

RULES GOVERNING PARTICIPATION AND
REENTRY PREFERENCES FOR PROPERTY OWNERS,
OPERATORS OF BUSINESSES, AND BUSINESS TENANTS
FOR THE
CARSON REDEVELOPMENT AGENCY
CARSON MERGED AND AMENDED PROJECT

SECTION I. (100) INTRODUCTION

California Community Redevelopment Law (Health and Safety Code Sections 33000 *et seq.*) Section 33345 requires that the Carson Redevelopment Agency (the "Agency") establish and make known to property owners, businesses, and business tenants within the Carson Merged and Amended Project (the "Project Area") the Agency's rules and guidelines for implementing owner participation opportunities in the Project Area, which is subject to the Redevelopment Plan for the Carson Merged and Amended Project. The proposed Carson Merged and Amended Project is comprised of the Original Area of Redevelopment Project Area No. Two as amended to add territory in 1975 and 1984, Redevelopment Project Area No. Three and certain areas proposed to be added (the "Added Area") by the adoption of the Carson Merged and Amended Redevelopment Plan (the "Plan"). The proposed Added Area consists of a total of approximately 195 acres and includes the following: four parcels on the southwest corner of 228th Street and Avalon Boulevard; the area bounded by Bayport Street on the north, Idabel Avenue on the south, Anchor Avenue on the west, and Avalon Boulevard on the east; the area generally along Main Street between Gulf Avenue on the north and Lomita Boulevard on the south; the southwest corner of Sepulveda Boulevard and Figueroa Street; and the area generally bounded by the Dominguez Channel on the north and east, Sepulveda Boulevard on the south and Alameda Street.

These are the Rules Governing Participation and Reentry Preferences for Property Owners, Operators of Businesses, and Business Tenants for the Carson Merged and Amended Project (the "Rules"), and replaces and supersedes any previously adopted Rules. These rules are based upon the following objectives:

1. The Agency's commitment to afford maximum participation to existing property owners who will be affected by the Agency's activities within the Project Area, and
2. The Agency's commitment to extend reasonable preferences to existing property owners and persons who are engaged in business within the Project Area, in the redevelopment, rental, or ownership of new industrial, commercial, or residential uses within the Project Area.

These rules set forth the process for owner participation in the Project Area.

SECTION II. (200) GENERAL DEFINITIONS

The following definitions will be used generally in the context of these Rules Governing Participation and Reentry Preferences for Property Owners, Operators of Businesses, and Business Tenants, unless otherwise specified herein.

- A. "Agency" means the Carson Redevelopment Agency.
- B. "Added Area" means that area being added to Project Area No. Two and Project Area No. Three by the adoption of the Carson Merged and Amended Redevelopment Plan.
- C. "City" means the City of Carson.
- D. "Redevelopment Law" means the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.).
- E. "Owner Participation Agreement" means an agreement entered into between the Agency and an owner of real property, persons engaged in business, or a tenant doing business within the Project Area in accordance with the provisions of the Plan and the Rules as described herein which contains the specific responsibilities and obligations of each party regarding a specific implementation of property improvements and land use.
- F. "Plan" means the Redevelopment Plan for the Carson Merged and Amended Project.
- G. "Project" means the Carson Merged and Amended Project.
- H. "Project Area" means the Carson Merged and Amended Project Area which is subject to the Plan.
- I. "Redevelopment Project Area No. Two" is that area incorporated into a redevelopment project by the adoption of Ordinance No 74-295 on December 19, 1974 and those areas added by amendment in January, 1975 and December, 1972 by Ordinance No. 74-324 and Ordinance No. 82-628.
- J. "Redevelopment Project Area No. Three" is that area incorporated into a redevelopment project by the adoption of Ordinance No. 84-695 on July 16, 1984.
- K. "Rules" mean the Rules Governing Participation and Reentry Preferences for Property Owners, Operators of Businesses, and Business Tenants in the Combined Commercial Redevelopment Project.

SECTION III. (300) GENERAL

These Rules have been adopted by the Agency specifically to implement the provisions of the Plan and the Redevelopment Law regarding participation and the exercise of reentry preferences for property owners, tenants, and businesses located in the Project Area. Persons and businesses desiring to exercise their owner participation rights and preferences shall abide by these Rules.

The Agency would prefer that all property owners, tenants, and businesses in the Project Area become actively involved in improvement and community development within the Project Area. Therefore, the Agency shall extend preference to such property owners, tenants and businesses to continue in or, if the Agency acquires the land of an owner or the land on which a person engaged in business is located, to reenter the Project Area if any such owner or such person otherwise meets the requirements prescribed in the Plan and in these Rules.

Owners of real property in the Project Area shall, **as feasible**, be given the opportunity to participate in the Project by retaining all or a portion of their properties, by purchasing adjacent or other properties in the Project Area or by selling their properties to the Agency and purchasing other properties in the Project Area.

The Agency desires and urges participation in the growth, development, and redevelopment of each of the parcels encompassed within the Project Area by as many property owners, tenants, and operators of businesses as possible. In view of the pattern of land use and development envisioned by the Plan, qualified persons, whenever feasible, as determined by the Agency, will be encouraged to take advantage of such participation and preference opportunities as described herein, **subject to and limited by factors such as the following:**

1. The appropriateness of some land uses (i.e., compatibility with existing and planned uses in the area), which may require the elimination and/or relocation of some uses.
2. The realignment, widening, opening, and/or elimination of public rights-of-way per the City of Carson General Plan, as it now exists or is hereafter amended.
3. The removal, relocation, and/or installation of public utilities and public facilities.
4. The ability of participants to finance and/or complete proposed acquisitions and developments.
5. The change in orientation and character of the Project Area.
6. The necessity to assemble areas for public and/or private development.

The Plan authorizes the Agency to **establish reasonable priorities and preferences** among participants; accordingly, the following order of priorities is established:

1. Existing property owners and tenants desiring to participate in their same location in compliance with the Plan and these Rules, and desiring to build new residential, industrial or commercial developments.
2. Owner-occupants relocating within the Project Area in accordance with and as a result of an implementation project which may cause the temporary displacement of a property owner.
3. Existing tenants relocating within the Project Area in accordance with and as a result of Plan implementation.

The Agency may, in its discretion, decline any offer of owner participation, resolve conflicting proposals between owners interested in redeveloping the property, or resolve conflicting proposals between owners and others interested in redeveloping the property based upon a number of considerations including, without limitation, the following:

1. Conformity of proposals with the intent and objectives of the Plan.
2. Whether the proposal will be in the public interest.
3. The amount of sales tax revenue, tax increment revenue, and other economic benefit accruing to the City and the Agency from the proposal.
4. Employment retention and generation and other economic benefits to the community which can be expected if the proposal is accepted.
5. Size and configuration of the parcel proposed for owner participation.
6. Ability of persons desiring to develop or redevelop the property to implement the proposed project, taking into consideration the developer's financial capability, prior experience with similar development, ability to obtain financing, and ability to abide by Agency design standards and development controls.
7. The time schedule for completion of a proposed project.
8. The estimated cost of public and Agency services required if the proposal is accepted.

SECTION IV. (400) PARTICIPATION BY OWNERS OF REAL PROPERTY

A. (401) Participation in the Same Location

In appropriate circumstances, as determined by the Agency, where such action would foster the goals and objectives of the Plan, an owner may participate in substantially the same location either by retaining all or portions of his/her property and purchasing adjacent property if needed and available for development; rehabilitating or demolishing all or part of his/her existing buildings or structures; initiating new development; and selling property or improvements to the Agency.

B. (402) Participation in a Different Location

When necessary to accomplish the objectives of the Plan as determined by the Agency, the Agency may buy land and improvements at fair market value from existing owners and offer real property for purchase to prospective owner-participants within the Project Area.

SECTION V. (500) PARTICIPATION BY TENANTS

Pursuant to these Rules, nonproperty owners who are tenants engaged in business in the Project Area will be given opportunities to remain or to obtain reasonable preferences to reenter in business within the Project Area if they otherwise meet the requirements prescribed by the Plan and these Rules.

SECTION VI. (600) TYPES OF PARTICIPATION

A. (601) Certificate of Conformance

If the Agency determines that the use of specific real property within the Project Area meets the requirements of the Plan, and the owners of such properties desire to continue such use or uses, the owner and the Agency may execute a Certificate of Conformance. A Certificate of Conformance shall provide, among other things, that the owners shall continue to operate and use the real property in accordance with the requirements of the Plan.

In the event that any of the conforming owners or their successors in interest desire to construct any additional improvements or substantially alter or modify exiting structures on any of the real property described above as conforming, or acquire additional property within the project area, such conforming owners may be required to enter into an Owner Participation Agreement with the agency in the same manner as required for other owners. In the event that the Redevelopment Plan is amended after a duly noticed public hearing to change the requirements for the property, such otherwise conforming owners may be required to enter into an Owner Participation Agreement with the Agency.

B. (602) Procedure for Obtaining a Certificate of Conformity

Any owner of improved property within the Project Area may at any time after the effective date specified in the Redevelopment Plan, apply to the Agency for a Certificate of Conformity. The Agency will, within sixty (60) days of receipt of such application, inspect and/or otherwise examine, the property on which the application was made, for purposes of determining its conformity to provisions of the Redevelopment Plan.

C. (603) Owner Participation Agreements

The Agency is authorized to enter into an Owner Participation Agreement regarding properties not purchased or not to be purchased by the Agency and not included in an Agency determination of conformance. Each agreement will contain provisions necessary to ensure that the participation proposal will be carried out and that the subject property will be developed or used in accordance with the conditions, restrictions, rules, and regulations of the Plan and the agreement. Each agreement will require the participant to join in the recordation of such documents as the Agency may require in order to ensure such development and use.

D. (604) Statement of Interest

Before making offers to purchase property in the Project Area, the Agency shall notify the owners of any such properties by certified mail, return receipt requested, that the Agency is considering the acquisition of such property. The Agency shall include a form entitled "Statement of Interest In Participating" (see Appendix), herein referred to as "Statement," with the notification. Within 30 days of receipt of such notification, any owner interested in participating in the Project Area shall file a "Statement of Interest In Participating."

The Agency may disregard any Statements received after such 30-day period. Any owner or tenant may also submit such a Statement at any time before such notification.

The Agency shall consider such Statements as are submitted on time and seek to develop reasonable participation for those submitting such Statements whether to stay in place, to move to another location, to obtain preferences to reenter the Project Area, etc.

SECTION VII. (700) RULES FOR PARTICIPATION, PRIORITIES AND PREFERENCES

In the event that conflicts develop among the participants with respect to any particular site or land use, the Agency is authorized to establish reasonable preferences and priorities among the owners and tenants within the Project Area. Considerations upon which such priorities and preferences are based shall include, but need not necessarily be limited to, the following:

1. Preference for property owners participating in the same location.
2. Preference for property owners participating by the purchase and development of adjacent property.
3. Preference for Participants displaced by Project activities.
4. Preference for Participants not selected for previously offered participant opportunities.
5. Accommodation of as many participants as possible.
6. Length of time in the area.
7. Conformity of a participation proposal to the objectives and requirements of the Redevelopment Plan.
8. Ability to perform.

In addition to participation as individuals or as individual firms, owners and tenants shall be given the opportunity to join together for purposes of participating in the Project as partnerships, corporations, or other joint entities.

SECTION VIII. (800) ENFORCEMENT

In the event a property is not developed or used in conformance with the Plan, or in conformance with a Certificate of Conformance or an Owner Participation Agreement, then the Agency is authorized to (1) acquire the property, (2) acquire any interest in the property sufficient to obtain conformance, or (3) take any other appropriate action to obtain such conformance.

SECTION IX. (900) PROCEDURES FOR AMENDING PARTICIPATION RULES

The Agency may amend these Rules at any meeting held after their adoption provided the persons who have filed Statements and the participants who have entered into Owner Participation Agreements are notified in writing at least fourteen (14) days before the meeting at which time the proposed amendment will be considered. Notice shall be either in person or by first-class mail. Such notice will be mailed or delivered to the address shown on the Statement or as indicated in the Owner Participation Agreement.

APPENDIX

STATEMENT OF INTEREST FOR PARTICIPATION
IN THE
CARSON REDEVELOPMENT AGENCY
CARSON MERGED AND AMENDED PROJECT

I hereby express my interest in participating in the Carson Merged and Amended Project:

1. Name of Property Owner/Tenant: _____

Phone: _____
2. Home Address: _____

3. Address of Property owned or rented in the Project Area: _____

4. Name of business in the Project Area: _____

Phone: _____
5. I own (); am a tenant (); and wish to rehabilitate (); build (); sell () my present property. If tenant, indicate: month-to-month (); or lease (); expiration date of lease: ___
6. My present type of business is: _____

7. Nature of proposed participation: _____

I understand that submission of this Statement of Interest does not in any way obligate me to participate in the Project.

Signed: _____

Title: _____

Date: _____

Return to:
Carson Redevelopment Agency
701 East Carson Street
Carson, California 90749