CENTRAL DISTRICT URBAN RENEWAL PLAN

Adopted June 12, 1969
As Amended Up To April 3, 2012

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OAKLAND, CALIFORNIA

June 12, 1969

As amended up to April 3, 2012

An amended redevelopment plan for the Central District Redevelopment Project Area of Oakland to be carried out in accordance with the California Community Redevelopment Law (Health & Safety Code Section 33000, et seq.).

This is the Central District Urban Renewal Plan originally adopted by the Oakland City Council on June 12, 1969, and subsequently amended or supplemented on January 21, 1971, on May 29, 1973, on December 16, 1975, on December 12, 1978, on June 12, 1979, on August 3, 1982, on October 2, 1984, on June 11, 1985, on March 27, 1990, on February 18, 1997, on October 27, 1998, on July 24, 2001, on January 6, 2004, on July 20, 2004, December 21, 2004, on June 20, 2006, and on April 3, 2012.

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Section 100. DESCRIPTION OF URBAN RENEWAL PROJECT AREA

This Central District Urban Renewal Plan, hereafter called the "Plan," is a redevelopment plan to be implemented by the Redevelopment Agency of the City of Oakland, hereafter called the "Agency," in accordance with the California Community Redevelopment Law. The Plan encompasses a redevelopment project area, hereafter called the "Project Area" or the "Central District," which is delineated on the attached Land Use Plan Map (designated Exhibit 1, and which is a part of the Plan) and more particularly described as follows:

Central District Redevelopment Project Area Boundaries

COMMENCING at the point of intersection of the southern line of 1st Street with the eastern line of Grove Street; thence northerly along the eastern line of Grove Street to the northern line of 6th Street; thence westerly along the northern line of 6th Street to the eastern line of Grove-Shafter Freeway right-of-way; thence northerly along the eastern line of the Grove-Shafter Freeway right-of-way to the southern line of 21st Street; thence northeasterly to the southeastern corner of 22nd Street and Grove Street; thence southerly along the eastern line of Grove Street to the southern line of 21st Street; thence easterly along the southern line of 21st Street to the extension of the rear lot line of the northwest corner lot of 21st Street and Telegraph Avenue; thence northerly along the rear lot lines of properties facing Telegraph Avenue from the west to the northern line of Merrimac Street; thence easterly along the northern line of Merrimac Street to the western line of Telegraph Avenue; thence, northerly along said western line of Telegraph Avenue to the westerly prolongation of the northern line of 28th Street; thence easterly along said westerly prolongation and along said northern line of 28th Street and its easterly prolongation to the eastern line of Broadway; thence southerly along said eastern line of Broadway to the general northeastern line of 27th Street; thence southeasterly along said general northeastern line of 27th Street to its coincidence with the northeastern line of Bay Place; thence southerly along said northeastern line of Bay Place and its southerly prolongation to the southern line of Grand Avenue; thence westerly along said southern line of Grand Avenue to the eastern line of Harrison Street; thence southerly along said eastern line of Harrison Street to the easterly prolongation of the southern line of 21st Street; thence westerly along said eastern prolongation and along said southern line of 21st Street to the eastern line of Franklin Street; thence southerly along said eastern line of Franklin Street to the northern line of 20th Street; thence easterly along said northern line of 20th Street to the generally eastern line of Webster Street; thence southerly along said generally eastern line of Webster Street to the northern line of 19th Street; thence easterly along said northern line of 19th Street to the northerly prolongation of the eastern line of Alice Street; thence southerly along said northerly prolongation and along said eastern line of Alice Street to the northern line of 17th Street; thence easterly along said northern line of 17th Street to the western line of Jackson Street; thence northerly along said western line of Jackson Street to the northern line of 19th Street; thence easterly along said northern line of 19th Street and its easterly prolongation to the eastern line of Oak Street; thence northerly along said eastern line of Oak Street and its northern prolongation to a point of intersection with the mean high tide line of Lake Merritt; thence southeasterly along said shoreline of Lake Merritt to a point of intersection with a line projected due north from a point of intersection of the eastern line of Lakeshore Avenue and the

northwesterly line of 1st Avenue, thence due south along said projection and said line to a point of intersection of the eastern line of Lakeshore Avenue and the northwesterly line of lst Avenue, then northeasterly along the northwesterly line of lst Avenue to a prolongation of the northern line of East 12th Street; thence easterly along said northern line of East 12th Street to a point of intersection with a line 100.00 feet westerly from and parallel to the western line of 2nd Avenue; thence southerly along said projection and said line to the southern line of East 12th Street; thence westerly along said southern line of East 12th Street' to the eastern boundary of Peralta Park; thence southwesterly along said eastern boundary of Peralta Park to a point of intersection with a line perpendicular to the northern boundary of East 10th Street and through a point common to a northern line of East 10th Street and the eastern boundary of Peralta Park; thence south along said perpendicular projection and its projection to the southern line of East 10th Street; thence westerly along said southern line of East 10th Street to the northerly prolongation of the eastern line of Fallon Street; thence southerly along said northerly prolongation and along said eastern line of Fallon Street to the easterly prolongation of the southern line of 9th Street; thence westerly along said easterly prolongation and along said southern line of 9th Street to the eastern line of Jackson Street; thence southerly along said eastern line of Jackson Street to the northern line of 8th Street; thence easterly along said northern line of 8th Street to the eastern line of Madison Street; thence southerly along said eastern line of Madison Street to the northern line of 7th Street; thence easterly along said northern line of 7th Street to the western line of Oak Street; thence northerly along said western line of Oak Street to the northern line of 8th Street; thence easterly along said northern line of 8th Street to the western line of Fallon Street; thence southerly along said western line of Fallon Street to the southern line of 6th Street: thence easterly along said southern line of 6th Street to the eastern line of Fallon Street; thence southerly along said eastern line of Fallon Street to the southern right-of-way line of the Western Pacific Railroad Company; thence easterly along said southern right-of-way line to the Agreed Low Tide Line of 1852; thence southerly along said Agreed Low Tide Line to the northern right-of-way line of the southern Pacific Company; thence easterly along said northern right-of-way line to the eastern line of the Lake Merritt Tidal Channel; thence south westerly along said eastern line of the Lake Merritt Tidal Channel to the southern City Limits Line of the City of Oakland; thence westerly & along said southern City Limits Line to the southerly prolongation of the western line of Fallon Street; thence northerly along said southern prolongation of Fallon Street to the southern line of 1st Street; thence westerly along said southern line of 1st Street to the point of commencement. It is the intent of the above description and this Plan that no part of the Project Area shall overlap, be conterminous with, nor coincide with the Model Cities area as described in Oakland City Council Resolution 49587 CMS adopted on August 27, 1968.

In addition, the following:

COMMENCING at a point on the easterly line of the Acorn Urban Renewal Plan boundary, recorded in Reel 2240 at Images 133-135 on August 30, 1968, Alameda County Records, also being the apparent centerline of Fifth Street having a coordinate value in the California Coordinate System, NAD '83 Zone III of northing=2118984.3 and easting=6046815.1; thence from said **point of beginning**

L1 south 62º 37' 40" east, 772.13 feet along the centerline of said Fifth Street to the more southerly line of Martin Luther King, Jr. Way also being a point having a coordinate value of northing=2118629.2 and easting=6047500.8, also being a point on the westerly line of the original Central District Redevelopment Project Area; thence along last said line
L2 south 27º 30' 43" west, 839.59 feet to the apparent centerline of Second Street also being a point having a coordinate value of northing=2117884.6 and easting=6047112.9; thence along last said apparent centerline
L3 north 62º 38' 07" west, 770.06 feet to the more southerly line of Brush Street, also being said easterly line of the Acorn Urban Renewal Plan boundary also being a point having a coordinate value of northing=2118238.6 and easting=6046429.0; thence along last said easterly line
L4 north 27º 22' 16" east, 839.69 feet to the **point of beginning**.

Containing 14.86 acres.

Section 200 DEVELOPMENT OBJECTIVES

The objectives of the Plan are to eliminate urban blight within the Project Area through implementation of the concepts described in the Plan. The objectives of the Plan include:

A. A strengthening of the Project Area's existing role as an important office center for administrative, financial, business service and governmental activities.

B. Revitalization and strengthening of the Oakland Central District's historical role as the major regional retail center for the Metropolitan Oakland Area.

C. Establishment of the Project Area as an important cultural entertainment center.

D. Re-establishment of residential areas for all economic levels within specific portions of the Project Area.

E. Provisions of employment and other economic benefits to disadvantaged persons living within or near the Project Area.

F. Restoration of historically significant structures within the Project Area.

G. Improved environmental design within the Project Area, including creation of a definite sense of place, clear gateways, emphatic focal points and physical design which expresses and respects the special nature of each sub-area.

H. Provision of adequate infrastructure such as public parking, sidewalks, and traffic control.

I. Utilization of key transit nodes to support transit-oriented development.

Section 300. GENERAL LAND USE PLAN

A. Land Use Plan Map: A Land Use Plan Map showing the predominant land uses and major circulation routes within the Project Area is attached hereto as Exhibit 1 and is a part of this Plan.

B. Description of Predominant Land Uses: The Land Use Plan Map (Exhibit 1) depicts several predominant land uses which are described in Sections 301 through 306. Said Sections establish limitations on the type, size, height, number and nature of buildings to be constructed. The Plan Map indicates the approximate amounts of open space and the nature of certain properties to be devoted to public purposes. Such uses may be implemented, amended and further defined in specific plans or other appropriate planning documents as recommended by the Oakland Planning Commission and adopted by the City Council as applicable. Within any area, alternative uses may be established to the extent and in the manner provided by the City's General Plan, the Oakland Planning Code, and other local codes and ordinances, as such plans and codes may be amended by the City from time to time.

Section 301. COMMERCIAL USES

The areas shown on the Land Use Plan Map (Exhibit 1) for commercial uses shall be used for the general commercial uses set forth and described in the Oakland Planning Code, as such Code may be amended by the City from time to time. Alternative uses may be established to the extent and in the manner provided by the City's General Plan, the Oakland Planning Code, and other local codes and ordinances.

Section 302. PUBLIC, SEMI-PUBLIC, INSTITUTIONAL AND NONPROFIT USES

In any area shown on the Land Use Plan Map (Exhibit 1), the Agency is authorized to permit the maintenance, establishment or enlargement of public, semi-public, institutional or nonprofit uses, including park and recreational facilities, libraries, educational, fraternal, employee, philanthropic, religious and charitable institutions, utilities, railroad rights-of-way and facilities of other similar associations or organizations. Alternative uses may be established to the extent and in the manner provided by the City's General Plan, the Oakland Planning Code, and other local codes and ordinances. The Agency may impose such other reasonable requirements or restrictions as may be necessary to protect the development and use of the Project Area.

Section 303 RESIDENTIAL USES

The areas shown on the Land Use Plan Map (Exhibit 1) for residential uses shall be used for the residential uses set forth and described in the Oakland Planning Code. Alternative uses may be established to the extent and in the manner provided by the City's General Plan, the Oakland Planning Code, and other local codes and ordinances, as such Code may be amended by the City from time to time.

Section 304. INDUSTRIAL USES

The areas shown on the Land Use Plan Map (Exhibit 1) for industrial uses shall be used for the industrial uses set forth and described in the Oakland Planning Code, as such Code may be amended by the City from time to time. Alternative uses may be established to the extent and in the manner provided by the City's General Plan, the Oakland Planning Code, and other local codes and ordinances.

Section 305. OPEN SPACE

The approximate amount of open space to be provided in the Project Area is the total of all areas which will be in the public rights-of-way, the public ground, the space around buildings and all other outdoor areas not permitted to be covered by buildings. Landscaping shall be developed in the Project Area to ensure optimum use of living plant material.

Section 306. INTERNAL CIRCULATION SYSTEM

The routes of the internal circulation system are indicated on the base map on which is presented the Land Use Plan Map. Segments of this internal street system may be closed, widened, realigned, vacated, or otherwise modified, and/or new segments constructed as necessary for proper pedestrian or vehicular circulation, provided that such action is approved by the City Council. Such new streets must conform to all applicable City design standards.

Section 307. PUBLIC IMPROVEMENTS AND FACILITIES

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop or construct any publicly-owned building, facility, structure or other improvement either within or without the Project Area, for itself or for any public body or entity, which buildings, facilities, structures or other improvements are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install or construct the buildings, facilities, structures and other improvements identified in Exhibit 3, attached hereto and incorporated herein by reference, and may acquire or pay for the land required therefor.

Section 308. DWELLING UNIT COUNT

There are approximately 9,150 dwelling units in the Project Area.

Section 309. BUILDING REQUIREMENTS

It is proposed that, in general, building intensities be controlled by procedures and criteria established in the City's General Plan, the Oakland Planning Code, specific plans, and other local codes and ordinances, as such procedures or criteria may be modified by the City from time to time. Such criteria may include limits on: (1) the percentage of ground area covered by buildings (land coverage); (2) the ratio of total gross floor area for all stories of

buildings relative to areas of building sites (floor area ratio); (3) the size and location of buildable areas on building sites; and (4) the heights of buildings. Land coverage, sizes and locations of buildable areas should be limited as necessary and feasible to provide adequate open space, parking, access and other amenities.

All construction in the Project Area shall comply with all applicable state and local laws and codes in effect from time to time. In addition to applicable codes, ordinances or other requirements governing development in the Project Area, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Project Area. No permit shall be issued for the construction of any new building or for any construction on an existing building in the Project Area until the application for such permit has been made and processed in a manner consistent with all City requirements.

Section 400. REDEVELOPMENT TECHNIQUES TO ACHIEVE PLAN

The redevelopment techniques indicated in this Plan or otherwise authorized by the California Community Redevelopment Law may be used by the Redevelopment Agency of the City of Oakland to achieve the Plan objectives.

Section 401. REHABILITATION

A. Rehabilitation Criteria: In the course of implementation of this Plan, specific Rehabilitation Areas may be necessary, and in such cases shall be delineated and established by resolution of the City Council, with due prior notice of said proposed action to all property owners within such a Rehabilitation Area. The conditions for the establishment of such Rehabilitation Areas are:

1. that the predominant existing land use specialization of the area is in accordance with the Plan,

2. that there exists a substantial number of structures within the area that are economically feasible of rehabilitation for the indicated land use specialization,

3. that incompatible land uses within the area can be eliminated through spot clearance of the structure or through change of tenant for occupancy by an appropriate use, and

4. that the area will, after rehabilitation, utilize the land at a density or intensity of development appropriate to its role within the larger pattern of land use specialization within the Project Area.

B. Acquisition of Property for Rehabilitation by Others: Within established Rehabilitation Areas, properties of owners who fail to rehabilitate their properties in accordance with Property Rehabilitation Standards may, at the sole discretion of the Agency and with the approval by resolution of the City Council, be acquired by eminent domain or negotiation,

and rehabilitated by the Agency or others, if said acquisition is determined by the Agency to be in the best interests of the Project Area.

C. Property Rehabilitation Standards: As each Rehabilitation Area is established, appropriate property rehabilitation standards shall be adopted by the City Council for implementation within such Rehabilitation Area.

Section 402. ACQUISITION AND CLEARANCE

The Agency may acquire real properties within the Central District Urban Renewal Area whenever such acquisition is, in the sole discretion of the Agency, determined to be necessary in order:

1. to remove a substandard condition inconsistent with this Plan which cannot otherwise be removed through rehabilitation, or

2. to remove a blighting influence on surrounding properties which prevents achievement of the objectives of this Plan, or

3. to provide land for public improvements or facilities, or

4. to promote historical or architectural preservation, or

5. to assemble a disposition parcel of adequate size, shape and location for redevelopment, and the achievement of other Plan objectives, or

6. to otherwise execute this Plan in conformity with the Community Redevelopment Law of California.

Within the Central District, except as otherwise limited under this section, the Agency may acquire real properties by purchase, gift, exchange, condemnation or any lawful manner, except that the Agency is not authorized to employ the power of eminent domain to acquire property in the Central District on which persons legally reside.

The Agency's authority to acquire property in the Central District by eminent domain shall expire on the date that this Plan is no longer effective as set forth in the first paragraph of Section 700E of this Plan. No eminent domain complaint to acquire property in the Central District may be filed after this date.

Section 403. OTHER CONTROLS

City codes, including the Oakland Planning Code, the Oakland Municipal Code, and other City ordinances apply throughout the Project Area. Nothing in this Plan shall be interpreted to exclude or release property in the Project Area at any time from the operation of

said City codes that are presently in force or may be enacted by the Oakland City Council. This Plan shall provide the framework for the Agency's planning and execution of renewal activities.

Section 404. ACTIVITY AREA

An activity area is an area in which the City Council has authorized the carrying out of specific redevelopment actions pursuant to California Community Redevelopment Law and an Activity Supplement of this Plan.

Section 500. LAND ACQUISITION AND DISPOSITION

A. Acquisition Areas and Activity Areas:

1. City Center Project: In order to eliminate blight and blighting influences and to improve the Project Area in accordance with the objectives of the Plan, all properties which are designated in the City Center Project Acquisition Area on the attached Land Activity Map (which is designated Exhibit No. 2 and is a part of this Plan) may be acquired by negotiation or eminent domain, and cleared, and shall be sold, leased or conveyed for reuse in accordance with this Plan. Land which the Agency so acquires shall be disposed of in accordance with the applicable Acquisition and Disposition Supplement.

2. Chinatown Project Activity Area: In order to eliminate blight and blighting influences and to improve the Project Area in accordance with the objectives of this Plan, all properties which are designated in the Chinatown Project Activity Area on the attached Land Activity Map (which is designated Exhibit No. 2 and is a part of this Plan) may be acquired by negotiation or eminent domain, and cleared, and shall be sold, leased or conveyed for reuse in accordance with this Plan. Land which the Agency so acquires shall be disposed of in accordance with the applicable Acquisition and Disposition Supplement.

3. Victorian Row/Old Oakland Project Area: In order to eliminate blight and blighting influences and to improve the Project Area in accordance with the objectives of this Plan, all properties which are designated in the Victorian Row/Old Oakland Project Area on the attached Land Activity Map (which is designated Exhibit No. 2 and is a part of this Plan) may be acquired by negotiation or other legal means available for rehabilitation or clearance as provided in Section 503 C and shall be sold, leased or conveyed for reuse in accordance with this Plan. Land which the Agency so acquired shall be disposed of in accordance with the applicable Activity Supplement.

4. Retail Center Project and Rehabilitation Area (Uptown Retail and Rehabilitation Area): In order to eliminate blight and blighting influences and to improve the Project Area in accordance with the objectives of this Plan, all properties which are

designated in the Retail Center/Uptown Project and Rehabilitation Area on the attached Land Activity Map (which is designated Exhibit No. 2 and is a part of this Plan) may be acquired by negotiation or eminent domain, and cleared, and shall be sold, leased or conveyed for reuse in accordance with this Plan. Land which the Agency so acquires shall be disposed of in accordance with the applicable Supplement.

B. Disposition Supplements: The Land Acquisition and Disposition or Activity Supplements contained in this Plan establish more detailed controls and policies which limit the use of land disposed by the Agency. Such provisions are a supplement to and more precise elaboration of regulations and policies set forth elsewhere in this Plan.

C. Other Dispositions: Any property acquired by the Agency which is within the Project Area but not within an Acquisition, Activity or Rehabilitation Area shall be sold, leased or conveyed for use in accordance with this Plan and the Community Redevelopment Law. All purchasers or lessees of property acquired from the Agency may 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. The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan. Leases, deeds, contracts, agreements and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, powers of termination and rights of reentry, conditions subsequent, equitable servitudes or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Alameda County Recorder.

Section 501. CITY CENTER ACQUISITION AND DISPOSITION SUPPLEMENT

The City Center Project Acquisition Area, which is so designated on the Land Activity Map (Exhibit No. 2), (which includes the area of the former City Center Urban Renewal Project, the Plan for which is hereby amended and superseded by this Plan) shall be offered by the Agency for sale or lease within the criteria specified herein.

A. Obligations to be Imposed on Redevelopers:

1. Purchasers of land within the Area shall be required to develop such land in accordance with the provisions of this Plan. The Agency shall have the right to withhold transfer of title to acquirer, user or developer of land in order to ensure fulfillment of said requirement. No building, sign or structure shall be constructed upon any part of such land unless architectural plans and specifications, showing the nature of such construction, parking, loading, surface treatment and landscaping the location and orientation of structure(s) on the building site and, when requested, the

grading plans for the building site to be built upon, shall have been submitted to, reviewed, approved in writing by the Agency. The Agency shall have the right to refuse to approve any such plans or specifications when in the opinion of the Agency such plans or specifications do not conform with the conditions and objectives of the Plan.

2. Acquirers, users or developers of land within the Area must commence the erection of any building, prosecute diligently the work thereon and complete it within such reasonable period of time as agreed upon with the Agency.

3. No acquirer, user, owner participant or developer shall resell, lease, sublease or otherwise dispose of land in the Area until the construction, approved by the Agency, has been completed, except with the prior written consent of the Agency.

4. Persons who are engaged in business in the Area shall be granted preference by the Redevelopment Agency to re-enter in business within said Area after redevelopment if they otherwise meet the requirements prescribed by the Plan.

5. At the time of submitting a proposal to the Agency to become a redeveloper, each prospective redeveloper shall include in said proposal a Job Opportunities Program indicating the manner in which the redeveloper will, if selected, collaborate with the Agency in coordinating job training activities with job opportunities to be made available by the proposed development

B. Boundaries

The City Center Project Area has the following boundaries**:**

COMMENCING at the point of intersection of the westerly line of Castro-Street with the northerly line of 14th Street as said streets now exist; thence easterly along last said line to a point on last said line that is distant 100 feet westerly from the intersection of last said line with the westerly line of Clay Street as said street now exists; thence northerly, parallel with said westerly line of Clay Street, 103.75 feet; thence westerly, parallel with said northerly line of 14th Street, 100 feet; thence northerly, parallel with said westerly line of Clay Street, 103.75 feet to the southerly line of 15th Street as said street now exists; thence easterly along last said line 200 feet to said westerly line of Clay Street; thence southerly along last said line 207.5 feet to said northerly line of 14th Street; thence easterly along last said line to the easterly line of Broadway as said street now exists; thence southerly along last said line to the southerly line of 11th Street as said street now exists; thence westerly along last said line to said westerly line of Castro Street; thence northerly along last said line to the point of commencement.

Section 502. CHINATOWN ACQUISITION AND DISPOSITION SUPPLEMENT

The Chinatown Project Activity Area is so designated on the Activity Areas Map (Exhibit No. 2). All private or publicly owned property within the Chinatown Project Activity

Area and all property sold, leased or otherwise disposed by the Agency shall be developed and operated pursuant to the following development criteria.

A. Obligations to be Imposed on Redevelopers

1 Purchasers of land within the Area shall be required to develop such land in accordance with the provisions of this Plan. The Agency shall have the right to withhold transfer of title to acquirer, user or developer of land in order to ensure fulfillment of said requirement. No building, sign or structure shall be constructed upon any part of such land unless architectural plans and specifications, showing the nature of such construction, parking, loading, surface treatment and landscaping, the location and orientation of structure(s) on the building site and, when requested, the grading plans for the building site to be-built upon, shall have been submitted to, reviewed and approved in writing by the Agency. The Agency shall have the right to refuse to approve any such plans or specifications when, in the opinion of the Agency, such plans or specifications do not conform with the conditions and objectives of the Plan.

2. Acquirers, users or developers of land within the Area must commence the erection of any building, prosecute diligently the work thereon and complete it within such reasonable period of time as agreed upon with the Agency.

3. No acquirer, users, owner participant or developer shall re-sell, lease, sublease or otherwise dispose of land in the Area until the construction, approved by the Agency, has been completed, except with the prior written consent of the Agency.

4. Persons who are engaged in business in the Area shall be granted preference by the Redevelopment Agency to reenter in business within said Area after redevelopment if they otherwise meet the requirements prescribed by the Plan.

5. At the time of submitting a proposal to the Agency to become a redeveloper each prospective redeveloper shall include in said proposal a Job Opportunities Program indicating the manner by which the redeveloper will, if selected, collaborate with the Agency in coordinating job training activities with job opportunities to be made available by the proposed development.

B. Boundaries

The Chinatown Project Activity Area has the following boundaries:

COMMENCING at the intersection of the easterly line of Broadway Street with the northerly line of llth Street as said streets are shown on that certain map entitled "Boardman's Map of Oakland and Vicinity" filed for record on April 23, 1883 in Book 17 of Maps at Page 14, in the office of the County Recorder of Alameda County; thence easterly along last said line to the easterly line of Webster Street as said street is shown on said map; thence southerly along last

said line to the southerly line of 9th Street as said street is shown on said map; thence westerly along last said line to the westerly line of said Broadway Street; thence northerly along last said line to the southerly line of said 11th Street; thence easterly along last said line to said easterly line of Broadway Street; thence northerly along last said line to the point of commencement.

Section 503. VICTORIAN ROW/ OLD OAKLAND ACTIVITY SUPPLEMENT

The Victorian Row/Old Oakland Project, which is so designated on the Land Activity Map (Exhibit No. 2), is an Activity Area pursuant to this Plan. All property sold, leased**,** or otherwise disposed by the Agency within the Victoria Row/Old Oakland Project shall be developed and operated pursuant to the provisions of this section and to all other applicable provisions of this Plan.

A. Boundaries

The Victorian Row/Old Oakland Project has the following boundaries:

All that real property in the City of Oakland, County of Alameda, State of California described as follows:

All of Block 89, a portion of Block 90, Block 118, 8th Street, 9th Street, 10th Street, Washington Street and Broadway Street as said blocks and streets are shown on Kellerberger's Map of Oakland and Vicinity, filed September 2, 1853, and recorded June 16, 1870 in Book I of Maps at page 21 in the office of the County Recorder of Alameda County, more particularly described as follows:

COMMENCING at the intersection of the northern line of said 10th Street with the western line of said Broadway Street; thence southerly along said western line of Broadway Street to the southern line of said 9th Street; thence easterly along the easterly prolongation of said southern line of 9th Street to the eastern line of Broadway Street; thence southerly along said eastern line of Broadway Street to the southern line of said 8th Street; thence westerly along said southern line of 8th Street to the western line of said Washington Street; thence northerly along said western line of Washington Street to the northern line of Lot 19 in said Block 90; thence westerly along said northern line of Lot 19, and its westerly prolongation to the western line of Lot 14 in said Block 90; thence northerly along said western line of Lot 14, and its northerly prolongation to the northern line of said 9th Street; thence easterly along said northern line of 9th Street to the western line of said Washington Street; thence northerly along said western line of Washington Street to the westerly prolongation of the northern line of Lot 5 in Block 118; thence easterly along said prolongation and along said northern line of Lot 5 to the western line of Lot 9 in said Block 118; thence northerly along said western line of Lot 9, and Its northerly prolongation of said northern line of 10th Street; thence easterly along said northern line of 10th Street to the point of commencement.

B. Project Objectives and Phasing

(1) In establishing the Victorian Row/Old Oakland Project and adopting the provisions of this Section, the City Council expressly recognizes and provides:

a. that it is a project objective to preserve the facades of historically and architecturally valuable structures (that is, to retain as much as possible of the original architectural flavor and style) while adapting the interiors to modern usage, and to ensure the rehabilitation (that is, to correct building deficiencies in keeping with adopted rehabilitation standards) or appropriate new development of other properties in the area.

b. that the creation of an appropriate mix of office, retail and related commercial activities, catering to pedestrian interest at the ground floor level, and guided to the maximum practical extent by a master tenant/leasing plan, is a project objective, and

c. that the participation of owners in the rehabilitation of their properties in a manner consistent with the provisions of this Section and with the timely and expeditious rehabilitation and preservation of this area is encouraged.

(2) Pursuant to subsection B (1) above:

a. the Agency shall seek to phase its assistance to the project in such a manner that makes prudent use of limited public funds, and

b. the Agency shall have no power or authority to enforce land use controls with respect to, and no restrictions, controls, land burdens, restraints or regulations contained herein shall apply to or affect, properties not designated by the Agency pursuant to Section C hereof.

C. Implementation Programs

Any one or a combination of the following implementation programs may be designated by Agency-resolution as applicable to one or more properties, which need not necessarily be contiguous, within the Victorian Row/Old Oakland Project. The Agency may provide information and/or staff assistance to individuals, businesses, organizations or property owners in any part of the project without prior Agency designation of any specific property as receiving such information or assistance. If, after the expiration of a period of six (6) months after the establishment of the Victorian Row/Old Oakland Project, the Agency has not designated a property pursuant to this section then the property owner may request designation, and upon said request, the Agency shall have sixty (60) days to designate which program below C(l) through C(5), if any, applies to that owner's property. In addition to the implementation programs C(l) through C(5), the Agency may designate the property as (no action). If a property is designated no action, the Agency shall have no power to enforce the provisions of this Plan as set forth in subsection B(2)b.

(1) Integral Rehabilitation Program: In order to carry out an Integral Rehabilitation Program on properties so designated, the Agency may, at its sole discretion, provide advisory services to assist an owner to rehabilitate and restore his/her property or may acquire such property by eminent domain or other legal means available for rehabilitation and preservation by the Agency or others.

(2) Spot Rehabilitation Program: The Agency may designate properties for spot rehabilitation in order to eliminate structural deterioration and/or to eliminate a use or occupancy of the property inconsistent with the objectives of the project. In carrying out this program, the Agency may assist the owner in rehabilitating the property, may acquire the property by eminent domain or other legal means available for the purpose of rehabilitation by the Agency or others or for clearance and new development in the event the Agency determines the property is not feasible for rehabilitation.

(3) Facade Easement Program: In order to carry out the preservation of historically or architecturally valuable properties or the rehabilitation of other properties in order that they may contribute to the objectives of the projects the Agency may designate properties for the Facade Easement Program. The Agency may acquire a facade easement, including such additional property rights as it deems necessary, with respect to so designated properties by eminent domain or other legal means available. This façade easement may be acquired on a specific property in addition to the property rights acquired under C(l) Integral Rehabilitation Program and C(2) Spot Rehabilitation Program.

(4) New Development Program: The Agency may designate properties for new development and may acquire so designated properties by eminent domain or other legal means available and may sell, lease or otherwise dispose of said properties for new development.

(5) Public Improvements Program: The Agency my designate properties for a Public Improvements Program and may acquire so designated properties by eminent domain or other legal means available for the purposes of clearance and new development or for rehabilitation by the Agency or others.

As set forth above in programs C(l) through C(5), any properties designated for any of these programs shall be subject to acquisition by the Agency if, in the Agency's sole discretion, it determines that such acquisition is necessary to the successful implementation of the program. However, there is no requirement on the part of the Agency to acquire any such properties.

D. Obligations of Participants

(1) Purchasers of land within the area shall be required to develop such land in accordance with the provisions of this Plan. The Agency shall have the right to withhold transfer of title to any acquirer, user or developer of land in order to

ensure fulfillment of said requirements. No building, sign or structure shall be constructed upon any part of such land unless architectural plans and specifications, showing the nature of such construction, parking, loading, surface treatment and landscaping, the location and orientation of structures(s) on the building site and, when requested, the grading plans for the building site to be built upon, shall have been submitted to, reviewed and approved in writing by the Agency. The Agency shall have the right to refuse to approve any such plans or specifications when, in the opinion of the Agency, such plans or specifications do not conform with the conditions and objectives of the Plan.

(2) Acquirers, users or developers of land within the area must commence the erection of any building, prosecute diligently the work thereon and complete it within such reasonable period of time as agreed upon with the Agency.

(3) No acquirer, user, owner participant or developer shall resell, lease, sublease or otherwise dispose of land in the area until the construction, approved by the Agency, has been completed, except with the prior written consent of the Agency.

(4) Persons who are engaged in business in the area on the date of City Council approval of this Plan shall be granted preference by the Redevelopment Agency to reenter in business within said area after redevelopment if they otherwise meet the requirements prescribed by the Plan.

(5) At the time of submitting a proposal to the Agency-to become a redeveloper, each prospective redeveloper shall include in said proposal a Job Opportunities Program indicating the manner by which the redeveloper will, -if selected, collaborate with the Agency in coordinating job training activities with job opportunities to be made available by the proposed development.

(6) The Agency will also, in bidding and contract documents, include detailed requirements and responsibilities of the developers and all contractors and subcontractors in regard to implementing the Oakland Redevelopment Agency Affirmative Action Program. The latter includes a written affirmative action program from the proposed redeveloper and a pre-award conference with the Agency.

Section 504. THE RETAIL CENTER PROJECT AND REHABILITATION AREA SUPPLEMENT

This supplement introduces a fourth activity area in addition to the three Central District activity areas described in the Plan. The new area shall be called the Retail Center Project and Rehabilitation Area, also referred to as the “Uptown Retail and Entertainment Area”, or for this

supplement as the "Activity Area". The addition of this fourth Activity Area is contemplated in the Plan. Section 402 of the Plan describes a "retail center in the general vicinity of the Broadway/San Pablo Avenue corridor..." Section 401 of the Plan contemplates the establishment of Rehabilitation Areas within the Central District. This document establishes and describes the aforementioned Retail Center Project and Rehabilitation Area and implements Sections 401 and 402 of the Plan with reference to Rehabilitation Areas and a "Retail Center". All activities within this area are governed by the Central District Urban Renewal Plan as amended, unless otherwise specified in this document.

A. Uptown Retail Center and Rehabilitation Area Project Boundaries

The boundaries of the Activity Area are delineated in Exhibit 2 and described as follows:

Starting at the centerline of the intersection of Grand Avenue and Webster Street; south two blocks on Webster to the intersection of Webster and 21st Streets; west one block on 21st Street to the intersection of 21st and Franklin Streets; south on Franklin to the intersection of Franklin and 14th Streets; west on 14th Street to the intersection of 14th Street and San Pablo Avenue; northwest on San Pablo Avenue to the intersection of San Pablo Avenue and 20th Street; west one block on 20th Street to the intersection of 20th and Castro Streets; north one block on Castro Street to the intersection of Castro Street, San Pablo Avenue and Martin Luther King Jr. Way; north two blocks on Martin Luther King Jr. Way to the intersection of Martin Luther King Jr. Way and West Grand Avenue; east on West Grand and Grand Avenues to the intersection of Grand Avenue and Webster Street.

B. Objectives and Purpose of the Uptown Retail and Rehabilitation Area

The Uptown Retail and Rehabilitation Area is intended to include multiple interrelated projects which, taken together, will meet the following objectives set forth in the Plan and adopted by the City Council:

1. Revitalization and strengthening of the Oakland Central District's historical role as a major retail Center;

2. Establishment of the Activity Area as an important cultural entertainment Center;

3. Provision of employment opportunities and other economic benefits to persons living within or near the Activity Area as well as for merchants and businesses operating within the Activity Area;

4. Rehabilitation and restoration of historic structures within the Activity Area as well as development of new buildings that complement the area's historic structures, utilizing incentives such as Historic Preservation Tax Credits when feasible;

5. Improved physical design within the Activity Area, including creation of a definite sense of place, clear gateways, emphatic focal points and building design which further distinguishes the unique nature of each sub-area within the Activity Area;

6. Elimination of existing blighted structures and conditions within the Activity Area;

7. Improved security and safety of patrons and merchants in the area, and the perception thereof; and

8. Increased residential opportunities in and/or near the Activity Area both to address the need for additional housing and to allow the area to benefit from more "eyes on the street."

C. Area Projects

Individual projects in the Uptown Retail and Rehabilitation Area may include the following:

1. A Retail Center Project which incorporates a mix of retail, office and entertainment activities focused along the Telegraph Avenue spine.

2. A rehabilitation program which will consist of multiple projects that may include:

   a) Blight remediation and improvement of dilapidated and obsolete buildings;

   b) A targeted loan program for facade improvements, rehabilitation and restoration of historic structures and signage;

   c) Small business loans to support business planning and remerchandising;

   d) Owner participation and business retention projects, proposed by property owners or merchants;

   e) Public improvements contributing to a comprehensive security system;

   f) Window-improvement projects in conjunction with local artists;

   g) Housing development and rehabilitation, where appropriate;

   h) Other facade improvements or vitality-improving projects or programs yet to be identified; and

   i) Revitalization and physical improvements to public infrastructure elements and public spaces within the area.

D. Implementation Techniques to Achieve Plan

1. Property Rehabilitation Process: The Uptown Retail and Rehabilitation Area has been delineated in order to carry out the Plan. The Uptown Retail and Rehabilitation Area meets the following conditions set forth in the Plan for the establishment of new rehabilitation areas:

   a) The predominant existing land use specialization of the area is in accordance with the Plan;

   b) There exists a substantial number of structures within the area that are economically feasible to rehabilitate for the indicated land use specialization;

   c) Incompatible land uses within the area can be eliminated through blight remediation efforts targeted at specific structures or through change of tenancy for occupancy by an appropriate use; and

   d) The area will, after rehabilitation, utilize the land at a density or intensity of development appropriate to its role within the larger pattern of land use specialization within the Activity Area.

2. Owner Participation: Focused attention will be given to retaining and fostering viable businesses within the Activity Area. Redevelopment Law requires that property owners within a Redevelopment "Project" Area be provided with an opportunity to participate in development projects planned for and effecting "their" property. Agency staff will prepare a Request for Proposals (RFP) outlining avenues for owner participation and will make that RFP available to all affected property owners within a proposed Redevelopment Project Area in the Activity Area.

3. Property Rehabilitation Standards: The Agency Staff shall develop a set of rehabilitation standards appropriate to achieving the objectives of the project and shall ensure compliance with said standards in the rehabilitation of properties within the area. In addition, the Agency Staff shall develop, and submit to the Redevelopment Agency for its review and recommendations to the Agency Staff, an Urban Design and Preservation Plan that provides design criteria and an overall framework for rehabilitation of structures and for public improvements consistent with the framework established by this Plan and this supplement text.

4. Acquisition and Blight Control: In order to eliminate blight and blighting influences and to improve the Activity Area in accordance with the objectives of the Plan all properties which are designated in the Retail Center Project and Rehabilitation Area may be acquired by negotiation or eminent domain, and cleared, and shall be sold, leased, operated or conveyed for reuse in accordance with the Plan. Land which the Agency so

acquires shall be disposed of, as directed by the Redevelopment Agency, in accordance with this Supplement, the Plan, and other applicable laws.

Other controls over rehabilitation in the Activity Area are described in Section 403 of the Plan.

5. Relocation Services: Services, payments and benefits established by applicable State Law and City codes with respect to the displacement and relocation of families, individuals and businesses occupying a specific property shall be provided as required by law.

6. Obligations to be Imposed on Redevelopers:

a) Persons contracting with the Agency to purchase land within the area shall be required to develop such land in accordance with the provisions of the Plan and this Supplement. The Disposition and Development Agreements shall give the Agency the right to withhold transfer of title of land until milestones such as approved conceptual and design development drawings, land use entitlements and environmental review have been completed. All buildings to be constructed or redeveloped within the Activity Area by persons contracting with the Agency will require architectural plans and specifications to be submitted to, reviewed and approved in writing by the Agency. Architectural plans and specifications must include the nature of all construction, parking, loading, surface treatment, landscaping, location, signage and orientation of structure(s) on the building site and, when requested, the grading plans for the building site to be built upon. The Agency shall have the right to refuse to approve any such plans or specifications when in the opinion of the Agency such plans or specifications do not conform with the conditions and objectives of the Plan.

b) Persons contracting with the Agency to acquire, use, or develop land within the Area must commence the erection of any building, prosecute diligently the work thereon and complete it within such reasonable period of time as agreed on with the Agency.

c) No person contracting with the Agency to acquire, use, or develop land within the Area shall resell, lease, sublease or otherwise dispose of land in the Area until the construction, approved by the Agency, has been completed, except with the prior written consent of the Agency.

d) Persons who are engaged in business in the Area shall be granted preference by the redevelopment Agency to remain or re-enter in business within said Area during and after redevelopment if they meet the requirements prescribed by the Plan and this Supplement.

e) At the time of submitting a proposal to the Agency to become a redeveloper, each prospective redeveloper shall include in said proposal a statement indicating the

redeveloper's willingness to comply with the requirements of the Agency's Local and Small Local Business Enterprise Programs and Local Employment Programs. Such proposals should also include a Job Opportunities Program indicating the manner in which the redeveloper will, if selected, collaborate with the Agency in coordinating job training activities with job opportunities to be made available by the proposed development.

f) Persons submitting a proposal to the Agency to become a redeveloper must submit comprehensive plans for maintenance of their proposed project as a prerequisite for project approval in addition to appropriate financial supporting materials such as marketing surveys, financing plans and proformas.

g) Persons submitting a proposal to the agency to become a redeveloper are strongly encouraged to present said proposals to local merchant groups, residents, business organizations and property owners to solicit input. Said input should be solicited, and utilized as appropriate to refine development proposals, prior to finalization of development project concepts or plans.

E. Land Use and Urban Design Standards

1. Land Use: The desired land uses for the Activity Area primarily include a mix of retail and entertainment activities, as well as office uses, with an inclusion of residential uses, where appropriate. Activities and facilities located within the Activity Area should be sited and operated in a manner which supports the creation of a distinctive and vital hub of activity in a pedestrian-friendly environment which complements the unique flavor of the Uptown Area. Except as indicated, land use regulations and development bulk standards for projects and sites located within the Activity Area shall be governed by the Oakland Planning Code and the General Plan of the City of Oakland.

2. Circulation: If the designated redeveloper's plan so requires, and the Agency concurs, Eighteenth Street (between Telegraph and San Pablo Avenues), Nineteenth Street (between Broadway and San Pablo Avenue) and Williams Street (between Telegraph and San Pablo Avenues) may be vacated. The peripheral streets around the Area may be widened to accommodate rerouted through traffic. Any and all street vacation pursuant to this Plan shall be carried out in accordance with the public hearing provisions of the California Streets and Highways Code, Section 8323 and shall be subject to compliance with all other applicable laws and procedures

Section 600. METHODS OF FINANCING

A. Financial Assistance: The Agency is authorized to finance this Plan with financial assistance from the City, the State of California, or the federal government, tax increment funds, interest income, Agency bonds, donations, loans from private financial institutions, the lease or sale of Agency-owned property, or any other available source, public or private.

The City or any other public agency may expend money to assist the Agency in carrying out this Plan.

B. Other Sources of Funds: The Redevelopment Agency will seek any other legal means available for borrowing funds including but not limited to the use of Community Development Block Grant funds and the issuance of Agency bonds. Such loan obligations or other indebtedness as the Agency may incur shall not be a debt of the City of Oakland or the State of California or any of its political sub-divisions. Such obligations shall be payable only out of specified funds or properties of the Agency, which may include money from the lease or sale of land and funds received from the pledge of taxes as provided in Section 600 C.

C. Local Property Tax Increment: With the consent of the Oakland City Council, taxes, if any, levied upon the taxable property in the Project Area, hereinafter sometimes called the "redevelopment project," each year by or for the benefit of the State of California, the City of Oakland, County of Alameda, 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 provided in Article 6, Chapter 6, Part I (the Community Redevelopment Law) of the Health and Safety Code of the State of California and Section 16 of Article XVI of the Constitution of the State of California, to wit:

1. that portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project 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 allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment role of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said 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 such agency to finance or refinance, in whole or in part, such redevelopment project. Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in paragraph designated (1) hereof, all of the taxes levied collected upon the taxable property in such redevelopment project 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 then all monies thereafter received from taxes upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

In the proceedings for the advance of monies, 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 Central District Urban Renewal Project, the portion of taxes set forth in said Law and said Constitution as available to the Agency for such purposes may be irrevocably pledged for the payment of the principal of and interest on such loans, advances or indebtedness.

The number of dollars of the taxes referred to in Health and Safety Code Section 33670 which may be divided and allocated to the Redevelopment Agency of the City of Oakland pursuant to the Plan shall not exceed Three Billion Dollars ($3,000,000,000).

The Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 from the Project Area after June 12, 2033, except as may otherwise be provided by Section 33333.6 of the Community Redevelopment Law or except as provided below for areas added to the Project Area by Plan amendment.

As to bonds issued by the Agency specifically for activities to be undertaken in that portion of the Project Area added to the Plan boundaries after June 12, 1979, but prior to June 1, 2001, the amount of bonded indebtedness outstanding at any one time shall not exceed $100,000,000.

Notwithstanding any provision of this Plan to the contrary, as to that territory added to the Project Area by the Twelfth Amendment to this Plan adopted on July 24, 2001 (that territory is referred to in this Plan as the “Central District Twelfth Amendment Area”), the Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Plan within the Central District Twelfth Amendment Area after July 24, 2021, except that the Agency may incur loans, advances or indebtedness after July 24, 2021 to be paid from the Low and Moderate Income Housing Fund as defined by the Community Redevelopment Law or to meet the Agency’s replacement housing or inclusionary housing requirements as set forth in Sections 33413 and 33413.5 of the Community Redevelopment Law, as said provisions apply to the Central District Twelfth Amendment Area. This limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit to repay indebtedness required by Section 33333.2 of the Community Redevelopment Law.

As to the Central District Twelfth Amendment Area, the Agency will comply with the requirements of Section 33607.5 of the Community Redevelopment Law to make certain payments to affected taxing entities from tax increment revenues generated by the Central District Twelfth Amendment Area.

Notwithstanding any provision of this Plan to the contrary, as to the Central District Twelfth Amendment Area, the Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 from the Central District Twelfth Amendment Area after July 24, 2048.

The Agency may in any year during which it owns property in the 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 such property had it not been exempt, an amount of money in lieu of taxes, if and to the extent such payments are authorized under the California Community Redevelopment Law.

The Agency may pay to any taxing agency with territory located within the Project Area any amounts of money which in the Agency's determination is appropriate to alleviate any financial burden or detriment caused to the taxing agency by the redevelopment project, if and to the extent such payments are authorized under the California Community Redevelopment Law.

Beginning in fiscal year 2004-2005 until the date the effectiveness of this Plan terminates, the Agency will comply with the requirements of Section 33607.7 of the Community Redevelopment Law, as triggered by the amendment to this Plan adopted on January 6. 2004, to eliminate the time limit on establishing debt,.to make certain payments to affected taxing entities from tax increment revenues generated by the Central District Project Area (excluding the Central District Twelfth Amendment Area). These payments shall be calculated against the amount of assessed value by which the current year assessed value exceeds the adjusted base year value for fiscal year 2003-2004 for the Project Area (excluding the Central District Twelfth Amendment Area).

Beginning on June 12, 2022, the Agency shall spend tax increment funds (except for funds deposited into the Low and Moderate Income Housing Fund) only within the portion of the Central District Project Area that has been identified in the Report to Council on the Seventeenth Amendment to this Plan as the area containing blighted parcels and necessary and essential parcels,

D. Methods of Financing Henry J. Kaiser Convention Center/Museum Complex Supplement:

The Agency in conjunction with the City plans to rehabilitate the Henry J. Kaiser Convention Center. The estimated cost of the rehabilitation will be between $10 million and $14 million. The Agency will seek any available means for financing that rehabilitation including sale of Agency bonds and participations in obligations owed to the Agency. At the present time it is contemplated that the Agency will purchase the Convention Center from the City and sell it to a private entity which in turn will lease it back to the City. Proceeds from the City's sale of the Convention Center will be used to pay the cost of the rehabilitation. In addition, tax increments generated by the Henry J. Kaiser Convention Center will also contribute to the financing of the Convention Center rehabilitation.

Section 601. PREVENTION OF DISCRIMINATION

There shall be no discrimination because of race, color, religion, national origin or ancestry in the undertaking of this Project by the Agency.

A. Any developer shall comply with all State and local laws, in effect from time to time, prohibiting discrimination or segregation by reason of race, religion, color or national origin or ancestry in the sale, lease or occupancy of the property.

Pursuant to the California Health and Safety Code (Sections 33337 and 33435-33436), contracts entered into by the Agency relating to the sale, transfer or leasing of land, or any interest therein acquired by the Agency within any redevelopment or urban renewal area or project, the provisions of said Section in substantially the form set forth therein shall be included in such contracts, and such contracts shall further provide that the provisions of said Section shall be binding upon and shall obligate the contracting party or parties and any subcontracting party or parties and all other transferees under the instrument.

B. All deeds, leases or contracts for the sale, lease, sublease or other transfer of any land in the Project Area shall contain the following nondiscrimination clauses as prescribed by California Health and Safety Code, Section 33236: In deeds, the following language shall appear:

> "The grantee herein covenants by and for himself, his heirs, executors, administrators and assigns and all persons claiming under or through him, that there shall be no discrimination against, or segregation of, any persons or groups of persons on account of race, color, creed, national origin, ancestry, sex, sexual preference or age in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the premises herein conveyed nor shall the grantee himself, or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, or vendees in the premises herein conveyed. The foregoing covenants shall run with the land."

In leases, the following language shall appear:

> "The lessee herein covenants by and for himself his heirs, executors, administrators and assigns, and all persons claiming under or through him and this lease is made and accepted upon and subject to the following conditions:
>
> "That there shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, nation origin, ancestry, sex, sexual preference or age in the leasing, subleasing, transferring, use, occupancy tenure or enjoyment of the promises herein leased nor shall the lessee himself, or any person

claiming under or through him, establish or permit any such practice or practice of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, sublessees, subtenants or vendees in the premises herein leased."

C. The covenants in deeds, leases and contracts from or with the Agency, with respect to Prevention of Discrimination, shall remain in effect in perpetuity.

Section 700. GENERAL PROVISIONS

A. Additional Powers: In addition to the powers expressly authorized by this Plan, the Agency is further authorized to exercise, in the execution of this Plan, all additional powers delegated to a redevelopment agency by the California Community Redevelopment Law, as amended.

B. City Center Urban Renewal Plan: This Plan amends and supercedes the City Center Urban Renewal Plan which was adopted by the Oakland City Council on January 16, 1968.

C. Plan Amendment: No portion of the Project Area as shown on Exhibit 2 shall be changed to an Acquisition Area except by an amendment of this Plan approved by the City Council. This Plan may be amended from time to time in accordance with the requirements of the California Community Redevelopment Law.

D. Variances: Where unnecessary hardships, practical difficulties or consequences inconsistent with the general purposes of the Plan result from the literal interpretation and enforcement of the restrictions and limitations imposed by this Plan, the Redevelopment Agency, upon receipt of an application from the owner of the property affected, or his agent, stating fully the grounds of the application and facts relied upon, and upon the Agency's further investigation, may grant adjustments or variances under such conditions and safeguards as it may determine consistent with the general purpose and intent of this Plan; provided that in no instance shall any adjustments or variances be granted that would change or alter the range of land uses permitted or other basic requirements of the Urban Renewal Plan.

This Section does not, however, authorize the Agency to grant variances or other changes from the Oakland Planning Code, the Oakland Municipal Code, or other applicable City ordinances.

E. Duration of Plan : The provisions of this Plan shall be filed as restrictive covenants running with land sold or leased by the Agency and shall be made part of each contract with the Agency for new development or for owner participation. The commencement date of the covenants shall be the date of approval of the Plan by the Oakland City Council. The provisions of this Plan shall be effective, and the provisions of other

documents formulated pursuant to this Plan may be made effective, until June 12, 2023, except that the nondiscrimination and nonsegregation provisions shall run in perpetuity, and except as provided below for areas added to the Project Area by Plan amendment. After this time limit on the duration and effectiveness of the Plan, the Agency shall have no authority to act pursuant to this Plan for the Project Area except to pay previously incurred indebtedness and to enforce existing covenants or contracts, except as may be otherwise be provided by Section 33333.6 of the Community Redevelopment Law, and except as provided below for areas added to the Project Area by Plan amendment.

As to the Central District Twelfth Amendment Area, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, for the Central District Twelfth Amendment Area until July 24, 2033, except that the nondiscrimination and nonsegregation provisions shall run in perpetuity. After this time limit on the duration and effectiveness of the Plan for the Central District Twelfth Amendment Area, the Agency shall have no authority to act pursuant to this Plan for the Central District Twelfth Amendment Area except to pay previously incurred indebtedness and to enforce existing covenants or contracts, and except that, if the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, it shall retain its authority to implement its requirements under Section 33413, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete these housing obligations as soon as reasonably possible.

F. Owner Participation and Business Reentry: The Agency has adopted rules for the participation of owners in the Project Area and the extension of preferences to business tenants for reentry within the redeveloped Project Area. In accordance with this Plan, the adopted rules, and the Community Redevelopment Law, persons who are owners of real property in the Project Area shall be given a reasonable opportunity to participate in redevelopment by: (1) retaining all or a portion of their properties and developing or improving such property for use in accordance with this Plan; (2) acquiring adjacent or other properties within the Project Area and developing or improving such property for use in accordance with this Plan; or (3) selling their properties to the Agency and purchasing other properties in the Project Area. The Agency shall extend reasonable preferences to persons who are engaged in business in the Project Area to participate in the redevelopment of the Project Area, or to reenter into business within the redeveloped Project Area, if they otherwise meet the requirements prescribed in this Plan. If conflicts develop between the desires of owner participants, business tenants or other redevelopers for particular sites or land uses, the Agency is authorized to establish reasonable priorities and preferences among such prospective participants. Some of the factors to be considered in establishing these priorities and preferences may include a prospective participant's length of occupancy in the area; the desirability of accommodating as many participants as possible; the need to coordinate development projects with other projects or existing uses in the area; the necessity to assemble large sites for integrated, modern development; the conformity of a prospective participant's proposal to the intent and objectives of this Plan; and the social, economic, or fiscal benefits to the community of a

prospective participant's proposal. In addition to opportunities for participation by individual persons and firms, participation shall be available for two or more persons, firms or institutions to join together in partnerships, corporations or other joint entities.

Participation opportunities shall necessarily be subject to and limited by such factors as: (1) the need to assemble and redevelop large sites for integrated, modern development, given market conditions and development economies of scale; (2) the capacity of owners to finance redevelopment or rehabilitation in accordance with this Plan; (3) the development experience of owners and their capacity to undertake development projects as needed to meet Plan objectives; (4) the need to coordinate development projects with other projects or existing uses in the Project Area; (5) the need to change or eliminate some land uses; (6) the need to construct, widen or realign some streets; (7) the need to reduce the total number of individual parcels in the Project Area; or (8) the need to construct or expand public facilities. The Agency may require that, as a condition to participation in redevelopment, each owner participant shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate or develop, use, and maintain the property in conformance with this Plan.

G. Affordable Housing Requirements: By law, the Agency, within four years of destruction or removal of dwelling units housing persons and families of low and moderate income as part of the redevelopment project, shall cause to be rehabilitated, developed or constructed a number of dwelling units equal to the number destroyed or removed which units shall be for sale to persons and families of low and moderate income at affordable housing costs.

In addition, prior to the time limit on the effectiveness of this Plan as set forth in Section 700.E.., at least 30 percent of all new or substantially rehabilitated dwelling units developed by the Agency in the Central District shall be available at affordable housing cost to, and occupied by, persons and families of low or moderate income, with not less than 50 percent of these units made available at affordable housing cost to, and occupied by, very low income households, as required by Section 33413 (in particular, subdivision (b) of that section) of the Community Redevelopment Law. Prior to the time limit on the effectiveness of this Plan as set forth in Section 700.E., at least 15 percent of all new or substantially rehabilitated dwelling units developed by public or private entities or persons other than the Agency in the Central District shall be available at affordable housing cost to, and occupied by, persons and families of low or moderate income, with not less than 40 percent of these units made available at affordable housing cost to, and occupied by, very low income households, as required by Section 33413 (in particular, subdivision (b) of that section) of the Community Redevelopment Law. The requirements of this section shall apply in the aggregate, and not to each individual case of rehabilitation, development, or construction of dwelling units; however, the Agency in its discretion may impose inclusionary housing requirements on particular housing projects developed by public or private entities or persons other than the Agency in the Central District, as needed in order for the Agency to comply with Section 33413 of the Community Redevelopment Law, this Plan, and the implementation plan adopted for the

Project pursuant to Section 33490 of the Community Redevelopment Law. This paragraph shall only apply prospectively to new and substantially rehabilitated dwelling units for which the building permits are issued on or after the date of adoption of the Seventeenth Amendment to this Plan. To satisfy this paragraph, in whole or in part, the Agency (1) may cause, by regulation or agreement, to be available, at affordable housing cost to, and occupied by, persons and families of low or moderate income or to verv low income households, as applicable, two units outside the Central District for each unit that otherwise would have been required to be available inside the Central District, or (2) may aggregate new or substantially rehabilitated dwelling units in one or more project areas, if the Agency finds, based on substantial evidence, after a public hearing, that the aggregation will not cause or exacerbate racial, ethnic, or economic segregation.

Beginning in fiscal year 2012-2013, and except as otherwise provided in or allowed by the Community Redevelopment Law, not less than 30 percent of all taxes which are allocated to the Agency pursuant to Section 33670 of the Community Redevelopment Law from that portion of the Central District existing within the project area prior to December 31, 1993, shall be used by the Agency for the purposes of increasing, improving and preserving the City's supply of housing at affordable housing cost to persons and families of extremely low, very low, low or moderate income. For those portions of the Central District added to the project area after December 31, 1993, including the Twelfth Amendment Area, the Agency shall continue to allocate not less than 25 percent of tax increment revenues from these areas for these purposes, per CRL requirements and Agency policy. In carrying out this purpose, the Agency may exercise any or all of its powers. The funds for this purpose shall be deposited and held in the Agency's Low and Moderate Income Housing Fund. Beginning in fiscal year 2012-2013 until June 12, 2022, the Agency may use such funds to increase, improve, or preserve housing for persons and families of moderate income, but only subject to the limitations on such assistance as set forth in Section 33333.10(f)(2) of the Community Redevelopment Law. Beginning on June 12, 2022, the Agency may use such funds to increase, improve, or preserve housing for persons and families of moderate income, but only subject to the limitations on such assistance as set forth in Section 33333.10(f)(1) of the Community Redevelopment Law.

H. Relocation: The Agency shall assist all persons (including individuals and families), business concerns and others displaced by the Project in finding other locations and facilities. In order to carry out the Plan with a minimum of hardship to persons (including individuals and families), business concerns and others, if any, displaced from their respective places of residence or business by the Project, the Agency shall assist such persons (including individuals and families), business concerns and others in finding new locations that are decent, safe, sanitary, within their respective financial means, in reasonably convenient locations and otherwise suitable to their respective needs. The Agency may also provide housing inside or outside the Project Area for displaced persons.

The Agency shall make relocation payments to persons (including individuals and families), business concerns and others displaced by the Project for moving expenses and direct losses of personal property and additional relocation payments as may be required by law. Such relocation payments shall be made pursuant to the California Relocation Assistance Law (Government Code Section 7260 et seq.) and any Agency rules and regulations adopted pursuant thereto. The Agency may make such other payments as may be appropriate and for which funds are available.

I. Severability: If any provision of this Plan or any of its amendments is invalid, it shall be considered deleted from this Plan and shall not invalidate the remaining provisions of this Plan. If this Plan is declared by a court of competent jurisdiction to be invalid in its entirety, the City Center Urban Renewal Plan adopted by the Oakland City Council on January 16, 1968 shall remain in full force and effect.

CENTRAL DISTRICT URBAN RENEWAL PLAN

EXHIBIT 1

LAND USE PLAN MAP

(*attached*)

CENTRAL DISTRICT URBAN RENEWAL PLAN

EXHIBIT 2

LAND ACTIVITY MAP

(*attached*)

CENTRAL DISTRICT URBAN RENEWAL PLAN

EXHIBIT 3

PUBLIC IMPROVEMENTS

The Agency may acquire property and/or pay for, install, develop, construct, or rehabilitate the publicly-owned buildings, facilities, structures, or other improvements set forth in the attached list in connection with the Plan:

- Streets and roadways
  - Roadway widening
  - Intersection improvements
  - Traffic signalization
  - Roadway resurfacing
  - Installation of overpasses and underpasses
  - Street signage

- Streetscape
  - Sidewalks
  - Curbs and gutters
  - Street medians
  - Street lighting
  - Street furniture
  - Landscaping
  - Street beautification

- Public transit and bicycle facilities

- Water, natural gas and electricity distribution systems

- Sanitary sewer systems
  - Wastewater treatment plant improvements
  - Upgrading and replacing deteriorated sewer pipes

- Storm drainage systems
  - Reconstruction of damaged catch basins and broken storm drain lines
  - Construction of concrete cross drains

- Telecommunications systems, including installation of fiber optic and other cabling

- Undergrounding of overhead utility lines

- Parking facilities and improvements

- Parks, plazas, landscaped areas, pedestrian paths, playgrounds, recreational facilities, and open space
- Public housing and shelters
- Police, fire, emergency response, and other public safety facilities
- Public schools, colleges and universities, training centers, libraries, and community centers
- Public health facilities and human services facilities