest earned by such Low and Moderate Income Fund shall accrue to the Fund. The Agency shall use the moneys in the fund as required and authorized by the Community Redevelopment Law.

Assistance provided by the Agency to preserve the availability to lower income households of affordable housing units which are assisted or subsidized by public entities and which are threatened with imminent conversion to market rates may be credited and offset against the Agency's obligations under Section 33334.2 of the Community Redevelopment Law.

New or Rehabilitated Dwelling Units Developed Within the Project Area

To the extent and in the manner required by the Community Redevelopment Law:

1. At least thirty percent (30%) of all new and rehabilitated dwelling units developed by the Agency shall be available at affordable housing cost to persons and families of low or moderate income; and of such thirty percent (30%), not less than fifty percent (50%) thereof shall be available at affordable housing cost to, and occupied by, very low income households.
2. At least fifteen percent (15%) of all new and rehabilitated dwelling units developed within the Project Area by public or private entities or persons other than the Agency shall be available at affordable housing cost to persons and families of low or moderate income; and of such fifteen percent (15%), not less than forty percent (40%) thereof shall be available at affordable housing cost to very low-income households.

The percentage requirements set forth in this Section shall apply independently of the requirements of Section 408.2 and in the aggregate to housing made available pursuant to paragraphs 1 and 2, respectively, of this Section 408.3, and not to each individual case of rehabilitation, development or construction of dwelling units.

Notwithstanding the requirements of the preceding paragraphs, for so long as permitted or authorized by applicable law, the following provisions shall apply:

- a. The requirements of this section shall not apply to rehabilitated dwelling units unless such dwelling units are substantially rehabilitated.

b. To satisfy the provision of this section the Agency may utilize the provisions of Sections 33413(b)(2)(A)(ii) to (v) inclusive, and Sections 33413(b)(2)(B) and (C) , as applicable, of the Community Redevelopment Law.

c. To satisfy the provisions of this section, the Agency may utilize the provisions of Section 33413(c)(2)(A) of the Community Development Law.

d. The requirements of this section shall only apply to dwelling units under the jurisdiction of the Agency.

Duration of Dwelling Unit Availability

The Agency shall require that the aggregate number of replacement dwelling units and other dwelling units rehabilitated, developed or constructed pursuant to this Plan remain available at affordable housing cost to persons and families of low income, moderate income and very low income households, respectively, for the longest feasible time, as determined by the Agency, but for not less than the period of land use controls established by this Plan, except to the extent a longer period of time may be required by other provisions of law.

Cooperation with Public Bodies

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking , construction or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend acquire property in the Project Area. The Agency shall impose on all public bodies the planning and design controls contained in the Plan to insure that present uses and any future development by public bodies will conform to the requirements of this Plan. Any public body which owns property in the Project Area will be afforded all the privileges of owner participation if such public body is willing to enter into a participation agreement with the Agency. Public bodies will also be given a reasonable preference to reenter into the redeveloped Project Area. All plans for development of property in the Project Area by a public body shall be subject to Agency approval. The Agency is authorized to assist in the development of publicly owned buildings, facilities, structures or other improvements as provided in this Plan.

Pursuant to Section 33401 of the Community Redevelopment Law, the Agency is authorized, but not required, in any year during which it owns property in the Project Area that is tax exempt, to pay directly to any City, County, City and County, District, including but not limited to, a School District, or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt, an amount of money in lieu of taxes that may not exceed the amount of money the public entity would have received if the property had not been tax exempt.

During such time as property, if any, in the Project Area is owned by the Agency, such property shall be under the management, maintenance 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.

LAND USES AND DEVELOPMENT REQUIREMENTS

General Controls and Limitations

All real property in the Project Area is hereby made subject to the controls and requirements of this Plan and all applicable state laws and County ordinances and regulations. Real property in the Project Area shall be developed, rehabilitated and otherwise changed in conformance with the provisions of this Plan and in accordance with the County's General Plan. All land uses shall be those permitted by the General Plan.

Redevelopment Plan Map

The Redevelopment Plan Map attached as Exhibit No. 1 illustrates the location of the Project boundaries, the major and immediately adjacent streets and the proposed public rights of way and public easements.

Permitted Land Uses

1. Residential

Areas shown in the General Plan for Residential use shall be maintained, developed and used for single or multiple family housing as specified and permitted within such areas by the General Plan. Commercial uses will be permitted in Residential areas where permitted by the General Plan.

2. Commercial

Areas shown in the General Plan for Commercial use shall be developed, maintained and used in accordance with the uses permitted in the General Plan. Residential uses will be permitted in Commercial areas where permitted by the General Plan.

3. Industrial

Areas shown in the General Plan for Industrial use shall be developed, maintained and used in accordance with the uses permitted in the General Plan. Residential and commercial uses may be permitted in Industrial areas where permitted by the General Plan.

Public, Quasi-Public and Open Space Uses

Public Uses

Areas shown in the General Plan as Public shall be used for public facilities, including, but not limited to, school sites, public services, open space and recreation areas.

The Agency may, at the request of the public body owning a site, redesignate the site for a use other than Public provided that the Agency finds that:

1. The change in use is consistent with the goals of the Redevelopment Plan;
2. The change in use is compatible with the land use designations for the adjacent areas;
3. The change in use shall be subject to all required County approvals.

Public Street Layout Rights-of-Way and Easements

The street layout in the Project Area is illustrated on the Redevelopment Plan Map (Exhibit No. 1) and shall remain substantially in its existing configuration. Streets and alleys may be widened, altered, realigned, abandoned, depressed, decked or closed as necessary for proper development of the Project. Additional public streets, rights-of-way and easements may be created in the Project as needed for development and circulation. Any changes in the existing street layout shall be in accord with, and shall be effectuated in the manner prescribed by, state and local law.

The 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 found in public rights of way. In addition, all necessary easements for public uses, public facilities, and public utilities may be retained, amended or created.

The air rights over public rights-of-way may be used for private uses, buildings, platforms, decks and other uses subject to Agency approval. The public rights-of-way may further be used for transportation systems, vehicular and/or pedestrian traffic as well as for public improvements, public and private utilities, and activities typically found in public rights of way.

Other Public, Semi-Public, Institutional and Nonprofit Uses

In any area of the Project, the Agency is authorized to permit the establishment, alteration or enlargement of public, semi-public, institutional or nonprofit uses, including park and recreational facilities, libraries, hospitals, educational, fraternal, employee, philanthropic, religious 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 may impose such other reasonable restrictions upon such uses as are necessary to protect the development and use of the Project Area. The Agency shall give special consideration to participation in such projects to qualified nonprofit organizations which have a special understanding of the needs and concerns of the community.

Limitation on Type, Size and Height of Buildings

Except as set forth in this Plan, the type, size and height of buildings shall be limited by applicable County codes, ordinances and regulations. The density of development pursuant to the Plan shall be substantially in conformance with the density existing prior to the Earthquake, except where the Agency determines in accord with County codes and regulations, a higher or lower intensity use is appropriate.

Limitation on Number of Buildings

The number of buildings in the Project Area shall not exceed approximately 1000.

Number of Dwelling Units

The approximate number of dwelling units in the Project Area shall be 700.

Open Space, Landscaping, Light, Air and Privacy

The approximate amount of open space to be provided in the Project Area is the total of all area which will be in the public rights-of-way, the public grounds, spaces around buildings, and all other outdoor areas not permitted to be covered by buildings as generally diagrammed in Exhibit No. 1 of this Plan. In all areas sufficient space shall be maintained between buildings to provide adequate light, air and privacy. Landscaping shall be developed in the Project Area to ensure optimum use of living plant material.

Nondiscrimination and Nonsegregation

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

METHODS FOR FINANCING THE PROJECT

General Description of the Proposed Financing Methods

The Agency is authorized to finance the Project with financial assistance from the County, State and Federal government of the United States of America, property tax increments, special assessment districts, sales and transient occupancy tax funds, donations, interest income, Agency bonds, loans from private financial institutions, the lease of Agency owned property, sale of Agency owned property and/or any other available source, public or private.

The Agency is also authorized to obtain advances, borrow funds, issue bonds and create indebtedness in carrying out this Plan. The principal and interest on such indebtedness may be paid from tax increments or any other funds available to the Agency. Advances and loans from survey and planning and for the operating capital for administration of this Project may be provided by the County until adequate tax increment or other funds are available or sufficiently assured to repay the advances and loans and to permit borrowing adequate working capital from sources other than the County. The County, as it is able, may also supply additional assistance through issuance of bonds, loans and grants and in-kind assistance.

As available, funds from the County's capital improvement program derived from gas tax funds from the state may be used for street improvements and public transit facilities. The Agency may enter into joint powers authorities and other mechanisms for cooperative development of public facilities or arrange for other public entities to provide the facilities. All or a portion of the parking may be installed through a parking authority or other public or private entities.

Tax increment financing, as authorized by this Plan, is intended as a source of financing in combination with other sources of financing that may be available for specific project activities.

It is estimated that the total Project cost to the Agency will not exceed revenues derived from the Project or obtained by the Agency on behalf of the Project. Revenues may be received from the sale of land. The remaining balance will come from the following: tax increments, revenue from the lease of Agency owned lands and buildings, participation agreements, repayments of loans and interest earned thereon, capital improvement funds from the County, sales and transit occupancy tax funds, and other special use taxes and other sources which are now or may become available to the Agency.

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

Tax Increment Funding

Allocation of Tax Increments

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

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

been annexed or otherwise included after that effective date, the assessment roll of the County of Ventura last equalized on the effective date of the ordinance shall be used in determining the assessed valuation of the taxable property in the Project on the effective date); and

2. Except as provided in paragraph (3) below, that portion of the levied taxes each year in excess of that amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on loans, 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 Project. Unless and until the total assessed valuation of the taxable property in the Project exceeds the total assessed value of the taxable property in the Project as shown by the last equalized assessment roll referred to in paragraph (1) hereof, all of the taxes levied and collected upon the taxable property in the Project shall be paid to the respective taxing agencies. When the 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 to the respective taxing agencies as taxes on all other property are paid.

3. That portion of the taxes in excess of the amount identified in paragraph (1) above which are attributable to a tax rate levied by a taxing agency for the purpose of producing revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness for the acquisition or improvement of real property shall be allocated to, and when collected shall be paid into, the fund of that taxing agency. This paragraph shall only apply to taxes levied to repay bonded indebtedness approved by the voters of the taxing agency on or after January 1, 1989.

Distribution to Affected Taxing Entities

To the extent required by applicable law, the Agency shall make payments to Affected Taxing Entities calculated pursuant to this Plan. All amounts calculated pursuant to this Plan shall be calculated after the amount required to be deposited in the Low and Moderate Income Housing Fund has been deducted from the total amount of tax increment funds received by the Agency in the applicable fiscal year. The payments made pursuant to this Section to the Affected Taxing Entities shall be allocated among such entities in proportion to the percentage share of property taxes each Affected Taxing Entity receives during the fiscal year the funds are allocated. Agency payments to the Affected Taxing Entities shall be reduced in accordance with the provisions of Section 33607.5 of the Community Redevelopment Law or any other applicable provisions of law.

Commencing with the first fiscal year in which the Agency receives tax increments and continuing through the last fiscal year in which the Agency receives tax increments, the

Agency shall pay to the Affected Taxing Entities an amount equal to twenty-five percent (25%) of the tax increments received by the Agency after the amount required to be deposited in the Low and Moderate Income Housing Fund has been deducted.

Commencing with the 11th fiscal year in which the Agency receives tax increments and continuing through the last fiscal year in which the Agency receives tax increments, the Agency shall pay to the Affected Taxing Entities, in addition to the amounts paid under (1), and after deducting the amount allocated to the Low and Moderate Income Housing Fund, an amount equal to twenty-one percent (21%) of the portion of tax increments received by the Agency, which shall be calculated by applying the tax rate against the amount of assessed value by which the current year assessed value exceeds the first adjusted base year assessed value. The first adjusted base year assessed value is the assessed value of the Project Area in the 10th fiscal year in which the Agency receives tax increment.

Commencing with the 31st fiscal year in which the Agency receives tax increments and continuing through the last fiscal year in which the Agency receives tax increments, the Agency shall pay to the Affected Taxing Entities in addition to the amounts paid pursuant to (1) and (2), and after deducting the amount allocated to the Low and Moderate Income Housing Fund an amount equal to fourteen percent (14%) of the portion of tax increments received by the Agency, which shall be calculated by applying the tax rate against the amount of assessed value by which the current year assessed value exceeds the second adjusted base year assessed value. The second adjusted base year assessed value is the assessed value of the Project Area in the 30th fiscal year in which the Agency receives tax increments..

The payments made pursuant to this Section are the exclusive payments that are required to be made by the Agency to Affected Taxing Entities during the term of this Plan.

Prior to incurring any loans, bonds, or other indebtedness, except loans or advances from the County, the Agency may subordinate to the loans, bonds or other indebtedness the amount required to be paid to an Affected Taxing Entity or the County by this Section, pursuant to the provisions of Section 33607.5 of the Community Redevelopment Law or any other applicable provisions of law.

Agency Pledge of Tax Increments

The portion of taxes allocated to the Agency are hereby pledged for the payment of the principal of and interest on the advance of Moines, 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.

Bonds, Advances and Indebtedness

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.

Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

The bonds and other obligations of the Agency are not a debt of the County or the State, nor in any event shall any of its political subdivisions be liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency; and such bonds and other obligations shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

Time Limit on Establishment of Indebtedness

No loan, advance or other indebtedness to finance, in whole or in part, the Project and to be repaid from the division and allocation of taxes to the Agency shall be established or incurred by the Agency after twenty (20) years from adoption of the Redevelopment Plan, except by amendment of this Plan as authorized by applicable law. This limit, however, shall not prevent the Agency from incurring debt to be paid from the Agency's Low and Moderate Income Housing Fund or establishing more debt in order to fulfill the Agency's housing obligations under Section 33413 of the Community Redevelopment Law. The loans, advances or indebtedness may be repaid over a period of time longer than this time limit as provided in this Section. No indebtedness to finance, in whole or in part, the Project and which is to be repaid from the division and allocation of taxes to the Agency shall be repaid with such taxes beyond forty-five (45) years from the adoption of the Redevelopment Plan.

Limitation on Amount of Bonded Indebtedness

The amount of bonded indebtedness to be repaid in whole or in part from the allocation of taxes which can be outstanding at any one time shall not exceed Twenty Million Dollars (\$ 20,000,000) in principal amount, except by amendment of this Plan. Such limitation is exclusive of: (1) any payments made from such principal amount by the Agency of any taxing agency pursuant to Sections 33401 and 33676 of the Community Redevelopment Law to alleviate financial burden; and (2) any funds required by Section 33333.2 of the Community Redevelopment Law and Section 408.2 of this Plan to be deposited by the Agency in a low and moderate income housing and as a result of such payments to taxing agencies.

Other Loans and Grants

Any other loans, grants, guarantees, or financial assistance from the United States, the State of California, or any other public or private source will be utilized if available as appropriate in carrying out the Project. In addition, the Agency may make loans as permitted by law to public or private entities for any of its redevelopment purposes.

DURATION OF PLAN'S CONTROLS

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 the period ending twenty (20) years from the adoption of the Redevelopment Plan. 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 or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, in which case the Agency shall retain its authority to implement requirements under Section 33413, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete these housing obligations as soon as is reasonably possible.

PROCEDURE FOR AMENDMENT

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

Pursuant to Section 33336 of the Community Redevelopment Law, all work of the Redevelopment Agency shall be carried out in accordance with this Plan, and the Agency shall provide for the retention of controls and the establishment of any restrictions or covenants running with land sold or leased for private use for such periods of time and under such conditions as the Board of Supervisors deems necessary to effectuate this Plan.

In accordance with Section 33337 of the Community Redevelopment Law, all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of any land in a redevelopment project shall contain the nondiscrimination clauses prescribed in Section 33436.

