

ORDINANCE NO. 2035

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AND ADOPTING THE AMENDED REDEVELOPMENT PLAN FOR THE GARDEN GROVE COMMUNITY PROJECT DELETING THEREFROM CERTAIN REAL PROPERTY COMMONLY KNOWN AS THE NEWHOPE CONDOMINIUM COMPLEX.

WHEREAS, the GARDEN GROVE AGENCY FOR COMMUNITY DEVELOPMENT (the "Agency") has prepared an amendment to the Redevelopment Plan for the Community Redevelopment Project ("the Amendment") which would delete a small amount of territory from the boundaries of the existing Project Area; and

WHEREAS, the Amendment is in conformity with the City's General Plan; and

WHEREAS, the Agency submitted to this City Council of the City of Garden Grove the Amendment attached hereto as Exhibit "A" and incorporated herein by this reference, which contains a legal description of the territory to be deleted from the boundaries of the Project Area (the "Deleted Area"), and is accompanied by the Report of the Agency on the Amendment which Report contains, among other things, the Negative Declaration, and a description and discussion of the subject area to be deleted; and

WHEREAS, the proposed area to be deleted from the existing Project Area includes improved real property containing a 188 unit residential condominium project; and

WHEREAS, pursuant to Health and Safety Code Section 33457.1, the proposed amendment to the Plan (deleting a small portion of territory) does not warrant the report or findings required in Section 33367 or the reports and information required by Section 33352 because of the insignificant character of the proposed plan amendment and lack of significant impact on the taxing agencies and criteria set forth in the aforementioned Sections; and

WHEREAS, this proposed amendment has been duly prepared by the Agency and duly noticed pursuant to California Redevelopment Law for a joint public hearing before the Agency and the City Council at a public meeting and hearing held on February 8, 1988, at which meeting and hearing persons were given an opportunity to address the Agency and the Council on the proposed amendment; and

WHEREAS, the Agency and this City Council have reviewed and considered the information contained in the Negative Declaration prepared for the Amendment and have by resolution made certain findings with respect thereto, in compliance with the California Environmental Quality Act of 1970, and State and local regulations and guidelines adopted pursuant thereto and have approved said Negative Declaration for the adoption of the Amendment; and

WHEREAS, after due notice, the Joint Public Hearing was held by this City Council and the Agency to consider the Amendment; and

WHEREAS, at said Joint Public Hearing, this City Council heard and considered all oral and written objections; and

WHEREAS, all actions required by law have been taken by all appropriate public agencies.

NOW, THEREFORE, the City Council of the City of Garden Grove does hereby ordain as follows:

SECTION 1. The subject real property has been improved with a 188-unit, residential condominium complex and it is no longer necessary that the redevelopment agency's legal authority and land use controls exist on the subject Deleted Area. The City Council desires and intends by this Ordinance to return the Deleted Area to the general tax rolls and to remove all redevelopment agency controls. Therefore, the purpose of this Ordinance is to remove the Deleted Area from the boundaries of the Garden Grove Community Project Plan Project Area and to revise said boundaries to exclude the Deleted Area.

SECTION 2. All written and oral objections to the Amendment are hereby overruled.

SECTION 3. The Garden Grove Community Project Plan, as adopted by Ordinance No. 1760 and as amended by the Amendment, is hereby approved and adopted and designated the official Redevelopment Plan for the Project Area (the "Redevelopment Plan") and is hereby incorporated herein by reference and made a part hereof as if fully set out at length herein.

SECTION 4. This City Council hereby finds and determines for the Deleted Area that:

(a) Upon the record accumulated during the redevelopment plan amendment process to delete the subject area, including, without limitation, the record of the joint public hearing on the Amendment, including all testimony received at the joint public hearing and the report of Agency and City staff, the Report of the Agency to the City Council, all studies and data supporting said records and Report, and the Negative Declaration, the deletion of this area is necessary to effectuate the public purposes declared in the Community Redevelopment Law of the State of California, to wit:

(i) The Amended Area is no longer characterized by conditions of blight, as the same is defined in the California Redevelopment Law, and as more particularly described herein and in the documents and reports referred to in Section 4(a) hereof, which conditions do not any longer constitute a physical, social and economic burden on the community;

(ii) The Deleted Area is no longer characterized by properties which suffer from economic dislocation and disuse because of the Deleted Area;

(1) does not lack defective design or physical construction;

- (2) is not old, obsolete, deteriorated, dilapidated or of mixed character;
- (3) is not in economic dislocation, deterioration or disuse resulting from faulty planning;
- (4) is not subdivided improperly for proper usefulness and development;
- (5) does not have inadequate public improvements, public facilities, open spaces or utilities;
- (6) there is not a prevalence of depreciated values, impaired investments, or social and economic maladjustment.

(iii) The proper utilization of the Deleted Area while a part of the Project area has resulted in a productive condition of land, useful and valuable and contributing to the public health, safety, and welfare by providing residential opportunities within the City;

(b) The adoption and carrying out of the Amendment is economically sound and feasible;

(c) The Amendment conforms to the General Plan of the City of Garden Grove;

(d) The carrying out of the Amendment will promote the public peace, health, safety and welfare of the City of Garden Grove and will effectuate the purposes and policies of the Community Redevelopment Law of the State of California;

(e) The condemnation of real property within the Deleted Area is no longer necessary to the execution of the Redevelopment Plan.

SECTION 5. In order to implement and facilitate the effectuation of the Amendment to the Redevelopment Plan hereby approved and adopted, it is found and determined that certain official actions must be taken by this City Council, and therefore, this City Council hereby:

(a) Provides for the expenditure of funds by the community to implement the Redevelopment Plan as amended hereby in such amounts, for such purposes and under such conditions as set forth in subsequent resolutions or ordinances of this City Council.

(b) Declares its intention to undertake and complete any proceedings necessary to be carried out by the City of Garden Grove under the provisions of the Redevelopment Plan as amended.

(c) Requests the various officials, departments, boards, commissions, and agencies of the City of Garden Grove having administrative responsibilities (in the Project Area), likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Redevelopment Plan as amended.

SECTION 6. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, and the Agency is hereby vested with the responsibility for carrying out the Redevelopment Plan as amended.

SECTION 7. The City Clerk is hereby directed to record within thirty (30) days from the adoption of this Ordinance with the County Recorder of Orange County, a description of the land within the Deleted Area. Agency is hereby directed to effectuate recordation in compliance with the provisions of Section 27295 of the Government Code to the extent applicable.

SECTION 8. The City Clerk is hereby directed to transmit a copy of the description and statement recorded by the City pursuant to Section 7 of this Ordinance, a copy of this Ordinance, and a map or plat showing the boundaries of the original Project Area and of the Amended Area after deletion of the Deleted Area pursuant to this Amendment and this Ordinance, to the Auditor and Tax Assessor of Orange County, to the governing body of each of the taxing agencies which levies taxes upon property in the Deleted Area, and to the State Board of Equalization.

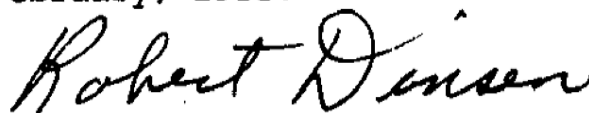
SECTION 9. The Building Division of the Public Works Department of the City of Garden Grove is hereby directed for a period of two (2) years after the effective date of this Ordinance to advise all applicants for building permits within the Deleted Area that the site for which a building permit is sought, for the construction of buildings or for other improvements, is no longer within a redevelopment project area.

SECTION 10. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after its passage.

SECTION 11. City Clerk's Certification. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be published, once as required by law and posted at the duly designated posting places within the City of Garden Grove, within fifteen (15) days after its passage.

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the 16th day of February, 1988.

ATTEST:



MAYOR PRO TEM



CITY CLERK

I, CAROLYN MORRIS, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced and presented on February 8, 1988 with vote as follows:

AYES:	COUNCILMEMBERS:	(4)	DONOVAN, KREIGER, LITRELL, DINSEN
NOES:	COUNCILMEMBERS:	(0)	NONE
ABSENT:	COUNCILMEMBERS:	(1)	WILLIAMS

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and was passed on February 16, 1988 with vote as follows:

AYES:	COUNCILMEMBERS:	(4)	DINSEN, DONOVAN, LITRELL, WILLIAMS
NOES:	COUNCILMEMBERS:	(0)	NONE
ABSENT:	COUNCILMEMBERS:	(1)	KRIEGER


CITY CLERK