



**AGENDA**  
**NEWMAN PLANNING COMMISSION**  
**REGULAR MEETING OF MARCH 18, 2010**  
**CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET**

1. Call To Order.
2. Pledge Of Allegiance.
3. Roll Call.
4. Approval Of The Agenda.
5. Approval Of Minutes From The February 18, 2010 Meeting.
6. Items From The Public.
7. New Business
  - a. City of Newman Redevelopment Project Area  
**Applicant:** City Of Newman Redevelopment Agency  
**Description:** Redevelopment Conformity Report And Recommendation Pertaining To  
The Proposed 2010 Amendment To The Redevelopment Plan For The  
Newman Redevelopment Project  
**Location:** City Of Newman Redevelopment Project Area
8. Items From Commissioners.
9. Items From Director And Staff.
10. Adjournment.

**MINUTES**  
**NEWMAN PLANNING COMMISSION**  
**REGULAR MEETING OF FEBRUARY 18, 2010**  
**CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET**

1. **Call To Order - 7:01 P.M.**
2. **Pledge Of Allegiance.**
3. **Roll Call Present:** Allan, Alves, Applegate, Maurer And Sloan.  
**Absent:** None.
4. **Commission Reorganization.**

**a. Election Of Chairperson**

**ACTION:** On Motion By Alves Seconded By Sloan And Unanimously Carried, Commissioner Applegate Was Elected Chairperson.

**b. Election Of Vice-Chairperson**

**ACTION:** On Motion By Alves Seconded By Sloan And Unanimously Carried, Commissioner Maurer Was Elected Vice-Chairperson.

**5. Approval Of The Agenda.**

**ACTION:** On Motion By Allan Seconded By Sloan And Unanimously Carried, The Agenda Was Approved.

**6. Approval Of Minutes From The January 21, 2010 Meeting.**

**ACTION:** On Motion By Allan Seconded By Maurer And Unanimously Carried, The Minutes From The January 21, 2010 Meeting Were Approved.

**7. Items From The Public - None**

**8. New Business**

**a. Public Hearing**

**Variance No. 10-01**

**Applicant:** Tom Lemas

**Description:** Allow A 12' X 16' Accessory Building That Would Exceed Lot Coverage Standards

**Location:** The Subject Property Is Located At 726 Balsam Drive, Approximately 600 Feet North Of Banff Drive, More Specifically Described As Assessor's Parcel Number (APN) 026-062-065.

Assistant Planner Ocasio Reviewed And Presented Variance No. 10-01.

Chairperson Applegate Opened The Public Hearing At 7:10 P.M.

Tom Lemas, 726 Balsam Drive, Noted That His Nearest Neighbor Was In Favor Of The Proposed Shed, The Shed Would Not Be Visible From The Street And That It Would Be Aesthetically Pleasing.

There Being No Further Public Comment The Hearing Was Closed At 7:16 P.M.

**ACTION:** On Motion By Maurer Seconded By Allan And Unanimously Carried , Variance No. 10-01 Was Denied.

#### **9. Items From Commissioners.**

Chairperson Applegate Thanked The Rest Of The Commission For Electing Him Chairperson And Noted That The Dog Park Plan Was Well Thought-Out.

Commissioner Maurer Asked For Updates On The Dog Park, Hill Park And The Previous Pioneer Park Issues.

#### **10. Items From Director And Staff.**

City Manager Holland Noted That That Bid Award For Hill Park Parking Lots And Wall Would Soon Be On The City Council Agenda.

Assistant Planner Ocasio Explained That The Annexation Application Is Progressing. Ocasio Informed The Commission That She Was Currently Working On A Grant For The Aquatic Center And That Newman Was In First Place With The CDBG Consortium With Respect To Required Spending Of Allocated Monies.

#### **11. Adjournment.**

**ACTION:** On Motion By Allan Seconded By Maurer And Unanimously Carried, The Meeting Was Adjourned At 7:31 P.M.

**CITY OF NEWMAN  
COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**PLANNING COMMISSION MEETING DATE:** March 18, 2010

**AGENDA ITEM:** 7.a.

<b>Applicant:</b>	<b>City of Newman Redevelopment Agency</b>
<b>Location:</b>	<b>City of Newman Redevelopment Project Area</b>
<b>CEQA:</b>	<b>In Progress</b>

**REQUEST:**

Redevelopment Conformity Report and Recommendation Pertaining to the Proposed 2010 Amendment to the Redevelopment Plan for the Newman Redevelopment Project

**BACKGROUND:**

On September 22, 1992, by Ordinance No. 92-14, the City Council of the City of Newman (the "City Council") in conjunction with the Community Redevelopment Agency of the City of Newman (the "Agency") adopted the Redevelopment Plan (the "Plan") for the Newman Redevelopment Project (the "Project Area"). The Plan was subsequently amended on November 15, 1994, by Ordinance No. 94-19 in response to the requirements of the Community Redevelopment Law Reform Act of 1993 (AB 1290), and thereby established time limits on incurring indebtedness, receiving tax increment, paying indebtedness and carrying out redevelopment activities.

The Agency has been active in the community with several rehabilitation, business expansion, and infrastructure improvements in the Project Area. Due to these activities, conservative projections indicate that the Agency will reach the Plan's cumulative tax increment limit well before it can no longer collect tax increment. This, in turn, has shown the need for additional bonding capacity. Therefore, the Agency is proposing an amendment (the "2010 Amendment") to the Plan to: i) increase the Plan's total tax increment allocation limit; ii) eliminate the Plan's annual limitation on tax increment allocation; iii) establish a bonded indebtedness limit; and iv) modify the Plan's projects and programs list, as appropriate; all as a means to better attain the Agency's long-term goal to improve or alleviate the economic and physical conditions of blight within the Project Area.

A draft of the proposed language to be included within the 2010 Amendment has been prepared, pursuant to the provisions of the CCRL. On March 9, 2010, the Agency authorized the transmittal of the draft 2010 Amendment language to the Planning Commission for its report and recommendation as required by CCRL Sections 33346 and 33453.

**PROJECT ANALYSIS:**

Planning Commission Role

Attached to this staff report is a copy of the 2010 Amendment 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 May 11, 2010), as provided in CCRL Section

33453. CCRL Section 33453 requires that "substantial changes [in this case, the 2010 Amendment] 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," pursuant to CCRL Section 33453. Further, CCRL Section 33346 specifically requires that a proposed redevelopment plan [in this case, the 2010 Amendment] 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 decisionmaking [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. The City is currently preparing an update to its General Plan Housing Element, as required by State Housing Element Law.

##### *Effects of the 2010 Amendment upon the General Plan*

The attached draft 2010 Amendment language proposes to extend certain financial limits, an activity not identified in, or under the authority of, the General Plan. The 2010 Amendment does not propose any modifications to the boundaries or land uses of the Project Area or any changes to the goals and policies included within the Plan. The draft 2010 Amendment language does propose to modify the list of projects and programs contained in the Plan; however, as described in Section V. B. of the Plan, "[a]ll areas shall be developed in accordance with the applicable provisions of the Newman General Plan, Land Use Element." Therefore, any projects or programs undertaken in furtherance of the goals and objectives of the Plan are required to be consistent with the General Plan. Further, Inasmuch as the 2010 Amendment does not propose to modify Section V. B. of the Plan, the 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 the 2010 Amendment.

#### Draft Negative Declaration

Copies of the Proposed Negative Declaration and Initial Study/Environmental Checklist prepared for the 2010 Amendment are included as attachments to this staff report in order to allow Commissioners an opportunity for consideration and discussion. As discussed above, the public hearing on the 2010

Amendment and the Proposed Negative Declaration has been tentatively set by the Agency and City Council for the regular meeting of the Agency on May 11, 2010.

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 the 2010 Amendment 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 the 2010 Amendment 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 the 2010 Amendment "will have no significant impact on the environment..."

Any comments on the Proposed Negative Declaration received from noticed parties prior to May 11, 2010, will be identified at the joint public hearing of the City Council and Agency.

**CONCLUSION:**

It is recommended that the Planning Commission of the City of Newman:

1. Adopt Resolution No. 2010- Finding that the Proposed 2010 Amendment to the Redevelopment Plan for the Newman Redevelopment Project Conforms to the Newman General Plan
2. Consider the Proposed Negative Declaration of Environmental Impact for the Proposed 2010 Amendment,
3. Recommend that the Community Redevelopment Agency of the City of Newman Approve and the Newman City Council Adopt the 2010 Amendment.

**ATTACHMENTS:**

1. Exhibit A - Resolution No. 2010- Finding that the 2010 Amendment Conforms to the Newman General Plan, Considering the Proposed Negative Declaration Prepared for the 2010 Amendment, and Recommending Approval and Adoption of the 2010 Amendment
2. Exhibit B - Copies of draft Initial Study, Proposed Negative Declaration, Notice of Intent to Adopt a Negative Declaration and draft 2010 Amendment language.

**PLANNING COMMISSION RESOLUTION NO. 2010-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWMAN FINDING THAT THE PROPOSED 2010 AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE NEWMAN REDEVELOPMENT PROJECT CONFORMS TO THE NEWMAN GENERAL PLAN, CONSIDERING THE PROPOSED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR THE PROPOSED 2010 AMENDMENT, AND RECOMMENDING THAT THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF NEWMAN APPROVE AND THE NEWMAN CITY COUNCIL ADOPT THE 2010 AMENDMENT**

WHEREAS, by Ordinance No. 92-14, dated September 22, 1992, the City Council of the City of Newman (the "City Council" and the "City," respectively), in conjunction with the Community Redevelopment Agency of the City of Newman (the "Agency"), adopted the Redevelopment Plan (the "Plan") for the Newman Redevelopment Project (the "Project" or "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 November 15, 1994, the City Council adopted Ordinance No. 94-19, which amended the Plan to establish certain limits in accordance with the requirements of Assembly Bill 1290; and

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

WHEREAS, the Agency and City Council have initiated proceedings for a second amendment (the "2010 Amendment") to the Plan to: i) increase the Plan's total tax increment allocation limit; ii) eliminate the Plan's annual limitation on tax increment allocation; iii) establish a bonded indebtedness limit; and iii) modify the Plan's projects and programs list, as appropriate, all as a means to better attain the Agency's long-term goal to improve or alleviate the economic and physical conditions of blight within the Project Area; and

WHEREAS, CCRL Section 33458 provides that prior to the joint public hearing of the Agency and City Council on the 2010 Amendment, the Agency shall submit the proposed changes to the Plan to the Planning Commission as provided for in CCRL Section 33453; and

WHEREAS, CCRL Section 33453 provides that if the Agency recommends changes to the Plan which affect the City's General Plan (the "General Plan"), such changes shall be submitted to the Planning Commission for its report and recommendations to the City Council and that, if the Planning Commission does not report upon the changes within 30 days after such submission by the Agency, the Planning Commission shall be deemed to have waived its report and recommendations concerning the changes; and

WHEREAS, CCRL Section 33346 provides that prior to its being submitted to the legislative body, a redevelopment plan [here, the draft 2010 Amendment] 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 Sections 33346 and 33453, the proposed changes to the Plan, vis-à-vis the 2010 Amendment, are being submitted to the Planning Commission so that it may make a report and recommendation as to how the changes affect the General Plan and whether the Plan, as proposed to be amended, is consistent with the General Plan; and

WHEREAS, CCRL Section 33352(j) requires that every redevelopment plan (in this case, the 2010 Amendment) submitted to the City Council be accompanied by the report required by Government Code Section 65402, which provides (in pertinent 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 or part thereof."

"(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 or part thereof."; 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, Section V. B. of the Plan, which will not be modified by the 2010 Amendment, provides that "[a]ll areas shall be developed in accordance with the applicable provisions of the Newman General Plan, Land Use Element;" and

WHEREAS, the 2010 Amendment proposes no changes to land use designations, and the land use designations contained in the Plan are the same as those land use designations shown on the adopted land use map of the General Plan, as amended from time to time; and

WHEREAS, the 2010 Amendment proposes no changes to existing development policies, guidelines, and/or standards for properties, 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, if adopted, the 2010 Amendment will be a tool to be used by the City Council and the Agency to help implement General Plan goals, objectives, and policies; and

WHEREAS, pursuant to Sections 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 Negative Declaration prepared for the 2010 Amendment prior to making its report and recommendations regarding the 2010 Amendment.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Newman, California, does find, determine, order, and 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 the 2010 Amendment and the staff report accompanying this Resolution, and hereby finds and determines that the 2010 Amendment does not affect and is consistent with the General Plan because the 2010 Amendment conforms to the General Plan land use designations, or to other General Plan controls or limitations. The Plan, as proposed to be amended by the 2010 Amendment, will always conform with the 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, housing policies and other policies contained in the General Plan's various elements, as they may be amended from time to time.

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 structures to be constructed pursuant to the Plan, as amended by the 2010 Amendment, are in conformity with the General Plan and the City's Zoning Ordinance.

SECTION 4: The Planning Commission hereby recommends the approval of the 2010 Amendment by the Agency and adoption of the same by the City Council.

SECTION 5: The Planning Commission has reviewed and considered the draft Negative Declaration prepared for the 2010 Amendment prior to making these findings.

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 the 2010 Amendment, the Agency or City Council desire to make any minor, or technical or clarifying changes to the 2010 Amendment 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 and accompanying staff report shall constitute the report and recommendation of the Planning Commission to the Agency and the City Council concerning the 2010 Amendment pursuant to CCRL Sections 33346 and 33453.

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 AND ADOPTED by the Planning Commission of the City of Newman at a regular meeting held on March 18, 2010.

The foregoing resolution was introduced at a regular meeting of the Planning Commission of the City of Newman held on the 18th of March, 2010 by Commissioner \_\_\_\_\_, who moved its adoption, which motion was duly seconded and it was upon roll call carried and the resolution adopted by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

\_\_\_\_\_  
Planning Commission Chair

ATTEST:

\_\_\_\_\_  
Planning Commission Secretary

## NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION

**NOTICE IS HEREBY GIVEN** that in accordance with the California Environmental Quality Act Guidelines Section 15063, the Community Redevelopment Agency of the City of Newman (the "Agency") has completed an "Initial Study" for the proposed 2010 Amendment (the "2010 Amendment") to the Redevelopment Plan (the "Plan") for the Newman Redevelopment Project (hereafter referred to as the "Project," or "Project Area," as appropriate). Initial Study conclusions indicate that preparation and adoption of a negative declaration of environmental impact (the "Negative Declaration") is the appropriate approach to CEQA compliance with regard to the 2010 Amendment action, because the Initial Study demonstrates that there is no substantial evidence that the Plan, as proposed to be amended, will have a significant effect on the environment, either as a result of previously completed CEQA compliance with mitigation measures previously adopted, or in and of itself. A map of the Project Area is included herewith and made part hereof by reference. The Initial Study is on file at the Agency's offices at the address below.

- PROPOSAL:** Proposed 2010 Amendment to the Redevelopment Plan for the Newman Redevelopment Project
- APPLICANT:** Community Redevelopment Agency of the City of Newman (as Lead Agency)
- PREPARED BY:** Lead Agency
- PROJECT DESCRIPTION:** The 2010 Amendment is proposed for the purpose of increasing established fiscal and time limits codified in the Plan, specifically to increase the Plan's total tax increment allocation limit, eliminate the Plan's annual limitation on tax increment allocation, establish a bonded indebtedness limit, and modify the Plan's projects and programs list, as appropriate, all as a means to better attain the Agency's long-term goal to improve or alleviate the economic and physical conditions of blight within the Project Area. These are administrative and fiscal changes to the Plan for the Project; no change in boundaries, designated land uses, land use policies, or site-specific development projects are being proposed by the 2010 Amendment.
- LOCATION/ ENVIRONMENTAL SETTING:** The Project Area is located within the incorporated limits of the City of Newman, County of Stanislaus, State of California. See the Project Area map included herewith. The Project Area is an urbanized area located in an urban setting. In accordance with CEQA Guidelines Section 15072(g)(5), no locations contained within the Project Area have been identified as hazardous waste facilities, land designated as hazardous waste property, and/or hazardous waste disposal sites on lists enumerated under Government Code Section 65962.5.<sup>1</sup>
- REVIEW PERIOD:** From the date of this Notice shown below until May 11, 2010, by 4:00 p.m.
- DOCUMENT(S) LOCATION:** A copy of the Negative Declaration, including the Initial Study with Environmental Checklist and documents referred to therein, are available for review at the City Clerk's Office (see address below). The City Clerk's office hours are: Monday through Friday, 8 a.m. to 5 p.m.
- PUBLIC HEARING:** May 11, 2010, at 7:00 p.m., City Council Chambers, Newman City Hall, 1162 Main Street, Newman, CA 95360.

Written comments, if any, may be sent to Mr. Michael E. Holland, Executive Director, Community Redevelopment Agency of the City of Newman, 1162 Main Street, P.O. Box 787, Newman, CA 95360 on or before May 11, 2010, by 4:00 p.m. Please include the name and telephone number of a contact person in your letter. Comments on the Negative Declaration will also be accepted at the Public Hearing on the proposed 2010 Amendment (City Council Chambers, Newman City Hall, 1162 Main Street, Newman, CA 95360 on May 11, 2010, at 7:00 p.m.). If you have questions regarding the content of this notice, please call (209) 862-3725.

Be advised that if you challenge the adoption of the Negative Declaration in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk's Office at the address listed above at or prior to the Public Hearing.

Attachments: (Proposed) Negative Declaration, Initial Study and Map of the Project Area

Date: April 9, 2010

<sup>1</sup> Department of Toxic Substances Control, EnviroStor Database, <http://www.envirostor.dtsc.ca.gov/public/>.

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## [PROPOSED] NEGATIVE DECLARATION

- LEAD AGENCY:** Community Redevelopment Agency of the City of Newman  
1162 Main Street, Newman, P.O. Box 787, CA 95360
- PROJECT NAME:** Proposed 2010 Amendment (the "2010 Amendment") to the Redevelopment Plan (the "Plan") for the Newman Redevelopment Project (hereafter referred to as the "Project" or "Project Area," as appropriate).
- PROJECT PROPONENT:** Community Redevelopment Agency of the City of Newman (the "Agency")
- PREPARED BY:** Community Redevelopment Agency of the City of Newman (Lead Agency)
- PROJECT LOCATION:** City of Newman, County of Stanislaus, State of California. See Project Area Map, included herewith and made part hereof by reference.
- PROJECT DESCRIPTION:** The 2010 Amendment is proposed for the purposes of increasing established fiscal and time limits codified in the Plan, specifically to increase the Plan's total tax increment allocation limit, eliminate the Plan's annual limitation on tax increment allocation, establish a bonded indebtedness limit, and modify the Plan's projects and programs list, as appropriate, all as a means to better attain the Agency's long-term goal to improve or alleviate the economic and physical conditions of blight within the Project Area. These are administrative and fiscal changes to the Plan for the Project; no change in boundaries, designated land uses, land use policies, or site-specific development projects are being proposed by the 2010 Amendment.
- 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 the 2010 Amendment have been evaluated within environmental impact analyses previously completed pursuant to the California Environmental Quality Act (CEQA) and applicable to the 2010 Amendment (see Initial Study, Section VI – Project Objective and Description, Responsible Agencies and Initial Study Purpose, and Section V – Documents Incorporated into the Initial Study by Reference); the 2010 Amendment 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 the 2010 Amendment shows there is no substantial evidence, in light of the whole record before the Agency as Lead Agency, that the 2010 Amendment will have any 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 the 2010 Amendment to the Plan for the Project and adoption of a Negative Declaration is appropriate.

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ENVIRONMENTAL CHECKLIST FORM

INITIAL STUDY

I. PROJECT INFORMATION

1. Project Title:

2010 Amendment to the Redevelopment Plan for the Newman Redevelopment Project

2. Lead Agency Name and Address:

Community Redevelopment Agency of the City of Newman  
1162 Main Street, P.O. Box 787, Newman, CA 95360

3. Contact Person and Phone Number:

Mr. Michael E. Holland, City Manager/Community Redevelopment Agency Director  
(209) 862-3725 - mholland@cityofnewman.com

4. Project Location:

City of Newman, County of Stanislaus (See Project Area Map), State of California

5. Project Sponsor's Name and Address:

Community Redevelopment Agency of the City of Newman  
1162 Main Street, P.O. Box 787, Newman, CA 95360

6. Project Description Summary

The 2010 Amendment is proposed for the purposes of increasing established fiscal and time limits codified in the Plan, specifically to increase the Plan's total tax increment allocation limit, eliminate the Plan's annual limitation on tax increment allocation, establish a bonded indebtedness limit, and modify the Plan's projects and programs list, as appropriate, all as a means to better attain the Agency's long-term goal to improve or alleviate the economic and physical conditions of blight within the Project Area. These are administrative and fiscal changes to the Plan for the Project; no change in boundaries, designated land uses, land use policies, or site-specific development projects are being proposed by the 2010 Amendment

7. General Plan Land Use Designation(s):

Agriculture, Business Park Central Residential, Community Commercial, Downtown Commercial, Service Commercial, Heavy Industrial, High Density Residential, Industrial Reserve, Light Industrial, Low Density Residential, Medium Density Residential, Planned Mixed Residential, Public/Quasi-Public, Recreation and Parks, Urban Reserve.<sup>2</sup>

8. Zoning Designation(s):

C1 (Retail Commercial), C2 (General Service Commercial), I (Controlled Manufacturing), M (Industrial), OS (Open Space), PD (Planned Development), R-1 (Single Family Residential), R-2 (Duplex Residential), R-3 (Multiple Family Residential).<sup>3</sup>

9. Surrounding Land Uses and Setting: Briefly describe the project's surroundings:

Setting: Urban, Semi-Urban and Rural

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<sup>2</sup> City of Newman *General Plan 2030 Land Use Map*, last amended on April 10, 2007; the Housing Element was last updated in 2003.

<sup>3</sup> City of Newman, *City Zoning Map*, last amended 1990

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

City Council of the City of Newman, Planning Commission of the City of Newman

**11. Individuals Involved in the Preparation of this Initial Study:**

Jon Huffman, Managing Principal, Urban Futures, Inc.  
Julie Myhra, Planner, Urban Futures, Inc.  
Jung Seo, Planner, Urban Futures, Inc.  
Jen Tran, Assistant Planner, Urban Futures, Inc.

**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

Date

Michael E. Holland, Redevelopment Director  
for Community Redevelopment Agency of the City of Newman

#### IV. DEFINITIONS

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

**"2010 Amendment"** or **"Amendment"** means the proposed amendment, as described herein, to the Plan, as defined below.

**"Amended Plan"** means the Redevelopment Plan as defined below as proposed to be amended by the 2010 Amendment.

**"Agency"** means the Community Redevelopment Agency of the City of Newman.

**"Bonded indebtedness limit"** means the limit on the amount of tax allocation bonded indebtedness which can be outstanding at one time without an amendment of the plan, established pursuant to Section 33334.1 of the CCRL, as defined below.

**"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.

**"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. **"EIR"** means an environmental impact report prepared, published and circulated according to CEQA requirements.

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

**"County"** means County of Stanislaus, State of California.

**"General Plan"** means the General Plan of the City, as it may be amended from time to time, and as more specifically described in Section V below.

**"Project"** means the Newman Redevelopment Project, which was adopted on September 22, 1992, by City Council's Ordinance No. 92-14. **"Project Area"** means the approximately 610 acres included in the Project. The Project Area is described in more detail under 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 Project, as defined above.

**"State"** means the State of California.

**"Tax increment allocation limit"** means the limit on the total amount of tax increment funds to be allocated to the Agency over the life of the Amended Plan.

**"Zoning Ordinance"** means the zoning ordinance in the City in effect at the time of the adoption of the 2010 Amendment and as it may be amended from time to time. The City's Zoning Ordinance as codified in Title 5 of the City's Municipal Code.

V. Documents Relied on in the Initial Study, Incorporation by Reference, and Availability for Public Review

- Community Redevelopment Agency of the City of Newman, *Preliminary Draft and Final Environmental Impact Reports for the Redevelopment Plan of the Newman Redevelopment Project*, SCH No. 91012091, September 1992, certified by City Council Resolution No. 92-64 adopted on September 22, 1992; collectively referred to hereafter as the "Project EIR." The Project EIR was prepared as a part of the adoption proceedings for the Plan. The Project EIR evaluated potential significant environmental impacts related to the adoption of the Plan and the creation of the Project Area, as defined above. This Initial Study incorporates the mitigation measures contained within the Project EIR as they apply to Plan-related implementation activities within the Project Area. To the extent applicable, the Mitigation Measures Section found on pp. 3-7 in the Final Environmental Impact Report will be referred to hereafter as the "Mitigation Monitoring Program" while the Initial Study completed as part of the preparation of and attached to the Project EIR for adoption of the Redevelopment Plan will be referred to as the "1991 Initial Study."
- City of Newman, *Newman 2030 General Plan*, adopted on April 10, 2007, by City Council Resolution No. 2007-12, and hereafter referred to as the "General Plan." The General Plan of the City promulgates the policies that guide the community in its planning and decision-making process. CCRL Section 33331 requires that a redevelopment plan be consistent with the general plan of the community, as amended from time to time. This Initial Study incorporates the goals, policies and actions contained within the General Plan.
- City of Newman, *Draft and Final Environmental Impact Reports for the Newman 2030 General Plan*, SCH No. 2006072025, dated October 2006, certified by City Council Resolution No. 2007-12 adopted on April 10, 2007, collectively referred to hereafter as the "General Plan EIR." The General Plan EIR was prepared as a part of the adoption proceedings for the comprehensive update of the General Plan, and it evaluated potential significant environmental impacts related to the adoption and implementation of the policies contained within the General Plan. To the extent applicable, this Initial Study incorporates the mitigation measures contained within the Mitigation Monitoring and Reporting Program of the General Plan EIR.

Copies of the above document(s) are available for public review at Agency/City offices, 1162 Main Street, Newman, California 95360.

VI. Project Description and Objectives, Responsible Agencies and Initial Study Purpose

1. Project Description

The City Council adopted the Plan pursuant to the requirements and procedures under the then current CCRL provisions on September 22, 1992, by Ordinance No. 92-14. The Project Area consists of approximately 610 acres generally bounded by Jensen Road on the north, the Waste-Way and Merced County Boundary on the south, approximately Barrington Avenue on the east, and Harvey Road on the west.

The Project Area consists of approximately 610 acres,<sup>4</sup> and includes the historic downtown core of the City as well as neighborhoods consisting largely of single family residential uses located to the east and west of the urban core. The Project Area also contains industrial properties located mainly along the railroad tracks east of Highway 33, the City's highway-oriented commercial properties lie mainly along Main Street, east of Highway 33, with some properties located on the east side of Highway 33 toward the southern section of the City.

<sup>4</sup> Based on 2006-07 State Controller Report and Project EIR.

**VI. Project Description and Objectives, Responsible Agencies and Initial Study Purpose**

The 2010 Amendment will amend fiscal and administrative limits of the Redevelopment Plan for the Newman Redevelopment Project; no change in Project Area boundaries, designated land uses, land use policies, or site-specific development or redevelopment projects are being proposed by the 2010 Amendment.

**2. Project Objectives**

The purpose of the 2010 Amendment, is to modify the Plan by: i) increasing tax increment allocation limit, ii) eliminating the Plan's annual limitation on tax increment allocation, iii) establishing a bonded indebtedness limit, and ii) modifying the Plan's projects and programs list, as appropriate; all as a means to better attain the Agency's long-term goal to improve or alleviate the economic and physical conditions of blight within the Project Area. The 2010 Amendment will allow the Agency to have greater flexibility with respect to long-term project financing and will permit the Agency to continue to implement redevelopment projects and programs within the Project Area that will eliminate blighting conditions, increase economic development opportunities, repair and/or upgrade substandard infrastructure, and increase the supply of affordable housing within the Project Area and the surrounding community. The 2010 Amendment is fiscal and administrative in character and does not contemplate any physical redevelopment implementation activities within the Project Area. Increasing the Plan's bonded indebtedness and tax increment allocation limits will permit the Agency to, among other things; more effectively alleviate blighting conditions, increase economic development opportunities, and provide affordable housing for eligible persons/families within the Project Area and the surrounding community. The 2010 Amendment will not: i) add territory to the Project Area; ii) propose new projects to the existing Projects/Programs list; or iii) affect existing or create new fiscal agreements. The 2010 Amendment will not authorize any other Plan amendment actions.

The Plan is the legal framework from which the Agency has been and will continue to implement redevelopment projects within the Project Area, shown on the Project Area Map attached hereto. Since adoption of the Plan, the Agency has undertaken many redevelopment activities within the Project Area to meet its redevelopment goals to lessen or eliminate blight. As previously amended, the term of the Plan for the Project is 45 years from the date it was originally adopted, or until September 22, 2037.

**3. Responsible Agencies' Actions**

The following agencies will be responsible for certain actions regarding adoption of the 2010 Amendment:

- Community Redevelopment Agency of the City of Newman (Lead Agency) –adopt the Negative Declaration and approve the Amendment and recommend Amendment Adoption to City Council
- City Council of the City of Newman (Responsible Agency, Legislative Body) – adopt the Negative Declaration, and consider ordinance adopting the Amendment
- Planning Commission of the City of Newman (Advisory Agency) – reviews the Negative Declaration and Amendment, and advises as to Amendment's conformity with the General Plan.

**4. Purpose of the Initial Study**

The Agency has caused an initial study ("Initial Study") to be prepared for the 2010 Amendment pursuant to the requirements and procedures found in CEQA to determine if adoption of the Amendment may have a significant effect on the environment. CEQA requires that the Lead Agency, when preparing the Initial Study, review the whole of a project. In this case, the "whole" of the project is the fiscal and administrative changes to the Redevelopment Plan contained in the 2010 Amendment.

## VI. Project Description and Objectives, Responsible Agencies and Initial Study Purpose

The lead Agency is not required to revisit environmental effects that may result as a consequence of Plan implementation in the Project Area. These effects were evaluated at the time the Project EIR was certified as being in compliance with CEQA and the Plan adopted in 1992. This Initial Study is based on these earlier CEQA documents and relies on the conclusions reached therein, which are incorporated by reference.

Potential environmental impacts that could be caused by redevelopment activities in the Project Area have been previously evaluated within the Project EIR for the Project, which was certified by the Agency and the City Council in accordance with CEQA prior to the Redevelopment Plan's adoption on September 22, 1992.

### CEQA and Other Compliance Material to the 2010 Amendment

The Project EIR, incorporated by reference above, was prepared as a part of Plan adoption proceedings in 1992. The Project EIR evaluated potential environmental impacts related to the adoption of the Plan and the creation of the Project Area and, as appropriate, recommended mitigation measures to reduce any identified significant environment effects to less than significant levels as feasible.

The Project EIR is an integral part of the analysis contained in this Initial Study (as are the City's General Plan and General Plan EIR, updated in April 2007 subsequent to Plan adoption). CCRL Section 33331 requires that a redevelopment plan, as it may be amended from time to time, be consistent with the general plan of the community.

Attached to this Initial Study is a map of the Project Area. Potential environmental impacts that could be caused by Redevelopment Plan adoption and implementation have been previously evaluated at the program level (as permitted by Section 21090 of the CEQA Statutes for redevelopment plans and amendments) within the Project EIR and are final and conclusive, no objection having been timely made.

### 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:

The following members of Community Redevelopment Agency of the City of Newman, 1162 Main Street, P.O. Box 787, Newman, CA 95360 and Urban Futures, Inc. 3111 N. Tustin, Suite 230, Orange CA 92865, redevelopment consultants to the City:

Michael E. Holland, Community Redevelopment Agency Director  
Stephanie Ocasio, Community Redevelopment Agency Assistant Planner.  
Jon Huffman, Urban Futures Managing Principal  
Julie Myhra, Urban Futures Planner  
Jung Seo, Urban Futures GIS/Planner  
Jen Tran, Urban Futures Assistant Planner

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>1. <u>Aesthetics</u></b>				
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 Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to aesthetics in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA. Adverse environmental impacts on aesthetics are addressed in pp. 91-94 of the Project EIR. Three mitigation measures recommended as a condition of Plan adoption are contained in the Mitigation Monitoring Program, p.6, Item 10: Aesthetics, which measures are incorporated herein by reference. The Project EIR concluded that with the identified mitigation measures, there were no potential environment impacts resulting from Plan Implementation which could not be mitigated to a level of insignificance.<sup>5</sup>

The 1991 Initial Study determined that there were no unavoidable adverse effects with respect to increased light and glare due to redevelopment activities; consequently no mitigation measures were recommended in this regard.<sup>6</sup>

No further environmental assessment with respect to aesthetics is required for purposes of 2010 Amendment adoption.

<sup>5</sup> Project EIR, pp. 2, 8.

<sup>6</sup> 1991 Initial Study, Item 7: Light and Glare, pp. 16-17.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
POTENTIALLY SIGNIFICANT IMPACT			

**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:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific, development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to agricultural resources in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The Project EIR identified no Williamson Act parcels in the Project Area, and further determined that redevelopment activities within the Project Area "should not effect [sic] long term agricultural productivity in the region."<sup>7</sup>

Based on the conclusion that there were no unavoidable adverse effects on Agricultural Land and Prime Farmland due to redevelopment activities in the Project Area, the Project EIR proposed no mitigation measure with respect to agricultural resources.<sup>8</sup>

No further environmental assessment with respect to agricultural resources is required for purposes of 2010 Amendment adoption.

<sup>7</sup> Project EIR, Sec. IV.D., Plant Life Agriculture, p. 57.

<sup>8</sup> *Ibid.*

**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:**

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, 2008. The deadline has since been extended

The City (and therefore the Project Area) lies within the San Joaquin Valley Air Basin (SJVAB), which is comprised of eight county jurisdictions, including Stanislaus County. The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the responsible regional air quality management district of which the City and the Project Area are a part. The SJVAB, which is approximately 250 miles long and 35 miles across, is designated as nonattainment/serious for the federal 8-hour ozone standard; nonattainment/ severe for the State 1-hour and nonattainment for the State 8-hour ozone standards, respectively. In addition, the SJVAB is classified non-attainment for the federal fine particulate matter (PM<sub>2.5</sub>) standard, and nonattainment for the State particulate matter (PM<sub>10</sub>) and PM<sub>2.5</sub> standards.<sup>9</sup>

<sup>9</sup> San Joaquin Valley Air Pollution Control District, Ambient Air Quality Standards & Valley Attainment Status, July 2009; <http://www.valleyair.org/aqinfo/attainment.htm>

The City's recently adopted General Plan Natural Resources Element includes goals and policies to improve air quality in the City and the region in accordance with the requirements of State law. Climate change is presently thought to be both naturally occurring and induced by increases in the amounts of carbon dioxide (CO<sub>2</sub>) and other greenhouse gases (GHGs) in the earth's atmosphere attributable to the burning of fossil fuels. The General Plan Natural Resources Element is intended to help the City, as well as the Basin, improve its air quality to meet State and Federal air quality requirements and growing climate change concerns.<sup>10</sup>

As a matter of law, the 2010 Amendment is required to be consistent with and conform to the City's General Plan, and to all other applicable local, regional, State and federal codes, statutes and regulations; consequently, the Amendment will not conflict or obstruct implementation of the SJVAPCD's air quality attainment plans.

The 2010 Amendment contemplates no site-specific development or any other physical implementation activities in the Project Area. In accordance with applicable legal requirements, at such time as specific Plan implementation projects are proposed, the City/Agency may require site-specific project analyses to determine environmental impacts with respect to any potential increases in greenhouse gas emissions as a part of the specific project environmental review and approval process.

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to air quality in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA. Adverse environmental impacts on air quality are addressed in pp. 39-47 of the Project EIR. Several mitigation measures recommended as a condition of Plan adoption are contained in the Mitigation Monitoring Program, pp.4-5, Item 2: Air Quality, which measures are incorporated herein by reference.

Air quality will not be physically affected as a result of 2010 Amendment adoption. No further environmental assessment with respect to air quality is required for purposes of 2010 Amendment adoption.

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<sup>10</sup> General Plan Natural Resources Element, pp. NR-22, 23; NR4.1 through NR 4.14 (pp NR-22, NR-23)

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>4. <u>Biological Resources</u></b>				
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, and 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"/>

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to biological resources in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The 1991 Initial Study determined that there were no unavoidable adverse effects on animal life or any unavoidable adverse effect on plant life due to redevelopment activities in the Project Area.<sup>11</sup> Based on the 1991 Initial Study conclusion, the Project EIR did not further analyze impacts on biological resources and recommended no mitigation measures. Additionally with respect to Biological Resources, the City's General Plan promulgates Policies NR-3.1 through NR-3.11 in support of General Plan Goal NR-3 to protect sensitive native vegetation and wildlife communities and habitat.<sup>12</sup> As a matter of law, the Amended Plan is required to be consistent with the City General Plan.

No further environmental assessment with respect to biological resources is required for purposes of 2010 Amendment adoption.

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<sup>11</sup> 1991 Initial Study, Item 5: Animal Life, p.16 and Project EIR, Section IV.D: Plant Life-Agriculture, pp.56-57.

<sup>12</sup> General Plan, Natural Resources Element, pp. NR-20-Nr-21.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	No IMPACT
<b>5. Cultural Resources</b>				
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 Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific, development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to cultural resources in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA. Adverse environmental impacts on cultural resources are addressed in pp. 94-95 of the Project EIR. Five mitigation measures recommended as a condition of Plan adoption are contained in the Mitigation Monitoring Program, pp.6-7, Item 11: Cultural Resources, which measures are incorporated herein by reference. The Project EIR concluded that, with mitigation, significant impacts to cultural resources are reduced to less than significant levels.<sup>13</sup>

No further environmental assessment with respect to cultural resources is required for purposes of 2010 Amendment adoption.

<sup>13</sup> Project EIR, pp. 2, 8; Section IV.K, Cultural Resources, pp. 94-95.



The 1991 Initial Study determined that because there are no unstable earth or geologic conditions or features of significance in the Project Area, consequent risk from landslides, mudslides, or ground failure is "essentially non-existent."<sup>14</sup>

Potential adverse environmental impacts with respect to geology and soils are addressed in pp. 32-39 of the Project EIR. Five mitigation measures recommended as a condition of Plan adoption are contained in the Mitigation Monitoring Program, p.3, Item 1: Earth, which mitigation measures are incorporated herein by reference. The Project EIR concluded that with the mitigation incorporation, potential significant impacts related to geologic events would be reduced to less than significant levels.<sup>15</sup>

Additionally, the General Plan EIR determined that since the degree of groundshaking in the City Planning Area is not expected to be high, it is unlikely to expect any significant liquefaction.<sup>16</sup> General Plan Policies HS-1.1 through HS-1.5 support General Plan Goal HS-1 to prevent loss of life, injury, and property damage due to geologic and seismic hazards.<sup>17</sup> As a matter of law, the Redevelopment Plan is required to be consistent with the General Plan.

No further environmental assessment with respect to geology and soil is required for purposes of 2010 Amendment adoption.

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<sup>14</sup> 1991 Initial Study, p.14.

<sup>15</sup> Project EIR, pp. 2, 8.

<sup>16</sup> General Plan, Sec. 8A.1, Geologic Seismic Hazards, pp. HS-2 – HS-5.

<sup>17</sup> *Ibid*, pp. HS-16 through HS-18.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>7. Hazards and Hazardous Materials</b>				
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"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to hazards and hazardous materials in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The Project Area is not located within an airport land use plan nor is it located within two miles of a public airport or public use airport or within the vicinity of a private airstrip.

In accordance with CEQA Guidelines Section 15072(g)(5), no locations contained within the Project Area have been identified as hazardous waste facilities, land designated as hazardous waste property, and/or as hazardous waste disposal sites on lists enumerated under Government Code Section 65962.5.<sup>18</sup>

The 1991 Initial Study determined that there were no unavoidable adverse effects with respect to hazards and hazardous materials (Risk of Upset) due to redevelopment activities in the Project Area.<sup>19</sup> Consequently, the Project EIR did not further evaluate such risks in the Project Area and recommended no mitigation measures.

The City General Plan Health and Safety Element promulgates Policies HS-4.1 through HS-4.5 in support of General Plan goal HS-4 to "prevent the loss of life, injury and property damage due to the release of hazardous materials"; Policies HS-5.1 through HS-5.4 for General Plan Goal HS-5 to "maintain emergency response procedures that are adequate in the event of natural or man-made disaster;" and policies HS-3.1 through 3.6 in support of Goal HS-3 to "prevent the loss of life, injury and property damage due to fires."<sup>20</sup> The Amended Plan is required as a matter of law to be consistent with the City General Plan.

No further environmental assessment with respect to hazards and hazardous materials is required for purposes of 2010 Amendment adoption.

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<sup>18</sup> Department of Toxic Substances Control, EnviroStor Database, October 01, 2009; <http://www.envirostor.dtsc.ca.gov/public/>.

<sup>19</sup> 1991 Initial Study, Item 10: Risk of Upset, p. 18

<sup>20</sup> General Plan Health and Safety Element, pp.HS-19-HS-22.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>8. <u>Hydrology and Water Quality</u></b>				
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
<b>8. <u>Hydrology and Water Quality</u></b>				
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 Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to hydrology and water quality in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

Adverse environmental impacts on hydrology and water quality are addressed in pp. 47-56 of the Project EIR. The Project EIR determined that stormwater runoff and stormwater discharge into receiving bodies would be minimal because much of the Project Area is over-covered with hard surfaces. It further concluded that provision of storm drain improvements in the Downtown area facilitated by the Redevelopment Plan would serve to improve existing stormwater drainage- a positive impact.<sup>21</sup> Three mitigation measures recommended as a condition of Plan adoption are contained in the Mitigation Monitoring Program, p.5, Item 3: Water, which measures are incorporated herein by reference. The Project EIR concluded that, after mitigation, the potentially significant adverse hydrologic effects of redevelopment activities within the Project Area would be reduced to less than significant levels.<sup>22</sup>

No further environmental assessment with respect to hydrology and water quality is required for purposes of 2010 Amendment adoption

<sup>21</sup> *Ibid.*

<sup>22</sup> Project EIR, pp. 2, 8.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>9. Land Use and Planning</b>				
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 Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to land use and planning in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The Project EIR and 1991 Initial Study determined that there were no unavoidable adverse effects on land use and planning due to redevelopment activities in the Project Area.<sup>23</sup> No mitigation measures were recommended with respect to land use and planning.

No further environmental assessment with respect to land use and planning is required for purposes of 2010 Amendment adoption.

<sup>23</sup> Project EIR, Sec. III.D, Relationship to Public Plans and Policy, pp. 28-31 and 1991 Initial Study, Item 8: Land Use, p. 17.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>10. <u>Mineral Resources</u></b>				
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 Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific, development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts in the Project Area resulting from Plan Implementation with respect to mineral resources. Neither the Project EIR nor the General Plan EIR identify any mineral resources in the Project Area that could be lost as the result of urban activities in the Project Area and City Planning Area, respectively.

No further environmental assessment with respect to mineral resources is required for purposes of 2010 Amendment adoption.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>11. Noise</b>				
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 groundborne vibration or groundborne 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 Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to noise in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The Project Area is not located within an airport land use plan nor is it located within two miles of a public airport or public use airport or within the vicinity of a private airstrip. The 1991 Initial Study determined that there were no significant impacts to the noise environment due to redevelopment activities in the Project Area therefore no mitigation measures were proposed.<sup>24</sup>

<sup>24</sup> 1991 Initial Study, Item 6: Noise, p. 16.

The General Plan Health and Safety Element promulgates Policies HS-6.1 through HS-6.11 in support of General Plan Goal HS-6 to “provide compatible noise environments for new developments and control sources of excessive noise.”<sup>25</sup> The Amended Plan is required, as a matter of law, to be consistent with the City General Plan. No further environmental assessment with respect to noise is required for purposes of 2010 Amendment adoption.

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<sup>25</sup> General Plan Health and safety Element, pp. HS-22-HS-27.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>12. <u>Population and Housing</u></b>				
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:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to population and housing resources in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The Project EIR determined that there were no unavoidable adverse effects on population and housing due to redevelopment activities in the Project Area.<sup>26</sup>

No further environmental assessment with respect to population and housing is required for purposes of 2010 Amendment adoption.

<sup>26</sup> Project EIR, Section I.H: Growth Inducing Effects of Proposed Project, pp. 12-13.

**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 Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to public services in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The Project EIR determined that there were no unavoidable adverse effects on public services due to redevelopment activities in the Project Area.<sup>27</sup>

No further environmental assessment with respect to public services is required for purposes of 2010 Amendment adoption.

<sup>27</sup> Project EIR, Sec. IV.H., Public Services, pp. 70-90

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>14. Recreation</b>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to recreation in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The 1991 Initial Study determined that there were no unavoidable adverse effects on recreation due to redevelopment activities; consequently, the environmental topic was not evaluated further in the Project EIR and no mitigation measures were recommended.<sup>28</sup>

No further environmental assessment with respect to recreation is required for purposes of 2010 Amendment adoption.

<sup>28</sup> 1991 Initial Study, Item 19: Recreation, p. 19.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>15. <u>Transportation/Traffic</u></b>				
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"/>

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to transportation/traffic in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA. Adverse environmental impacts on Transportation/Traffic are addressed in pp. 66-69 of the Project EIR. Three mitigation measures recommended as a condition of Plan adoption are contained in the Mitigation Monitoring Program, pp.5-6, Item 7: Transportation and Circulation, which measures are incorporated herein by reference.

No further environmental assessment with respect to transportation/traffic is required for purposes of 2010 Amendment adoption.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>16. <u>Utilities and Service Systems</u></b>				
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 Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to utilities and service systems in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The 1991 Initial Study determined that there were no significant impacts from the increased use of energy due to redevelopment activities in the Project Area.<sup>29</sup> The Project EIR determined that there were no unavoidable adverse effects on utilities due to redevelopment activities in the Project Area.<sup>30</sup>

<sup>29</sup> 1991 Initial Study, Item 15: Energy, p. 20.

<sup>30</sup> Project EIR, Sec. IV.I, Utilities, pp. 90-91

The Project EIR concluded that, with respect to Utilities, because several redevelopment implementations projects are extensions or improvements to utilities such as sewer, water and storm drainage facilities, they will enhance the Project Area's present utility system and are seen as positive.<sup>31</sup>

No further environmental assessment utilities and service systems is required for purposes of 2010 Amendment adoption.

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<sup>31</sup> *Ibid*, p.14.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>17. <u>Mandatory Findings of Significance</u></b>				
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 2010 Amendment will not impact any of the environmental issue areas as evidenced by the assessment contained in the preceding checklist. The 1991 Initial Study determined that there were no unavoidable adverse effects on animal life or any unavoidable adverse effect on fish and wildlife species and their habitats due to redevelopment activities.<sup>32</sup> 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 2010 Amendment proposes no new development, nor any change in land uses, therefore the adoption of the 2010 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.

<sup>32</sup> 1991 Initial Study, Item 5: Animal Life, p.16 and Project EIR, Section IV.D: Plant Life-Agriculture, pp.56-57.

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 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 Project EIR previously prepared and certified as part of the Plan adoption. Furthermore, due to the fiscal and administrative nature of the 2010 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 2010 Amendment.

No further environmental assessment with respect to mandatory finding of significance is required for purposes of 2010 Amendment adoption.

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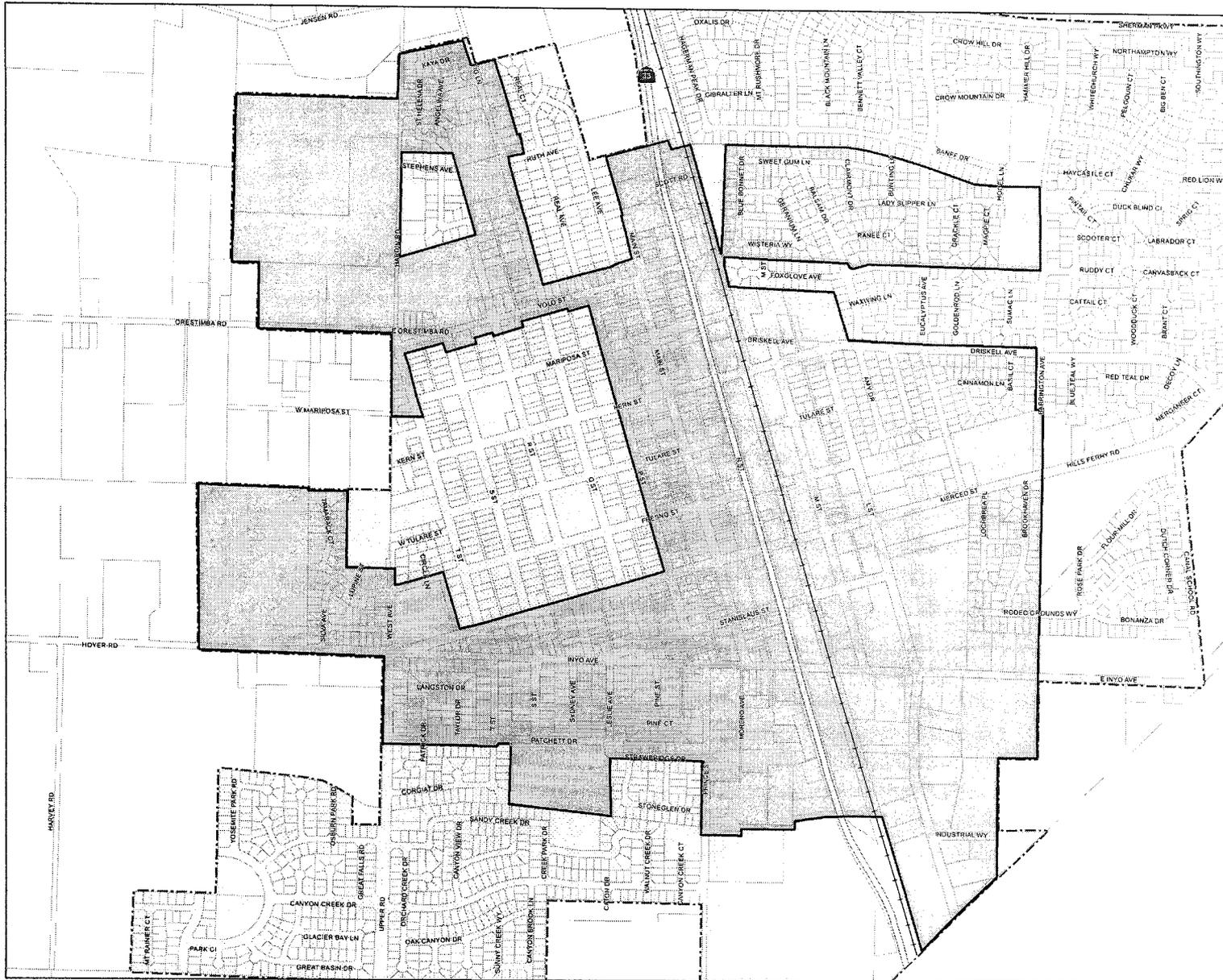
**APPENDIX A-**

**PROJECT AREA MAP**

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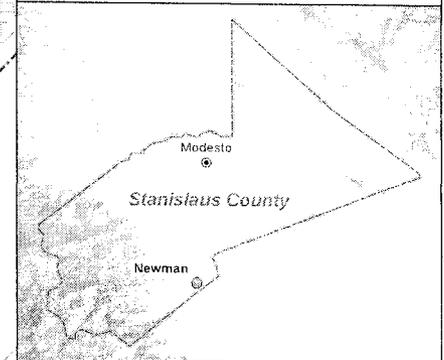
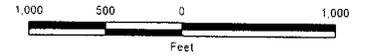
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**LEGEND**

- Newman City Boundaries
- Project Area\*
- Highways
- Railroads

\* Boundaries shown are for general reference and illustrative purposes only. Not intended to be a legal description of the metes and bounds.



**Newman Redevelopment Agency**

**PROPOSED 2010 AMENDMENT TO  
THE REDEVELOPMENT PLAN FOR  
THE NEWMAN REDEVELOPMENT PROJECT**

**FIGURE \_  
PROJECT AREA MAP**



Prepared By: Urban Futures, Inc.  
Base Map Source: City of Newman  
Date: 07/07/09  
File: NM\_PA.mxd

2010 Amendment

to the

Redevelopment Plan

for the

Newman Redevelopment Project

COMMUNITY REDEVELOPMENT AGENCY OF  
THE CITY OF NEWMAN



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## **1. INTRODUCTION**

This is the 2010 Amendment (the "2010 Amendment") to the Redevelopment Plan, as previously amended, (the "Plan" or "Redevelopment Plan") for the Newman Redevelopment Project (the "Project"). The purpose of the 2010 Amendment is to amend the Redevelopment Plan to state the amount of bonded indebtedness that can be outstanding at one time (\$40,000,000); increase the existing limit on the total amount of tax increment funds to be allocated to the Agency pursuant to the Redevelopment Plan from \$30,000,000 to \$85,000,000; eliminate the limitation on the amount of tax increment allocated to the Agency on an annual basis; and modify the list of projects and programs included in the Redevelopment Plan.

The 2010 Amendment has been prepared pursuant to Article 12, Sections 33450 through 33458 of the California Community Redevelopment Law (CCRL; Section 33000 *et seq.* of the California Health and Safety Code). The 2010 Amendment amends Section VI B. of the Redevelopment Plan. The 2010 Amendment proposes no other changes to the Redevelopment Plan. The legal authority to amend the Redevelopment Plan is codified under CCRL Sections 33354.6 and 33451.5.

The Redevelopment Plan, as amended by this 2010 Amendment, shall continue to be the regulatory and policy instrument controlling the Agency's redevelopment activities within the boundaries of the Project.

## **2. BACKGROUND**

The Redevelopment Plan was originally adopted by the Newman City Council on September 22, 1992, by Ordinance No. 92-14 and was amended by Ordinance No. 94-19 on November 22, 1994, in response to the requirements of the Community Redevelopment Law Reform Act of 1993 (AB 1290). The Redevelopment Plan, as previously amended, is attached hereto and incorporated herein by reference as Appendix A.

### 3. 2010 AMENDMENT TO THE REDEVELOPMENT PLAN

Upon approval of the 2010 Amendment 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 27, Section VI. A. General Description of the Proposed Financing Methods, paragraph 5, shall be amended to read as follows:

The Agency is hereby authorized to issue bonds (as such term is defined in the Redevelopment Law) as needed, provided the Agency is advised by appropriate financing counsel that the Agency has or will have adequate revenues to meet principal and interest payments on such bonds as they become due and payable. Unless changed by amendment of this Plan, the total outstanding principal of any bonds, so issued and repayable from said tax increments, shall not exceed Forty Million Dollars (\$40,000,000) at any one time.

At page 30, Section VI. B. Tax Increments, Subsections 1 through 3 shall be amended to read as follows:

Consistent with Section 33333.2 of the Health and Safety Code of the State of California, the following limitations are imposed on this Plan:

1. Unless changed by amendment of this Plan, the number of dollars of taxes, as defined in Section 33670 of the California Health and Safety Code (CHSC), shall not which may be divided and allocated to the Agency pursuant to this Plan shall not exceed a total of in excess of ThreeEighty-Five Million Dollars (\$853,000,000), during any one fiscal (tax) year except by amendment hereof.
2. No loans, advances or indebtedness to finance in whole or in part of the Plan to the extent they are to be repaid from the allocation of those taxes described in Subsection (1) above shall be established or incurred by the agency beyond Twenty (20) years from the original date of adoption of this Plan by the Newman City Council unless such time limitation is extended by amendment of this Plan. Such loans, advances or indebtedness, however, may be repaid over a period of up to Fifty (50) years from the original date of adoption of this Plan by the Newman City Council.
3. ~~Unless changed by amendment of this Plan, the number of dollars of taxes which may be divided and allocated to the Agency pursuant to this Plan shall not exceed Thirty Million Dollars (\$30,000,000).~~

The list of projects and programs included as Appendix B shall be included within the Redevelopment Plan as the Agency's list of proposed projects and programs for the Project.

All other sections and paragraphs in the Redevelopment Plan not specifically modified as described above shall remain in full force and effect.

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## **APPENDIX A**

**REDEVELOPMENT PLAN FOR THE NEWMAN  
REDEVELOPMENT PROJECT**

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**ORIGINAL REDEVELOPMENT PLAN**

**ADOPTED ON SEPTEMBER 22, 1992,  
BY ORDINANCE NO. 92-14**

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NEWMAN REDEVELOPMENT AGENCY  
CITY OF NEWMAN, CALIFORNIA

REDEVELOPMENT PLAN

for

REDEVELOPMENT PROJECT NO. 1

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PART 1  
TEXT  
REDEVELOPMENT PLAN

NEWMAN  
REDEVELOPMENT PROJECT NO. 1

**REDEVELOPMENT PLAN**  
**FOR THE**  
**NEWMAN REDEVELOPMENT PROJECT NO. 1**

**I. INTRODUCTION**

This Redevelopment Plan for the Newman Redevelopment Project No. 1 consists of Part I (Text) and Part II (Map). This Redevelopment Plan has been prepared by the Newman Redevelopment Agency, City of Newman, California, pursuant to the Community Redevelopment Law of the State of California, the California Constitution and all applicable local laws and ordinances.

The purpose of this Redevelopment Plan is to designate the boundaries of Newman Redevelopment Project No. 1 of the Newman Redevelopment Agency, and to provide certain provisions required by law applicable to the area being annexed.

**II. GENERAL DEFINITIONS**

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

- A. "Agency" means the Newman Redevelopment Agency, City of Newman, California.
- B. "City" means the City of Newman, California.
- C. "County" means the County of Stanislaus, California.
- D. "Map" means the Redevelopment Plan Map for the Newman Redevelopment Project No. 1, included herein as Part II.
- E. "Owner" means any individual or entity owning "real property" as defined herein.

F. "Person" means any individual or entity owning "real property" as defined herein.

G. "Plan" means the Redevelopment Plan for the Newman Redevelopment Project No. 1.

H. "Planning Commission" means the Planning Commission of the City of Newman, California.

I. "Project Area" means the area included within the boundaries of the Newman Redevelopment Project No. 1.

J. "Real Property" shall mean land, buildings, structures, fixtures, and improvements on the land; and property appurtenant to or used in connection with the land; every estate, interest, privilege, easement, franchise, and right in land, including rights-of-way, terms for years, and liens, charges, or encumbrances by way of judgment, mortgage or otherwise and the indebtedness secured by such liens.

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

L. "State" means the State of California.

### **III. PROJECT AREA BOUNDARIES**

The boundaries and legal description of the Project Area are described and illustrated on Exhibit "A" (pages 1 through 4) attached hereto.

### **IV. PROPOSED REDEVELOPMENT ACTIONS**

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

- (1) Installation, construction, or reconstruction of

streets, utilities, landscaping, and other on-site and off-site improvements;

- (2) Disposition of property 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) Providing participation opportunities for owners and business tenants.

A. 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 the Project Area. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. The Agency shall have the right to 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 conform to the requirements of this Plan. 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.

B. Property Acquisition

1. Acquisition of Real Property

The Agency may acquire, but is not required to acquire, any real property (or interest in real property) located in the Project Area by gift, devise, exchange, lease, purchase, eminent domain (as limited by Section 511) or any other lawful method, for one or more of the following purposes:

- a. To remove a deteriorated structure requiring clearance as demonstrated by a structural inspection of the property;
- b. To eliminate a deficiency, including, but not limited to, incompatible land uses, small and irregular lot subdivision, inadequate street layout, or overcrowding of the land;
- c. To provide for needed public facilities, including among others, rights-of-way, school, public safety facilities, protective services, community centers and recreational facilities;
- d. To eliminate impediments to land development through assembly of land into parcels of reasonable size and shape, served by an improved street system and public utilities;

e. To encourage development in the Project Area provided for in this Plan; and

f. Any purpose allowed pursuant to Redevelopment Law.

The Agency, except as is expressly authorized pursuant to the provisions of this Plan, is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency shall not acquire real property, by eminent domain, for redevelopment purposes, i.e., for the purposes of casing buildings, structures and/or uses thereon, to be redeveloped by third parties, if a Certificate of Conformance has been properly issued by the Agency with reference to such property.

The Agency may not acquire property to be retained by an owner pursuant to a participation agreement if the owner fully performs under the agreement. The Agency may 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 such building requires structural alteration, improvement, modernization, or rehabilitation or the site or lot on which the building is situated requires modification in size, shape or use, or 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 and the owner fails or refuses to participate in the Plan by executing a participation agreement.

Any covenants, conditions, or restrictions existing on any real property within the Project Area prior to the time the agency acquires title to such property, which covenants, conditions, or restrictions restrict or purport to restrict the use of, or building upon, such real property, shall when the Agency complies with the procedures of Section 33397 of the Community Redevelopment Law, be void and unenforceable as to the Agency and any other subsequent owners, tenants, lessees, easement holders, mortgagees, trustees, beneficiaries under a deed of trust, or any other persons or entities acquiring an interest in such real property from such time as title to the real property is acquired by the Agency, whether acquisition is by gift, purchase, eminent domain, or otherwise.

2. Personal Property

Generally, personal property may 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, including eminent domain.

3. Limitations on the Use of Eminent Domain

It is in the public interest and is necessary in order to implement the provisions of this Plan and the Community Redevelopment Law.

Notwithstanding any of the provisions this Plan may contain to the contrary, the power of eminent domain is restricted as follows:

a. The Agency may not commence eminent domain proceedings to acquire property in the Project Area beyond twelve (12) years following the date of adoption of the ordinance approving and adopting this Plan. Such time limit may be extended only by amendment of this Plan.

b. The Agency may exercise its power of eminent domain on all property within the Project Area except the Agency shall not have the power of eminent domain on single family residential development located on property zoned R-1 pursuant to the City of Newman Municipal Code.

C. Property Management

During such time as property 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.

D. Demolition, Clearance, Public Improvements, Building and Site Preparation

1. Demolition and Clearance

The Agency is authorized to demolish and clear building, structures, and other improvements from any real property, owned by the Agency, in the Project Area as necessary to carry out the purposes of this Plan.

2. Public Improvements

The Agency is authorized to acquire land and install and construct or to cause to be installed and constructed and pay the cost thereof the public improvements

and public utilities (within or outside the Project Area) necessary to carry out this Plan with tax increment revenue. Such public improvements include, but are not limited to, over- or under-passes, bridges, streets, curbs, gutters, sidewalks, street lights, sewers, storm drains, traffic signals, electrical distribution systems, natural gas distribution systems, water distribution systems, buildings (including fire stations, city service facilities, .), parks, off-street parking, plazas, playgrounds, and landscaped areas.

3. Preparation of Building and Redevelopment Sites

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

E. Relocation of Occupants Displaced by Agency Acquisition

1. Relocation Housing Requirements

No persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be a decent, safe, sanitary, and otherwise standard dwelling. The Agency shall not displace such person or family until such housing units are available and ready for occupancy.

The Agency may, in order to facilitate the rehousing of families and single persons who are displaced from their homes in the Project Area, utilize the aids made available through federal urban renewal, redevelopment and housing legislation and may use funds derived from any public or private source to carry out the purposes of this Plan.

In accordance with Section 33412 of the Code, permanent housing facilities shall be made available within three years from the time occupants are displaced. Pending the development of such facilities, there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement.

## 2. Replacement Housing

Not less than thirty days prior to the execution of any agreement for acquisition of real property, or the execution of an agreement for the disposition and development of property, or the execution of an owner participation agreement, which agreement would lead to the destruction or removal of dwelling units from the low and moderate income housing market, the Agency shall adopt by resolution a replacement housing plan.

The replacement housing plan shall include:

- a. The general location of housing to be rehabilitated, developed, or constructed pursuant to Section 33413 of the Community Redevelopment Law;

b. An adequate means of financing such rehabilitation, development, or construction;

c. A finding that the replacement housing does not require the approval of the voters pursuant to Article XXXIV of the California Constitution, or that such approval has been obtained;

d. The number of dwelling units housing persons and families of low- and moderate-income planned for rehabilitation or construction; and

e. The timetable (not to exceed one year) for meeting the plan's relocation, rehabilitation, and replacement housing objectives.

A dwelling unit whose replacement is required by Health & Safety Code Section 33413 but for which no replacement housing plan has been prepared, shall not be destroyed or removed from the low- and moderate-income housing market and no person, family or business shall be displaced by the Agency, City or any person with an agreement with the Agency or City until and unless the Agency has by resolution adopted a replacement housing plan meeting the requirements of this Section.

### 3. Finding Other Locations For Displaced Persons

The Agency shall fully assist all persons (including individuals and families) business concerns, and others displaced as a result of actions by the Agency or City in implementing this Redevelopment Plan in finding other locations and facilities. In order to carry out the

Plan with a minimum of hardship to persons, businesses, and others displaced from their respective places of residence or business, the Agency shall take all actions required to fully inform such persons and ensure that they are able to relocate to new locations that are decent, safe, sanitary, within their respective financial means, in reasonable convenient locations, and otherwise suitable to their respective needs. The Agency may also provide housing units or business locations within or outside the Project Area for such displaced persons or businesses.

F. Property Disposition and Development

1. Real Property Disposition and Development

a. General

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property.

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

All real property acquired by the Agency in the Project Area shall be sold or leased for development for the uses permitted in the Plan, subject to restrictions contained in the Redevelopment Law. 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 any property for speculative purposes and to insure that development is carried out pursuant to this Plan.

All purchasers or lessees of property 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.

b. Purchase and Development Documents

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

The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants, covenants running with the land, rights of

reverter, conditions subsequent, equitable 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, sex, color, creed, 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 Redevelopment Law.

c. Development

To the extent now or hereafter permitted by Redevelopment Law, the Agency is authorized to pay for 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 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.

During the period of development in the Project Area, the Executive Director of the Agency, acting as an agent of 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 development documents and time schedules.

Prior to the issuance of any entitlements to develop, the Agency must first review preliminary plan\ s and approve the general concept of the proposed project. Upon approval by the Agency, development plans must be submitted to the City of Newman, and any other public agencies having jurisdiction over the proposed development, for approval in accordance with applicable regulations, standards, and policies.

Following receipt of necessary entitlements, the Agency shall, within twenty five (25) days after receipt of the submitted project plans, either reject or approve the proposed development. Upon Agency approval of the proposed development, construction plans and documents shall be submitted the City of Newman for review and issuance of building permits and other authorizations to construct.

## 2. Personal Property Disposition

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

G. Participation Opportunities For Owners and Business Tenants

1. Opportunities For Owners and Business Tenants

The Agency shall extend reasonable preferences to persons who are engaged in business in the Project Area, to continue or re-enter in business within the redeveloped area if they meet the requirements prescribed in this Plan. For that purpose the Agency will adopt rules (see Exhibit "B attached) for re-entry of owners and business tenants.

It is the intention of the City and the Agency that owners of parcels of industrial, commercial and other types of real property within the Project Area be encouraged and allowed to participate in this redevelopment; by retaining all or a portion of their properties, by acquiring adjacent or other properties in the Project Area, by selling their properties in the Project Area to the Agency and purchasing other properties in the Project Area and by upgrading and developing their properties in conformance with this Plan. In the event a participant fails or refuses to rehabilitate or develop his real property pursuant to this Plan and/or the participation agreement, as an alternate thereto, the real property or any interest therein may be acquired by the Agency and sold or leased for rehabilitation or development in accordance with this Plan.

The Agency may determine that certain real property within the Project Area presently meets the requirements of this Plan and the owners of such property

will be permitted to remain as conforming owners without a participation agreement with the Agency provided such owners continue to operate and use the real property within the requirements of this Plan.

The Agency may also determine that certain real property within the Project Area is substantially in conformance with the requirements of this Plan and the owners of such property shall be allowed to remain as conforming owners provided such owners shall continue to operate and use the real property within the requirements of this Plan.

The Agency shall not acquire, through the use of eminent domain, conforming property owned by conforming owners.

In the event any of the conforming owners desire to (1) construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming, or (2) acquire additional real property within the Project Area, then such conforming owners shall be required to enter into a participation agreement with the Agency.

2. Rules for Participation Opportunities, Priorities and Preferences

Owners of property and business tenants may participate in the redevelopment of property in the Project Area in accordance with the participation rules adopted by the Agency. In general, these rules provide (1) that

existing business owners and tenants within the Project Area be given preference for re-entry into business within the Project Area, and (2) that certain buildings in the Project Area be retained provided the owners enter into agreements with the Agency whereby the owners agree to rehabilitate their properties to conform with the standards of this Plan at the owner's expense.

In both instances owners will be required to submit proof to the Agency of their qualifications and financial ability to carry out their agreement with the Agency. The participation rules to be adopted by the Agency are set out in Exhibit "B" attached hereto and will be on file with the Newman City Clerk.

### 3. Participation Agreements

Each participant not a conforming owner shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop, or use the property in conformance with this Plan and to be subject to the provisions hereof. In such agreements, 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.

## V. USES PERMITTED IN THE PROJECT AREA

### A. Map

The Map illustrates the location of the Project Area, the immediately adjacent streets, the principal public rights-of-way and public easements, and the proposed land

uses to be permitted in the Project Area (both public, semi-public, and private).

B. Land Uses

All areas shall be developed in accordance with the applicable provisions of the Newman General Plan, Land Use Element, and shall include but not be limited to, business and professional offices, retail stores, manufacturing, residential dwelling units and other related and compatible uses.

Except as inconsistent with this Plan, all requirements of the City's zoning ordinance as it now exists or is hereafter amended shall apply to development hereunder. In such development, the type of buildings shall be required by the building and safety laws and regulations applicable from time to time in the City of Newman; and there is no additional Plan limitation on height and/or number of buildings.

C. Public Uses

1. Rights-of-way and Easements

The principal existing public streets in or near the Project Area are listed on Exhibit "C" attached. Such streets, and any others within the Project Area, may be widened, altered, abandoned, or closed as necessary for proper development of the Project Area. Additional public streets, alleys and easements may be created in the Project Area as needed for proper development.

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.

D. Semi-Public, Institutional and Non-Profit Uses

In any area, the Agency is authorized to permit the establishment or enlargement of public, institutional, or non-profit uses, including, but not limited to, park and recreational facilities, fire stations, landscaped public ways, flood control protection facilities, libraries, hospitals, education, fraternal, employee philanthropic and charitable institutions and other types of public facilities and facilities of 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 of the Project Area.

E. 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. New Construction

All new construction shall comply with all applicable Federal, State and Local laws in effect from time

to time. Standards for parking, loading, circulation, building placement, height and design, parcel size and building site, and landscaping shall be as stipulated in the City of Newman Municipal Code, except as otherwise specified herein.

Every building and/or portion of any approved project area building erected in the Project Area shall be provided with permanently maintained parking and loading facilities, as required by this Plan and pursuant to the City of Newman Municipal Code. Such facilities shall be made permanently available and accessible, and shall be permanently maintained for off-street parking and loading purposes.

Rights-of-way, public or private, for streets, pedestrian paths, malls, vehicular access to parking and loading areas, service roads, and for easements for utilities may be established by the Agency or others upon Agency approval.

## 2. Existing Non-Conforming Uses

The Agency is authorized to permit an existing use to remain in an existing building in good condition, which use does not conform to the provisions of this Plan, provided that such use is generally compatible with the developments and uses in the Project Area. The owner of such a property must be willing to enter into a participation agreement and agree to the imposition of such reasonable restrictions as are necessary to protect the development and use of the Project Area.

3. Open Spaces and Landscaping

The approximate amount of open space to be provided in the Project Area includes, but is not limited to, the total of all areas which will be in the public rights-of-way, parks and recreational areas, the space around buildings, and all other outdoor areas not permitted, through limits on land coverage, to be covered by buildings.

4. Signs

Exterior signs for identification of buildings, premises and uses of particular parcels shall be permitted within the Project Area, provided such signage is in conformance with the Newman Municipal Code. Prior to the issuance of any permit to install such sign(s), plans for the sign(s) shall be submitted to the Agency for review and approval. Upon written Agency approval therefor, permits for erection of the sign(s) shall be obtained through the City of Newman Building and Safety Department.

5. Utilities

The Agency shall require that all utilities be placed underground whenever physically and economically feasible, or when not feasible, all above ground utilities shall be placed in a location which will minimize any detrimental impact to the visual aesthetics of the Project Area.

6. Incompatible Uses

No use or structure which by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors that

would be incompatible with the surrounding areas or structures shall be permitted in any part of the Project Area.

7. Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based upon race, sex, 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.

8. 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 Agency.

9. Variations

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

(1) The application of one or more of the provisions of this Plan would result in unnecessary hardship to the property owner; and

(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; and

(3) That permitting a variation from the limits, restrictions or controls of this Plan will not be materially

detrimental to the public welfare or injurious to property or improvements in the area; and

(4) That permitting a variation will not be contrary to the objectives of this Plan.

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

F. Standards for Development

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

No new improvement shall be constructed and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated except in accordance with architectural, landscape, and site plans submitted to and approved in writing by the Agency unless allowed pursuant to the procedures of the following subsection G. One of the objectives of this plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space, and

other amenities to enhance the aesthetic quality of the Project Area. The Agency shall not approve any plans that do not comply with this Plan.

G. Building Permits

1. Review of Applications for Issuance of Permits

Upon the adoption of this Plan no permit shall be issued for the construction of any new building or any addition to an existing building in the Project Area until the application for such permit has been processed in the manner herein provided. Any permit that is issued hereunder must be for construction which conforms to the provisions of this Plan.

Upon receipt of an application for a building permit the City of Newman Planning Director shall review the application and construction plans to determine that all conditions of approval, including written Agency approval and Newman Municipal Code requirements, have been complied with. Within 25 days of receipt of such application, the Planning Director shall submit a report to the Agency Executive Director setting forth findings and facts regarding the proposed development including but not limited to the following:

a. Whether the proposed improvements would be compatible with the standards and other requirements set forth in this Plan; and

b. What modifications, if any, in the proposed improvements would be necessary in order to meet the requirements of this Plan; and

c. Whether the applicant has entered into an agreement with the Agency for the development of said improvements and submitted architectural, landscape and site plans to the Agency.

After receipt of said report, the Executive Director may allow the issuance of the permits with conditions, or, he shall withhold the issuance of the permit, if he finds that the proposed improvement does not meet the requirements of this Plan. The Executive Director, within five (5) days after allowing or withholding issuance of the permit, shall notify the applicant and the Agency by mail of his decision.

## 2. Appeal By Applicant

The applicant or the Agency may appeal the decision of the Executive Director, withholding or allowing the issuance of such permit, to the City Council. Within ten (10) days from the mailing of the notice of decision of the Executive Director, and not thereafter, the appellant may file a notice of appeal in duplicate with the Secretary of the Agency. The notice of appeal shall set forth the grounds relied upon by appellant. Within twenty five (25) days following the filing of the appeal, the Agency shall set the matter for hearing and shall give notice of the time and place for said hearing to the applicant.

The Agency may reverse or affirm wholly or partly, or may modify any decision or determination or may impose such conditions as the facts warrant, and its decision or determination or may impose such conditions as the facts warrant, and its decision or determination shall be final. The hearing may be continued from time to time.

#### **VI. METHODS FOR FINANCING THE PROJECT**

##### **A. General Description of the Proposed Financing Methods**

Upon adoption of this Plan by the City Council, the Agency is authorized to finance this Plan with financial assistance from the City of Newman, State of California, Stanislaus County, Federal Government, property tax increments, interest income, Agency notes/bonds, or any other lawful source.

The advances for survey and planning and the operating capital for administration of this Plan will come through loans from the City. Such loans shall be on an annual basis or until adequate financing is available to repay the loans. The City may also supply additional assistance through City loans and grants for various public facilities.

As available, gas tax funds from the State of California and the Count of Stanislaus may be used toward the cost of the street system. There will also be some expendable revenue accruing to the Project Area from interest earned on investments of Agency funds.

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

The Agency is hereby authorized to issue bonds (as such term is defined in the Redevelopment Law) as needed, provided the Agency is advised by appropriate financing counsel that the Agency has or will have adequate revenues to meet principal and interest payments on such bonds as they become due and payable.

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

The Agency may also pay to any taxing agency with territory located within a project area, other than the community which has adopted the project, any amounts of money which the agency has found are necessary and appropriate to alleviate any financial burden or detriment caused to any taxing agency by a redevelopment project. The payments to a taxing agency in any single year shall not exceed the amount of property tax revenues which would have been received by that taxing agency if all the property tax revenues from the project area had been allocated to all the affected taxing

agencies without regard to the division of taxes required by Section 33670, except that a greater payment may be established by agreement between the Agency and one or more taxing agencies, except a school district, if the other taxing agencies agree to defer payments for one or more years in order to accomplish the purposes of the project at an earlier time than would otherwise be the case. The amount of any greater payments shall not exceed the amount of payment deferred. The payments shall be approved by a resolution, adopted by the redevelopment agency, which shall contain findings, supported by substantial evidence, that the redevelopment project will cause or has caused a financial burden or detriment to the taxing agency and that the payments are necessary to alleviate the financial burden or detriment.

The requirement that the Agency may make payments to a taxing entity only to alleviate a financial burden or detriment as defined in California Health & Safety Code Section 33012 and only after Agency approval by a resolution which contains specified findings shall apply only to payments made by the Agency pursuant to an agreement between the Agency and a taxing entity.

**B. 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 Stanislaus, City of Newman, 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 the taxing agencies upon the total sum of the assessed value of the taxable property in the Project Area as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocated taxes levied by or for any taxing agency or agencies which did not include the territory of the Project Area on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the Project Area on the effective date); and

(2) That portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on loans, monies advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the Plan. Unless and until the total assessed valuation of the taxable property in the Project Area 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 Area shall be paid into the funds of the respective taxing agencies. When said loans, advances, and indebtedness, if any, and interest thereon, have been paid, all monies thereafter received from taxes upon the taxable property in the Project Area shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

The portion of taxes mentioned in subdivision (2) above may be irrevocably pledged by the Agency for the payment of the principal of and interest on the advance of monies, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance in whole or in part the Plan.

The Agency is authorized to make such pledges as to specific advances, loans, indebtednesses and other obligations as are appropriate in carrying out the Plan.

Consistent with Section 33333.2 of the Health and Safety Code of the State of California, the following limitations are imposed on this Plan:

1. Taxes as defined in Section 33670 of the California Health and Safety Code (CHSC) shall not be divided and allocated to the Agency in excess of Three Million Dollars (\$3,000,000) during any one fiscal (tax) year except by amendment hereof.

2. No loans, advances, or indebtedness to finance in whole or in part the Plan to the extent they are to be repaid from the allocation of those taxes described in Subsection (1) above shall be established or incurred by the Agency beyond forty-five (45) years from the original date of adoption of this Plan by the Newman City Council unless such time limitation is extended by amendment of this Plan. However, such loans, advances, or indebtedness may be repaid over a period of time longer than such time limit.

3. Unless changed by amendment of this Plan, the number of dollars of taxes which may be divided and allocated to the Agency pursuant to this Plan shall not exceed Thirty Million Dollars (\$30,000,000).

Not less than twenty percent (20%) of all taxes which are allocated to the Agency pursuant to Section 33670 shall be used by the Agency for the purpose of increasing and improving the community's supply of low and moderate-income housing available at affordable housing cost, as defined by CH&SC Section 50052.5, to persons and families of low and moderate income, as defined by CH&SC Section 50093, and very low-income households, as defined in CH&SC Section 50105, unless one of the following findings is made annually by resolution:

(1) That no need exists in the community to improve or increase the supply of low and moderate-income housing in a manner which would benefit the project area and that this finding is consistent with the housing element of the Newman General Plan required by Article 10.6 (commencing with Section

65580) of Chapter 3 of Division 1 of Title 7 of the California Government Code; or

(2) That some stated percentage less than twenty percent (20%) of the taxes which are allocated to the Agency pursuant to Section 33670 is sufficient to meet such housing needs of the community and that this finding is consistent with the housing element of the Newman General Plan; or

(3) That the community is making a substantial effort to meet its existing and projected housing needs, including its share of regional housing needs, with respect to persons and families of low and moderate-income, particularly very low-income households, as identified in the housing element of the Newman General Plan, and that this effort, consisting of direct financial contributions of local funds used to increase and improve the supply of housing affordable to persons and families of low and moderate-income and very low-income households, is equivalent in impact to the funds otherwise required to be set aside pursuant to Section 33334.2(a) of the CH&SC. The legislative body shall consider the need that can be reasonable foreseen because of displacement of persons and families of low or moderate-income or very low-income households from within or adjacent to the project area, because of increased employment opportunities, or because of any other direct or indirect result of implementation of the Plan.

C. Other Loans and Grants

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

**VII. 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 of conditions causing blight. Action by the City shall include, but not be limited to, the following:

A. Initiation 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 proceedings for the abandonment and relocation of public utilities in the public rights-of-way as appropriate to carry out this Plan.

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

C. Initiation of proceedings for revision of zoning, where necessary within the Project Area, to permit the land uses and development authorized by this Plan.

D. Imposition wherever necessary (by conditional use permits or other means) of appropriate controls, within the

limits of this Plan, upon parcels in the Project Area to ensure their proper development and use.

E. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency shall develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.

F. 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.

G. The undertaking and completing of any other proceedings necessary to carry out the Plan.

#### **VIII. ENFORCEMENT**

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

The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, 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.

#### **IX. DURATION OF THE 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 five (45) years from the date of adoption of this Plan by the City Council, or until such time as all Project Area bonded indebtedness is retired.

#### **X. PROCEDURE FOR AMENDMENT**

This Plan may be amended by means of the procedure established in the Redevelopment Law (See CH&SC Sections 33450 to 33458) as the same now exists or as hereafter amended.

#### **XI. NEIGHBORHOOD IMPACT ELEMENT**

##### **A. Traffic Circulation**

There will be a positive long range impact upon the residents of the Project Area both in terms of an improved circulation system as well as in the general environmental quality. The eventual implementation of public improvements such as curbs, gutters and storm drains to help eliminate the ponding in the neighborhoods, sewers, undergrounding of utilities, street trees, landscaping, etc., will all help to correct blight and deterioration in the Project Area.

The principal regional transportation facilities serving the Project Area are State Route 33 and Interstate 5.

Circulation improvements will be consistent with the adopted City of Newman General Plan and with the Stanislaus County General Plan Circulation Element.

B. Environmental Quality

Generally, all of the activities undertaken by the Agency in the Project Area are intended to attract newer higher quality developments. These new developments will have public improvements which will accompany such developments and these public improvements will have a positive impact on the neighborhoods in the vicinity.

C. Effect on School Population and Quality of Education

Since new residential uses are contemplated in the Plan, there should be an increase in the population of school-age children and an effect on the quality of education of children in school districts serving the Project Area. The Environmental Impact Report on the proposed project adoption will address such impacts and mitigating measures applicable thereto.

D. Property Assessments and Taxes

The redevelopment of the Project Area should produce more tax revenues of all kinds. The City does presently levy a property tax and the increase in such tax revenues flowing from the redeveloped Project Area should more than support any new City services involved. As the Project Area is redeveloped, it is expected that most of the property therein, whether redeveloped or not, would become more valuable and that this increase in value would be reflected in increased

property assessments greater than the increase expected to result from inflation. Assuming that the present property tax rates remain constant, the rates, when applied to the increased property assessments, would result in larger taxes being paid to benefit those entities levying taxes.

E. Availability of Community Services and Facilities

The availability of community facilities and services should be enhanced as the Agency is authorized to permit the establishment or enlargement of public, semi-public, or institutional uses, such as park and recreational facilities, fire stations, landscaped public ways, flood control protection facilities, libraries, hospitals, educational, fraternal, employee philanthropic and charitable institutions. Many neighborhoods nearby the Project Area now lack some or all of these types of uses and thus their implementation will have a positive impact.

**END OF PLAN**

PART II  
MAP  
REDEVELOPMENT PLAN

NEWMAN  
REDEVELOPMENT PROJECT NO. 1

**EXHIBIT "A"**

**NEWMAN REDEVELOPMENT AGENCY  
REDEVELOPMENT PROJECT NO. 1**

**BOUNDARIES AND LEGAL DESCRIPTIONS**

EXHIBIT A

NEWMAN REDEVELOPMENT PLAN PROJECT NO. 1

Legal Description

Beginning at the point of intersection of the westerly right of way of California State Highway 33 (N Street) and the common line of Stanislaus County and Merced County as said highway and counties exist in 1991; thence northwesterly along the westerly right of way of said State Highway 33, 1360 feet more or less to a one-acre parcel designated as 26-16-09 by the Stanislaus County Tax Assessor in 1990; thence southwesterly along the southerly line of said one-acre parcel, 330 feet more or less to a three-acre parcel with the assessor's number 26-16-3; thence along the easterly line of said parcel, southerly 78.5 feet; thence westerly 444 feet to the westerly right of way of Moreno Avenue (16 feet wide); thence southerly along said right of way, 61 feet more or less to the southeasterly corner of assessor's parcel numbered 26-16-07 and westerly along its southerly boundary 250 feet to the easterly right of way of Prince Street (60 feet wide); thence northerly along the easterly right of way of Prince Street 690 feet more or less to the easterly prolongation of the northerly line of Lot 17 as shown on Parcel Map Book 41, page 22, Stanislaus County records, and the southerly line of Sunshine Park, Book 27 Maps, page 80, Stanislaus County records; thence westerly along this line 832 feet more or less to the northerly prolongation of the easterly line of Assessor's Parcel 26-15-18 (Von Renner School); thence along said prolongation and said easterly line, southerly 635

feet more or less to the south line of said Von Renner School and along said southerly line, westerly, 480.13 feet and 327.86 feet to the westerly line of said school; thence along said westerly line, northerly, 508.92 feet to the southerly line of Patchet Drive; thence along said southerly right of way, westerly 1020 feet more or less to the westerly right of way of Upper Road; thence along said westerly right of way, northerly 640 feet more or less to the southerly right of way of Hoyer Road; thence westerly along said right of way, 1500 feet more or less to the southerly prolongation of the westerly line of a 24.28 acre parcel as shown in Volume 10 of Parcel Maps, page 78, Stanislaus County Records, and the southwesterly corner of the Southwest Newman #7 Annexation to the City of Newman; thence northerly along the westerly line of said annexation, 1368 feet; thence along the Southwest Newman #7 Annexation and adjacent Silva Ranch Annexation, easterly 1169.15 feet, southerly 627.27 feet and easterly 318.70 feet to the westerly right of way of West Avenue; thence southerly along the westerly right of way of West Avenue 190 feet more or less to the westerly prolongation of the southerly right of way of Fresno Street; thence along said prolongation and the southerly line of Fresno Street, easterly 471 feet more or less to the northwesterly corner of Parcel A as shown on a Record of Survey recorded in Volume 10 of Surveys, page 126 Stanislaus County Records; thence along the westerly line of Parcels A through E as shown on said Record of Survey,

southerly, 440 feet to the northerly line of Merced Street; thence northeasterly along said line 1720 feet more or less to the westerly right of way of P Street; thence northwesterly along the westerly line of P Street, 2245 feet more or less to a point 75 feet south of the southerly right of way of Yolo Street which is the southeasterly corner of Assessor's Parcel 128-06-01; thence westerly along the southerly line, of said parcel, 170 feet to the westerly line of a 20-foot wide alley; thence northerly along said westerly line, 25.0 feet to a point 50 feet southerly of the southerly right of way of Yolo Street which is the southeasterly corner of Assessor's Parcel 128-06-16; thence along last said southerly line and its westerly prolongation, westerly 400 feet to the westerly line of a 20-foot wide alley between R and Q Streets; thence southerly along the westerly right of way of said alley, 50.0 feet to a point 100 feet south of the southerly right of way of Yolo Street; thence westerly along the southerly line of Assessor's Parcels 128-06-45 and 128-06-43 and their westerly prolongation, 230 feet to the westerly right of way of R Street; thence northerly along said right of way, 25 feet to a point 75 feet south of the southerly right of way of Yolo Street being the southeasterly corner of Assessor's Parcel 128-05-01; thence along the southerly line of last said parcel and its westerly prolongation, 170 feet to a point on the west line of a 20 foot wide alley between R and S streets; thence southerly 50 feet to a point 125 feet south of the southerly right of way of Yolo Street being the southeasterly corner of Assessor's Parcel 128-05-12; thence westerly along the southerly line of last said parcel, 150 feet to the easterly line

of S Street; thence northerly along said line, 75 feet; thence traversing S Street, westerly 80 feet to a point 50 feet southerly of the south line of Yolo Street being the southeasterly corner of Assessor's Parcel 128-05-13; thence westerly along the southerly line of last said Assessor's Parcel 128-05-13 and Assessor's Parcel 128-05-14, 320 feet to a point on the easterly right of way of T Street; thence southerly along said right of way, 500 feet more or less to the point of intersection of the easterly line of T Street and the easterly prolongation of the northerly line of Mariposa Street; thence northwesterly, 240 feet more or less along last said prolongation and northerly line of West Mariposa Street; thence along the easterly lines of Assessor's parcels 26-26-16 and 27, northerly 392.74 feet, easterly 40.46 feet, northerly 135.69 feet and 105.38 feet to the common point of Sections 18, 19, 13, and 24 in the centerline of Orestimba Road; thence northerly 25 feet to the northerly line of Orestimba Road; thence westerly along said northerly line, 1096.26 feet to the southwest corner of that six acre parcel designated as assessor's parcel 26-34-24; thence along the westerly line of said parcel, northerly 480.70 feet; thence westerly 226.74 feet to the southwest corner of the lands of Orestimba Union High School District shown as Assessor's parcels 26-34-22 and 23; thence along the westerly line, northerly 1348.72 feet; thence easterly along the northerly line of said High School District, 1322.44 feet to the westerly line of Hardin Road; thence along said westerly line, northerly 400

feet more or less to the westerly prolongation of the northerly line of that nine acre parcel designated Parcel C in Volume 6 of Parcel Maps, page 4, Stanislaus County Records being also Assessor's Parcel 26-41-46; thence along said prolongation and said northerly line, 576.11 feet to a point on the easterly right of way of Fig Lane; thence southerly along said right of way, 240 feet more or less to the northerly line of Parcel 1 as shown in Volume 9 of Parcel Maps, page 62, Stanislaus County records (Assessor's Parcel 26-49-2); thence easterly 157.44 feet to the northwesterly corner of North Manor Unit 4 as shown in Volume 32 of Maps, page 24, Stanislaus County Records; thence along the westerly boundary, southerly 658.64 feet and easterly 10.44 feet to the northerly corner of Assessor's Parcel 128-12-72; thence southerly 155.45 feet more or less to the northerly line of Ruth Avenue; thence westerly along said northerly line, 137.88 feet to the easterly line of Fig Lane; thence southerly along the easterly line of Fig Lane, 1040 feet more or less to a point 120 feet northerly of Yolo Street (60 feet wide) being the northwesterly corner of Assessor's Parcel 128-12-56 and being also the northerly line of Lot 8 of North Manor Unit 1, Volume 16 of Maps, page 57, Stanislaus County records; thence along a line parallel with and northerly 120 feet from the northerly line of Yolo Street easterly 699.74 feet to the easterly right of way of Lee Street; thence northerly 8.90 feet more or less to the northerly line of Parcels C and D as shown in Volume 38 of Parcel Maps, page 44, Stanislaus County Records; thence along said northerly line, easterly 126 feet to the westerly right of way of O Street; thence northerly along said westerly right of way, 191 feet; thence easterly, 10 feet to the easterly lines of parcels 1

through 7 as shown on the Record of Survey recorded in Book 11 of Surveys, page 102, Stanislaus County records; thence along said lines, northerly, 490.02 feet; thence along the northerly line of Parcel B as shown on said Record of Survey, easterly, 356.50 feet to the westerly line of Highway 33 (N Street); thence continuing easterly, traversing the highway and the northerly lines of two parcels designated assessor's parcels 26-40-20 and 26-40-25 and the Southern Pacific Railroad Company right of way (100 feet wide), 320 feet more or less to a point on the easterly right of way of the Southern Pacific Railroad Company right of way; thence along said right of way, southerly, 1070 feet more or less to the northerly corner of Lot 120, Oakwood Vista Subdivision, Volume 34 of Maps, page 67, Stanislaus County records; thence along the westerly line of Lot 121 of the Oakwood Vista Subdivision, northerly, 68.33 feet to the southwesterly corner of the Barrington Avenue Annexation to the City of Newman; thence along said annexation the following courses and distances:

N 00° 17' 28" E, 903.07 feet;  
N 89° 18' 00" E, 963.73 feet;  
S 82° 42' 00" E, 198.73 feet;  
S 77° 42' 00" E, 231.86 feet;  
S 73° 42' 00" E, 670.06 feet;  
S 89° 07' 00" E, 594.23 feet;  
S 00° 03' 55" E, 667.44 feet, and  
N 89° 28' 00" W, 2630.06 feet to said

southwesterly corner of the Barrington Avenue Annexation; thence southerly, 68.33 feet to the easterly line of the Southern Pacific Railroad Company right of way and along said right of way, southerly, 182.67 feet; to the northwesterly corner of Assessor's Parcel 128-20-1; thence along the northerly boundaries of Assessor's Parcels 128-20-11, 2, and e, easterly 855.17 feet; thence along the easterly boundary of said Assessor's Parcel 128-20-8, southerly 396.05 feet more or less to the northerly right of way of Driskell Avenue; thence easterly along said right of way, 1605 feet more or less to the Section line in Barrington Avenue; thence along said Section line in Barrington Avenue and its southerly prolongation, 3300 feet more or less to the southeasterly corner of Assessor's Parcel 128-23-2; thence westerly 320 feet to the line common to Assessor's parcels 26-16-32 and 26-16-33; thence southerly along said line and its southerly prolongation, 1005 feet more or less to the Merced County line; thence along the line common to Stanislaus County and Merced County, southwesterly 1100 feet more or less to the Point of Beginning.

EXCEPTING THEREFROM the following described property:

All of Stephens Manor Subdivision, Volume 26 of Maps, page 34, Stanislaus County Records; all of Parcels A and B as shown in Volume 33 of Parcel Maps, page 39 (Assessor's Parcels 26-41-60 and 61); and all of that 196.98' x 123' x 230.02' x 180' parcel southerly and adjacent to said Parcel B and designated as Assessor's Parcel 26-41-38.

**EXHIBIT "B"**

**NEWMAN REDEVELOPMENT AGENCY  
REDEVELOPMENT PROJECT NO. 1**

**PARTICIPATION RULES**

**(TO BE FORMULATED BY AGENCY)**

**EXHIBIT "C"**

**NEWMAN REDEVELOPMENT AGENCY  
REDEVELOPMENT PROJECT NO. 1**

**LIST OF PRINCIPAL STREETS**

**(See Text, Article V [C])**

**HIGHWAY 33**

**MERCED STREET**

**"N" STREET**

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**AB 1290 AMENDMENT**

**ADOPTED ON NOVEMBER 22, 1994,  
BY ORDINANCE NO. 94-19**

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ORDINANCE NO. 94-12

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWMAN AMENDING  
2 SECTION VI AND SECTION IX OF THE NEWMAN REDEVELOPMENT PLAN FOR  
3 REDEVELOPMENT PROJECT NO. 1

4 THE CITY COUNCIL OF THE CITY OF NEWMAN DOES ORDAIN AS FOLLOWS:

5 SECTION 1. The City Council of the City of Newman does hereby find, determine, and declare  
6 as follows:

7 a. The Community Redevelopment Law Reform Act of 1993 (AB1290) requires that  
8 existing redevelopment plans be amended by December 31, 1994, to conform to time limits on  
9 incurring indebtedness, receiving tax increment or paying indebtedness, and carrying out plan  
10 activities.

11 b. The proposed amendments do not affect the General Plan and no Planning  
12 Commission review is required.

13 c. The City Council and Redevelopment Agency Board are comprised of the same  
14 members and these two legislative bodies choose to hold a joint public hearing on this matter.

15 d. Public Notice of the Public Hearing on the amendments has been given.

16 e. A Public Hearing on the amendments was held November 15, 1994, and testimony  
17 heard and considered.

18 SECTION 2. The Newman Redevelopment Plan for Project No. 1, Section VI B (2)2 "Methods  
19 of Financing of the Project" is amended as follows:

20 No loans, advances or indebtedness to finance in whole or in part of the Plan to the extent  
21 they are to be repaid from the allocation of those taxes described in Subsection (1) above  
22 shall be established or incurred by the agency beyond Twenty (20) years from the original  
23 date of adoption of this Plan by the Newman City Council unless such time limitation is  
24 extended by amendment of this Plan. Such loans, advances or indebtedness, however,  
25 may be repaid over a period of up to Fifty (50) years from the original date of adoption of  
26 this Plan by the Newman City Council.

27 SECTION 3. The Newman Redevelopment Plan for Project No. 1, Section IX "Duration of the  
28 Plan" is amended as follows:

29 Except for the nondiscrimination and nonsegregation provision which shall run in  
30 perpetuity, the provisions of this Plan shall be effective and the provisions of other  
31 documents formulated pursuant to this Plan may be made for Forty (40) years from the  
32 date of adoption of this Plan by the City Council, or until such time as all Project area  
bonded indebtedness is retired.

SECTION 4. The City Clerk is hereby directed to file a certified copy of this Ordinance with the  
Secretary of the Redevelopment Agency, and the Agency is hereby vested with the responsibility  
for carrying out the Redevelopment Plan.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this  
Ordinance, or the application thereof to any person, firm or corporation, or circumstance, is for  
any reason held to be invalid or unconstitutional by the decision of any court of competent  
jurisdiction, such decision shall not effect the validity of the remaining portion thereof.

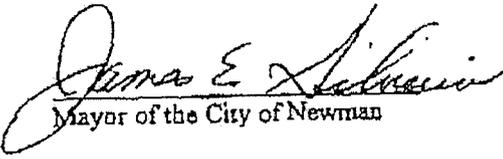
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SECTION 6. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption. The City Clerk, or his duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published as required by law.

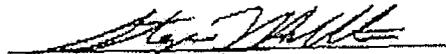
The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Newman held on the 15th day of November, 1994, by Councilmember Drew, and adopted at a regular meeting of said City Council held on the 22nd day of November, 1995.

AYES: Novoa, Marquez, Drew and Mayor Silveira  
NOES: None  
ABSENT: None

APPROVED:

  
Mayor of the City of Newman

ATTEST:

  
City Clerk of the City of Newman

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## **APPENDIX B**

### **PROPOSED PROJECTS AND PROGRAMS LIST**

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Proposed Projects and Programs List  
Newman Redevelopment Project

- Infrastructure
  - Construct or reconstruct streets
  - Construct or reconstruct curbs, gutters and sidewalks
  - Construct or reconstruct traffic and circulation improvements
  - Construct or reconstruct water, sewer, and drainage systems
  - Construct or reconstruct pedestrian amenities, including landscaping
  - Construct or reconstruct public parking areas
- Community Facilities
  - Provide for public building rehabilitation, to improve building conditions, correct code deficiencies, increase functionality and desirability, and enhance aesthetic qualities
  - Provide for historic preservation to preserve the cultural and architectural value of a public property and its surroundings
  - Provide for financial or other assistance for public uses as authorized by the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*; CCRL) and the Redevelopment Plan to individual projects on an as-needed basis, and depending on the availability of Agency funds or other resources
  - Provide for the construction, reconstruction, or improvement of parks and other community facilities to enhance recreational opportunities in the Project Area
- Housing Programs
  - Increase, preserve, and improve the community's supply of low- and moderate-income housing using no less than twenty percent (20%) of the gross tax increment received by the Agency
  - Provide for residential rehabilitation, to improve building conditions, correct code deficiencies, increase functionality and desirability, and enhance aesthetic qualities
  - Provide for historic preservation to preserve the cultural and architectural value of a residential property and its surroundings
  - Provide for financial or other assistance for affordable housing as authorized by the CCRL and the Redevelopment Plan to individual projects on an as-needed basis, and depending on the availability of Agency funds or other resources
- Community Development and Economic Development
  - Provide for Business rehabilitation, to improve building conditions, correct code deficiencies, increase functionality and desirability, and enhance aesthetic qualities

- Provide for Historic preservation to preserve the cultural and architectural value of a business property and its surroundings
- Provide for financial or other assistance for business uses as authorized by the CCRL and the Redevelopment Plan to individual projects on an as-needed basis, and depending on the availability of Agency funds or other resources
- Assist existing businesses to market themselves, expand and/or improve their competitiveness to increase patronage to their business, surrounding businesses, and by extension, the Project Area
- Identify and attract new businesses to the Project Area on vacant or underutilized properties through recruitment programs, site acquisition assistance, and/or site development aid. Improve building conditions, correct code deficiencies, increase functionality and desirability, and enhance aesthetic qualities
- Improve economic growth opportunities by rehabilitating and revitalizing the downtown area