
**2 Redevelopment Plan for the March Air
Force Base Redevelopment Project**

Redevelopment Plan

For The
**March Air Force Base
Redevelopment Project**

Prepared For:

March Joint Powers Redevelopment Agency

JUNE 1996

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FOR THE
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**REDEVELOPMENT PLAN
FOR THE
MARCH AIR FORCE BASE REDEVELOPMENT PROJECT**

SECTION I. (100) INTRODUCTION

The Federal Government has, since 1988 and the end of the Cold War, embarked upon a program of closing and realigning its military bases throughout the Country. The State of California generally, and adjacent communities specifically, have been especially hard hit by the economic dislocation which attends military base closure. The State Legislature recognized that one method to partially ameliorate the deleterious economic effects of these base closures was to allow local, affected communities to form joint powers authorities which, in turn, could activate redevelopment agencies with all the powers and capabilities thereof. The legislature recognized that redevelopment agencies had, in the past, proven very successful in eradicating blight and substantially improving the economic base of their respective project areas, *without the expenditure of any additional tax dollars from Sacramento or Washington, D.C.*

Consequently, in 1994 the California State Legislature amended certain portions of the California Community Redevelopment Law (Health & Safety Code Sections 33000, *et seq.* [the "CCRL"]) to expand the legal definition of "blight" to include those conditions existing on military reservations which would inhibit their private market development subsequent to their closure or realignment.

In 1993, the Federal Government called for the realignment of the March Air Force Base (the "Base") and for a substantial reduction in its use as a military base. Subsequent to this, the neighboring communities of Moreno Valley, Perris, the City of Riverside and the County of Riverside joined together to form the March Joint Powers Authority (the "Authority" of which the aforelisted communities are "Member Jurisdictions" or "Members" or "Participating Jurisdictions") and, in July 1995, the Authority instituted feasibility analyses to examine the potential of establishing the March Joint Powers Redevelopment Agency (the "Agency") in conformance with appropriate provisions of CCRL Section 33000 *et seq.* The Authority established the Agency on January 24, 1996.

A. (101) Summary of Federal Actions Closing or Realigning Military Bases and State Response

Federal Actions

On October 24, 1988, the Congress and the President approved the charter for the Commission on Base Realignment and Closure by adopting the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526). The Commission submitted its report to the Secretary of Defense on December 19, 1988. The report made recommendations relating to 145 military installations within the United States. The report recommended that eighty-six (86) bases be fully closed, five (5) partially closed and the remaining fifty-four (54) experience realignment of their strategic and tactical military missions. The Base was *not* among those installations originally recommended for closure in 1988. A second round of closures was announced in 1991, and again the Base was not one of the casualties; the Base finally fell to realignment in the third round of military base cutbacks occurring in 1993.

State Response to Federal Actions

In recognition of the significant impact that the closure or realignment of military bases in the State of California has on neighboring communities, the California State Legislature enacted special legislation to help mitigate the effects of the federal government's efforts to reduce the

number of military bases operating in California. As part of this effort, the Legislature enacted Assembly Bill No. 3769 (AB 3769) in 1994 to provide specific means for mitigating the economic and social degradation facing communities impacted by the realignment of the Base. This legislation amended certain portions of the CCRL and added Article 5 (commencing with Section 33492.80) to Chapter 4.5 of part 1 of Division 24 of the CCRL. Additionally, AB 3769 authorized the Authority to establish a redevelopment agency and granted special authority to permit the redevelopment of the Base and other areas adjacent to the Base.

B. (102) Redevelopment Plan Content and Enabling Authority

This Redevelopment Plan consists of the text (Sections 100 through 1100), the Redevelopment Project Area Map (Exhibit A), the legal description of the Project Area Boundaries (Exhibit B), a listing of the proposed redevelopment project improvements (Exhibit C), March Air Force Base Preferred Land Use Map (Exhibit D) and City of Moreno Valley General Plan Land Use Map (Exhibit E).

This Redevelopment Plan has been prepared by the Agency pursuant to the CCRL, the California Constitution and all applicable State, Federal and local laws and ordinances. Enabling legislation contained in Section 33492.81(a) of the CCRL specifically authorizes the Authority to establish the Agency to effectuate the redevelopment of the Base. The Agency's principal goal, to be realized through adoption and implementation of this Redevelopment Plan, is to provide the administrative mechanism and primary funding to, 1) facilitate the successful redevelopment of the Project Area, and 2) to promote and participate in the economic development of the Project Area and the larger sub-region consisting of western Riverside County. This Redevelopment Plan does not present a specific plan for the redevelopment, rehabilitation and revitalization of any portion of the Project Area. Rather, it establishes a process and framework for implementation of the Project.

SECTION II. (200) GENERAL DEFINITIONS

The following definitions will be used in this Redevelopment Plan unless otherwise specified herein:

- A. "Agency" means the March Joint Powers Redevelopment Agency.
- B. "Authority" means the March Joint Powers Authority.
- C. "Authority Board" means the legislative body of the March Joint Powers Commission.
- D. "Base" means the March Air Force Base.
- E. "Cantonment" means that portion of the Base not subject to Authority control.
- F. "CCRL" means the California Community Redevelopment Law of the State of California (California Health and Safety Code, Sections 33000 *et seq.*) as it now exists or is hereafter amended.
- G. "Commission" means the March Joint Powers Commission.
- H. "County" means the County of Riverside, California.
- I. "Disposition and Development Agreement" means a contractual agreement between a developer and the Agency that sets forth terms and conditions for redevelopment.

- J. "General Plan" means the General Plan of the City of Moreno Valley unless otherwise defined in the text.
- K. "Joint Powers Agreement" means the Agreement whereby the Cities of Moreno Valley, Riverside, Perris and the County of Riverside agreed upon and formed a Joint Powers Authority whose purpose is, in part, to plan for the use and reuse of portions of the Base and certain areas in proximity to the Base, to acquire, own, maintain and operate a civil aviation facility in conjunction with ongoing military aviation operations.
- L. "Map(s)" means the Redevelopment Plan Map(s), attached hereto as Exhibit A.
- M. "Method of Relocation" means the method or plan adopted by the Agency pursuant to Section 33352.(d) of the CCRL for the relocation of families, persons and businesses to be temporarily or permanently displaced by actions of the Agency.
- N. "Non-Cantonment" means that portion of the Base subject to Authority control.
- O. "Owner Participation Agreement" means a contractual agreement between the Agency and a property owner or tenant which sets forth terms and conditions for redevelopment.
- P. "Participating Jurisdictions," "Member Jurisdictions," or "Members" means those legislative jurisdictions that are a party to the Authority's Joint Powers Agreement.
- Q. "Person" means an individual(s), or any public or private entity(ies).
- R. "Project Area" means March Air Force Base Redevelopment Project Area which is the territory this Redevelopment Plan applies to as shown on Exhibit A.
- S. "Redevelopment Plan" means the Redevelopment Plan for the March Air Force Base Redevelopment Project.
- T. "Reuse Plan" means the March Air Force Base Master Reuse Plan, approved by the March Joint Powers Authority on November 15, 1995.
- U. "State" means the State of California.
- V. "Sub-region" means western Riverside County.
- W. "Tax Increment Revenues" means moneys allocated or paid to the Agency derived from each of the following sources: (a) that portion of taxes levied upon assessable property within the Project Area allocated to the Agency pursuant to Article 6 of chapter 6 of the CCRL and Section 16 of Article XVI of the Constitution of the State; and received by the Agency; and (b) reimbursements, subventions, including payment to the Agency with respect to personal property within the Project Area pursuant to Section 16110, *et seq.*, of the Government Code of the State, or other payments made by the State with respect to any property taxes that would otherwise be due on real or personal property but for an exemption of such property from such taxes.

SECTION III. (300) PROJECT AREA BOUNDARIES

The boundaries of the Project Area are illustrated on the map attached hereto and incorporated herein as Exhibit A. The legal description of the boundaries of the Project Area is as described in Exhibit B attached hereto and incorporated herein.

SECTION IV. (400) REDEVELOPMENT PLAN GOALS

In June 1994 the Commission adopted goal statements to guide the preparation of the Reuse Plan. Redevelopment of the Project Area in accordance with provisions outlined in the CCRL is consistent with the Authority's long-term goals and policies as outlined in the Goals and Policies Section of the Reuse Plan. The redevelopment process will play a direct role in the Authority's drive to achieve the following goals and policies found in the Reuse Plan:

- Maximize the development potential as a regional Intermodal Transportation facility to support both passenger and freight-related air services.
- Replace lost jobs with new and expanded employment opportunities.
- Support private investment that can create new property taxes, sales taxes, and increased local spending.
- Maximize joint use (military and civilian) opportunities at airport-related land and facilities.
- Encourage the creation of public/private partnerships that will invest in the implementation of the Base Reuse Plan.
- Support actions to attain a clean environment at and around the Base.
- Implement the requirements of federal, state, regional, and local regulations, that apply to water and air quality, wetlands, endangered species, and other environmental considerations.
- Support the USAF commitments to maintain the integrity of the Base's Historic District.
- Support the development of educational and specialized facilities that will train persons for new and improved employment opportunities.
- Support new uses and reuses that do not preclude air-related joint use with the U.S. Air Force Reserves.
- Emphasize the development of aviation uses other than federal aviation, such as commercial and/or freight carrier services.
- Develop active and passive open space areas that offer community recreational opportunities and open land areas for public enjoyment.
- Work to resolve conflicts that would otherwise delay or negatively impact the reuse planning and redevelopment processes.

- Plan for the economic use, reuse, and joint use of those areas of the Base outside of the non-cantonment area.
- Consider the impacts on and from the areas adjacent to the Base as identified by the four member jurisdictions as the "planning areas."
- Eliminate blight and generate new development within the confines of and adjacent to the Base.
- Facilitate the provision of public services, i.e., sewer, water, streets, and public safety, to be provided in an efficient and cost-effective manner.
- Plan for the demands for all public services necessary to support new uses, reuse, and joint use at the Base.

Long term Redevelopment Plan implementation activities will permit the Agency to help reverse deteriorating trends, remedy blight, as defined, create new employment opportunities, stimulate economic development, attract private investment, and encourage and promote public/private partnerships within the Project Area specifically and the sub-region in general.

SECTION V. (500) REDEVELOPMENT ACTIONS

A. (501) General

The Authority is a joint powers authority formed pursuant to Article 1, Chapter 5, Division 7, Title 1 (commencing with Section 6500) of the California Government Code. The Agency is authorized by Section 33492.81(a) of the CCRL. Working with the Authority, the Agency's primary purpose is to carry out the actions necessary to form a redevelopment project area and to implement the Redevelopment Plan for the purpose of effecting Project Area improvements. The purpose is consistent with the State of California Legislature's reason for enacting Assembly Bill 3769 authorizing the Authority to establish the Agency to provide a specific means for mitigating the economic and social degradation facing communities impacted by the realignment of the Base.

The Agency proposes to eliminate and prevent the spread of blighting influences and to strengthen the economic base of the Project Area and the larger sub-region through including, but not necessarily limited to, the following actions in addition to any other power that may hereafter be granted to the Agency by the CCRL and any other State law:

1. The acquisition, installation, construction, reconstruction, design, redesign or reuse of streets, utilities, curbs, gutters, sidewalks, traffic control devices, flood control facilities and other public improvements.
2. The rehabilitation, remodeling, demolition or removal of buildings, structures and improvements.
3. The construction, rehabilitation, development or construction of affordable housing in compliance with State law.
4. Providing the opportunity for participation by owners and tenants presently located in the Project Area and the extension of preferences to occupants desiring to remain or relocate within the redeveloped Project Area.

5. Providing relocation assistance to displaced residential and nonresidential occupants.
6. The development or redevelopment of land by private enterprise or public agencies for purposes and uses consistent with the objectives of this Redevelopment Plan.
7. The acquisition of real property by purchase, gift, devise or any other lawful means, or by exercising the power of eminent domain, as defined in this Redevelopment Plan, where it is deemed necessary after conduct of appropriate public hearings and other requirements of law.
8. The combining of parcels, properties, site preparation and construction of necessary off-site improvements.
9. Providing for open space.
10. Managing any property acquired by the Agency.
11. Assisting in providing financing for the construction of residential, commercial and industrial buildings and/or airport facilities to increase the residential, commercial and industrial base of the Project Area and surrounding areas, and the number of temporary and permanent jobs in the Project Area.
12. The disposition of property including, without limitation, the lease or sale of land at the value determined by the Agency for reuse in accordance with the Redevelopment Plan.
13. Providing for the retention of controls and the establishment of restrictions or covenants running with the land so that property will continue to be used in accordance with this Redevelopment Plan and the provisions of the CCRL including, without limitation, provisions relating to the expenditure of funds from the Agency's Low and Moderate Income Fund.
14. Assisting in the provision of financing for the construction of residential, commercial and industrial buildings, as permitted by applicable State and local laws.
15. The closure or vacation of certain streets and the dedication other areas for public purposes.
16. Providing replacement housing, if any is required.
17. Applying for, receiving and utilizing grants and loans from federal or state governments or any other source.
18. Negotiating agreements with the United States of America or any agency or department thereof to determine the interim use and disposition of Base property.
19. Consultations with taxing jurisdictions to address any financial burdens or detriments caused to such taxing entities as a result of the adoption of the Redevelopment Plan.

To accomplish these actions and to implement this Redevelopment Plan, the Agency is authorized to use all the powers provided in the Redevelopment Plan and all the powers now or hereafter permitted by the CCRL and any other State law as applicable.

B. (502) Property Acquisition

1. (Sec. 503) Acquisition of Real Property

(a) The Agency may purchase, lease, obtain option upon or otherwise acquire any interest in real property located in the Project Area by gift, devise, exchange, purchase, or any other means authorized by law including the use of eminent domain for the purpose of redevelopment. Provided, however, the Agency shall not acquire, by eminent domain, property on which any persons reside. With respect to property located both on the Base and within the jurisdiction of the City of Moreno Valley, the "property on which any person resides" shall mean that a person actually lives on the property, that the property is sound for residential uses, or that the residential use on the property is a legally non-conforming use. With respect to that portion of the Project Area located within the City of Moreno Valley, the definition of a legally non-conforming use shall be as defined by the City of Moreno Valley Municipal Code.

(b) *Any eminent domain proceedings within the Project Area must commence within twelve (12) years of the effective date of the ordinance approving and adopting this Amended Redevelopment Plan.* Such time limitation may be extended only by amendment of this Redevelopment Plan. Acquisition of property, if and when necessary, will generally be achieved by cooperative negotiations between the owner of such property and the Agency.

(c) The Agency will not carry out public projects in a manner that will cause the displacement of substantial number of low- or moderate-income persons, or both. The Agency reserves the right to acquire real property as may be necessary, appropriate, and as permitted in Section 33342, et seq., of the CCRL, including acquisition through the use of eminent domain except as restricted in this section.

(d) Without the consent of the owner, the Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performs under the agreement unless provision for such acquisition is made in the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest in real property less than a fee interest.

(e) To the extent required by law, the Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner, unless (1) such building requires structural alterations, improvement, modernization, or rehabilitation, or (2) the site or lot on which the building is situated requires modification in size, shape, or use, or (3) it is necessary to impose upon such property any of the standards, restrictions and controls of the Redevelopment Plan and the owner fails or refuses to participate in the Redevelopment Plan by executing a participation agreement.

2. (504) Acquisition of Personal Property

Where necessary in the execution of this Redevelopment Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means.

C. (505) Participation by Owners and Tenants

1. (506) Owner and Tenant Participation

The Agency shall promulgate rules for owner and tenant participation which may be amended from time to time. The Agency shall extend reasonable preference to persons who are owners or tenants in the Project Area to continue in or re-enter the Project Area if they otherwise meet the requirements prescribed by this Redevelopment Plan and the Agency's rules governing owner participation and re-entry; such rules allow for "Owner Participation Agreements" with the Agency.

Opportunities to participate may include the rehabilitation of property or structures; the retention of improvements; the development of all or a portion of the participant's property; the acquisition of adjacent properties from the Agency; purchasing or leasing properties in the Project Area; participating with developers in the redevelopment of all or a portion of a participant's properties; or other suitable means consistent with objectives and proposals of this Redevelopment Plan and of the rules governing owner participation and re-entry.

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

The Agency desires participation in redevelopment by as many owners and business tenants as possible. However, participation opportunities shall necessarily be subject to and limited by such factors as the expansion of public facilities; elimination and changing of land uses; realignment of streets; and the ability of the Agency and/or owners to finance acquisition and development in accordance with this Redevelopment Plan.

2. (507) Preferences for Persons Engaged in Business in the Project Area

The Agency shall extend reasonable preferences to persons who are engaged in business in the Project Area to re-enter in business within the Project Area if they otherwise meet the requirements prescribed by this Redevelopment Plan.

3. (508) Owner Participation Agreements

Under an Owner Participation Agreement, the participant shall agree to rehabilitate, develop, or use the property in conformance with this Redevelopment Plan and be subject to the provisions hereof. In the agreement, participants who retain real property shall be required to join in the recordation of such documents as are necessary to make the provisions of this Redevelopment Plan applicable to their properties.

In the event a participant breaches the terms of an Owner Participation Agreement, the Agency may declare the agreement terminated and may acquire the real property or any interest therein.

Where the Agency determines that a proposal for participation is not feasible, is not in the best interests of the Agency or Member Jurisdiction, or the redevelopment can best be accomplished without affording an owner or tenant an opportunity to execute an Owner Participation Agreement, the Agency shall not be required to execute such an agreement with that owner or tenant.

