

STATEMENT OF INSTITUTION OF PROCEEDINGS  
FOR REDEVELOPMENT PLAN

ROEDING BUSINESS PARK REDEVELOPMENT PROJECT AREA

Pursuant to Section 33373 of the California Health and Safety Code, you are hereby notified that the Redevelopment Agency of the City of Fresno is in the process of implementing a Redevelopment Plan for the Roeding Business Park Redevelopment Project adopted by Fresno City Council Ordinance 96-53 on July 16, 1996, in accordance with the California Community Redevelopment Law.

Implementation of the Roeding Business Park Redevelopment Plan will utilize the 1995-96 last equalized assessment roll as the Base Year Assessment Roll for the allocation of taxes pursuant to Section 33670 of the California Health and Safety Code.

Dated: August 15, 1996

REDEVELOPMENT AGENCY OF THE  
CITY OF FRESNO



Alvin P. Solis, Director  
Development Department

☒ Initial Plan

☐ Amended Plan

1 Number of Areas

954 Acreage of each Area

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RECORDED IN OFFICIAL RECORDS OF FRESNO COUNTY, CALIFORNIA	
AT <u>24</u> MIN PAST	<u>32</u> M
AUG 15 1996	
WILLIAM C. GREENWOOD County Recorder	FEE \$

NOTICE IS HEREBY GIVEN that the City Council of the City of Fresno adopted Ordinance No. 96-53 on July 16, 1996, approving and adopting the Redevelopment Plan for the Roeding Business Park Redevelopment Project.

A legal description of the boundaries of the Project Area is attached hereto as Exhibit "A" and incorporated herein by reference.

Proceedings for the redevelopment of the Project Area have been instituted under the California Community Redevelopment Law.

Filed for recordation with the County Recorder of Fresno County by order of the City Council of the City of Fresno, California.

Dated: August 15, 1996.

REBECCA E. KLISCH  
City Clerk of the City of Fresno  
By Rebecca E. Klisch

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Attachment

**ROEDING BUSINESS PARK REDEVELOPMENT PROJECT  
PROJECT AREA BOUNDARY DESCRIPTION**

Those portions of Sections 4, 5, 6, 7 and 8 in Township 14 South, Range 20 East, Sections 31, 32 and 33 in Township 13 South, Range 20 East, Sections 1 and 12 in Township 14 South, Range 19 East, and Section 36 in Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the intersection of the South right-of-way line of West Whitesbridge Avenue and the West right-of-way line of North Marks Avenue, said point of intersection being located approximately 30 feet, more or less, West of, and approximately 30 feet, more or less, South of the Northeast corner of said Section 12; thence Northerly, along the West right-of-way line of North Marks Avenue and its Southerly production, to the intersection with the Westerly production of the South line of Lot 9 of West Fresno, recorded in Volume 2, page 50 of Plats, Fresno County Records; thence Easterly along the South line of Lots 9 through 16, inclusive, of said West Fresno and the Westerly and Easterly productions of said South line, to the East right-of-way line of North Hughes Avenue; thence Southerly, along said East right-of-way line, to the North right-of-way line of West Nielsen Avenue; thence Easterly, along the North right-of-way line of West Nielsen Avenue, to the East line of Lot 37 of Weibe Home Tract, according to the map thereof recorded in Book 3, page 25 of Record of Surveys, Fresno County Records; thence North  $0^{\circ}18'03''$  West, along the East line of Lots 37 and 20 of said Weibe Home Tract to a point on the East line of said Lot 20, a distance of 181.61 feet South of the Northeast corner of said Lot 20; thence Northeasterly along a non-tangent curve, concave to the Southeast, whose radius point bears South  $78^{\circ}18'56''$  East, having a radius of 230.00 feet, through a central angle of  $33^{\circ}19'27''$ , an arc distance of 133.77 feet; thence North  $32^{\circ}58'00''$  West, a distance of 118.22 feet to the east line of said Lot 20; thence North  $0^{\circ}18'03''$  West, along said East line, a distance of 65.96 feet to the Northeast corner of said Lot 20; said Northeast corner being a point on the South line of the Southern Pacific Railroad right-of-way; thence North  $89^{\circ}42'16''$  East, along said South line a distance of 1370 feet, more or less, to the Northeast corner of Lot 22 of said Weibe Home Tract; thence Northerly, along the Northerly production of the East line of said Lot 22, also being the West right-of-way line of North Fruit Avenue (formerly known as "Shasta Avenue," as shown on said Weibe Home Tract), to an intersection with the North right-of-way line of West Belmont Avenue, said point of intersection being a point on the South Line of Lot 67 of Roeding's Villa Colony, according to the map thereof recorded in Book 2, page 43, of Record of Surveys, Fresno County Records; thence Easterly, along the North right-of-way line of West Belmont Avenue and its Easterly production, also being the South line of Lot 32 of said Roeding Villa Colony and its Easterly production, to the intersection with the Northerly production of the Westerly right-of-way line of North Roosevelt Avenue, formerly known as "West Avenue," as shown on the map of La Sierra Tract, according to the map thereof recorded in Book 5, page 49, of Record of Surveys, Fresno County Records; thence Southerly, along said Northerly production and the Westerly right-of-way line of North Roosevelt Avenue, also being the Easterly line of Lots 1, 7, 8, 9, and 10 of Block 1 of said La Sierra Tract, to the

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Southeasterly corner of said Lot 10; thence Westerly, along the Southerly line of said Lot 10 and its Westerly production to the intersection with the Northeast corner of Lot 32 of said Block 1; thence Southerly, along the Easterly line of said Lot 32 to a point lying approximately 12.5 feet south of the Northerly line of said Lot 32; thence Westerly, along a line lying parallel with said Northerly line of Lot 32 and its Westerly production, to the intersection with the Westerly right-of-way line of North Ferger Avenue, formerly known as "McKinley Avenue" as shown on the map of said La Sierra Tract, said point of intersection also being a point lying on the Easterly line of Lot 11 of Block 2 of said La Sierra Tract; thence Northerly, along the Westerly right-of-way line of North Ferger Avenue, also being the Easterly line of Lots 11, 10, 9, 8, 7, and 1 of said Block 2, to the intersection with the Southerly right-of-way line of East Belmont Avenue, said point of intersection being a point on the Easterly line of said Lot 1 and lying approximately 10 feet south of the Northeast corner of said Block 2; thence Westerly, along the Southerly right-of-way line of East Belmont Avenue, also being a line lying parallel with and approximately 10 feet south of the Northerly line of Lots 1 through 6, inclusive, of said Block 2, to the intersection with the Westerly line of said Lot 6, said point of intersection being a point on the Easterly right-of-way line of the Alley lying between North Palm Avenue and North Ferger Avenue; thence, Southerly along the Easterly right-of-way line of said alley, also being the Westerly line of Lots 6 through 21, inclusive, in Block 2, and the Westerly line of Lots 1 through 33, inclusive, in Block 8 of said La Sierra Tract, to the Northwestern production of the Northeasterly right-of-way line of North H Street (formerly known as "Park Boulevard," as shown on the map of said La Sierra Tract); thence Southeasterly, along said Northeasterly right-of-way and its production to the Easterly right-of-way line of North Roosevelt Avenue (formerly known as "West Avenue," as shown on the map of said La Sierra Tract); thence Southerly, along the Easterly right-of-way line of North Roosevelt Avenue to the intersection with the North right-of-way line of East Divisadero Street (formerly known as "Nielsen Avenue" as shown on the map of Central Addition, recorded in Volume 1, page 30 of Plats, Fresno County Record), said point of intersection also being the Southwest corner of Lot 18 in Block 1 of said Central Addition; thence Westerly, along the Westerly production of the North right-of-way line of East Divisadero Street, to the West right-of-way line of North Roosevelt Avenue; thence Southerly, along the Westerly right-of-way line of North Roosevelt Avenue to the intersection with the Northerly right-of-way line of East Divisadero Street; thence Southwesterly and Westerly, along the Northerly right-of-way line of Divisadero Street to the point of intersection of the Northwestern production of a line parallel with and 250 feet Northeasterly from the Northeasterly right-of-way line of G Street and the Northerly right-of-way line of East Divisadero Street, said point of intersection also being the most Northeasterly corner of the Urban Renewal Plan for West Fresno Project Two (Project No. California R-60), adopted by the Fresno City Council Ordinance No. 6384 and recorded in Book 4953, beginning at page 673, Fresno County Records; thence Westerly, along the Northerly boundary of said West Fresno Project Two and the Northerly right-of-way line of East Divisadero Street to an intersection with the West line of said Section 4; thence Southerly, along the West Fresno Project Two boundary a distance of 40 feet, more or less, to the West Quarter corner of said Section 4; thence Westerly, along the West Fresno

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Project Two boundary and a line parallel with and 30 feet Northerly of the Southerly line of East Divisadero Street, also being the North line of the Southeast Quarter of said Section 5, a distance of 70 feet, more or less, to the Northerly production of the Westerly right-of-way line of Trinity Street, said point of intersection also being the most Westerly Northwest corner of said West Fresno Project Two and the Northeast corner of the Urban Renewal Plan for West Fresno Project Three, adopted by Fresno City Council Ordinance No. 69-12 and recorded in Volume 5652, beginning at page 264, Fresno County Records; thence Westerly, along the West Fresno Project Three boundary and a line parallel with and 30 feet North of the Southerly right-of-way line of East Divisadero Street, to the Northerly production of a line parallel with and 30 feet West of the Easterly right-of-line of South Thorne Avenue, said point of intersection also being the Northwest corner of said West Fresno Project Three; thence Southerly, along the West Fresno Project Three boundary and a line parallel with and 30 feet West of the Northerly production of the Easterly right-of-way line of South Thorne Avenue, to a line perpendicular to the Northerly production of the Easterly right-of-way line of South Thorne Avenue that intersects said Easterly right-of-way line, a distance of 70.39 feet North of the intersection of said Easterly right-of-way line and the Northeasterly right-of-way line of Freeway 99; thence, departing from the boundary of the said West Fresno Project Three, Southwesterly, to the intersection of the Northerly production of the Westerly right-of-way line of South Thorne Avenue and the Southerly right-of-way line of Freeway 180, said point of intersection also being a point on the Northerly boundary of the Urban Renewal Plan for the Southwest Fresno General Neighborhood Renewal Area (GNRA) Project, adopted by Fresno City Council Ordinance No. 69-13, and recorded in Volume 5652, beginning at page 305, Fresno County Records; thence Southwesterly, along the Southerly right-of-way line of Freeway 180 and the proposed Freeway 180 alignment, also being the Northerly boundary of said Southwest Fresno GNRA Project, to the Westerly right-of-way line of North Teilman Avenue; thence Southerly, along the Westerly right-of-way line of North Teilman Avenue and its Southerly production, also being the Southwest Fresno GNRA Project boundary, to the Southerly right-of-way line of East Whitesbridge Road; thence Easterly, along the Southwest Fresno GNRA Project boundary and the Southerly right-of-way of East Whitesbridge Road to the Westerly right-of-way line of South Fruit Avenue; thence Southerly, along the Southwest Fresno GNRA Project boundary and the Westerly right-of-way line of South Fruit Avenue and its Southerly production, to the Southerly right-of-way line of East Amador Street; thence Easterly, along the Southwest Fresno GNRA Project boundary and the Southerly right-of-way line of East Amador Street, to the Westerly right-of-way line of South Arthur Avenue; thence Southerly, along the Southwest Fresno GNRA Project boundary and the Westerly right-of-way line of South Arthur Avenue, to the Westerly production of the North Right-of-way line of West San Joaquin Avenue; thence Westerly, along the Southwest Fresno GNRA Project boundary and the North right-of-way line of West San Joaquin Avenue and its Westerly production, a distance of 150 feet; thence South along the Southwest Fresno GNRA Project boundary to the Westerly production of the Southerly right-of-way line of West Chandler Avenue; thence Easterly, along the Southwest Fresno GNRA Project boundary and the Southerly right-of-way line of West Chandler Avenue and its Westerly production, to the Westerly right-of-

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way line of South Thorne Avenue; thence Southerly, along the Southwest Fresno GNRA Project boundary and the Westerly line of South Thorne Avenue to the Northerly right-of-way line of West Kearney Boulevard; thence Westerly, along the Southwest Fresno GNRA Project boundary and the Northerly right-of-way line of West Kearney Boulevard to a point that is 330 feet West of the centerline of South Teilman Avenue; thence South along the Southwest Fresno GNRA Project boundary to the Southerly right-of-way line of West Kearney Boulevard; thence, departing from the boundary of the Southwest Fresno GNRA Project, Westerly, along the Southerly right-of-way line of West Kearney Boulevard, to the Westerly right-of-way line of South West Avenue; thence Northerly, along the Westerly right-of-way line of South West Avenue and its Northerly production, to the South right-of-way line of West Whitesbridge Avenue; thence Westerly, along the South right-of-way line of West Whitesbridge Avenue and its Westerly production to the Point of Beginning; said project area containing an acreage of 954 acres, more or less.

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ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO  
PROPOSED AND INITIATED BY \_\_\_\_\_  
MOVED BY Briggs SECONDED BY Patterson

BILL NO. B-55

ORDINANCE NO. 96-53

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,  
APPROVING AND ADOPTING THE REDEVELOPMENT PLAN  
FOR THE ROEDING BUSINESS PARK REDEVELOPMENT  
PROJECT

WHEREAS, the City Council of the City of Fresno (the "Council") has received from the Redevelopment Agency of the City of Fresno (the "Agency") the proposed Redevelopment Plan (the "Redevelopment Plan") for the Roeding Business Park Redevelopment Project (the "Project"), as approved by the Agency, a copy of which is on file at the office of the City Clerk, City Hall, 2600 Fresno Street, Fresno, California, together with the Report of the Agency to the Council on the proposed Redevelopment Plan ("Report to Council"), and the June 25, 1996, Supplement to the Report to Council, including: (1) the reasons for selection of the Project Area; (2) a description of the physical and economic conditions existing in the Project Area; (3) a description of specific projects proposed by the Agency in the Project Area and an explanation as to how the proposed projects will improve or alleviate the conditions existing in the Project Area; (4) the proposed method of financing redevelopment of the Project Area, including an assessment of the economic feasibility of the Project and an explanation of why the elimination of blight and redevelopment of the Project Area cannot be accomplished by private enterprise acting alone or by the Council's use of financing alternatives other than tax increment financing; (5) a method or plan for the relocation of families and persons who may be temporarily or

PASSED 7-16-96  
EFFECTIVE 8-16-96

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permanently displaced from housing facilities as a result of the Redevelopment Plan; (6) an analysis of the Preliminary Plan for the Project; (7) the report and recommendations of the Planning Commission of the City of Fresno (the "Planning Commission"); (8) a record of the summary of consultations with the Project Area Committee; (9) an environmental impact report; (10) the report of the county fiscal officer; (11) a neighborhood impact report; (12) an analysis of the report of the county fiscal officer, summary of consultations with affected taxing agencies and responses to written objections and concerns of affected taxing agencies; and (13) an Implementation Plan; and,

WHEREAS, the Redevelopment Plan (Exhibit "A") includes a 54-acre property at the southeast corner of Belmont and Marks Avenues, within the County of Fresno (the "County Area") and pursuant to Section 33213 of the California Community Redevelopment Law (Health and Safety Code Section 33000, et seq.), the County of Fresno authorized the Agency to prepare a redevelopment plan including the County Area by Ordinance No. 0-95-004 adopted on March 7, 1995; and,

WHEREAS, by Resolution No. 1434, adopted on May 21, 1996, the Agency referred the Redevelopment Plan and related Environmental Impact Report No. 10122 to the County of Fresno for their consideration in adopting the Redevelopment Plan with respect to the County Area included in the Redevelopment Plan; and,

WHEREAS, on June 13, 1996, the County Administrative Officer of the County of Fresno, submitted a letter declining to schedule the Redevelopment Plan for action by the County of Fresno at this time; and,

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~~WHEREAS, on June 25, 1996, the City of Fresno heard testimony and received June 21,~~  
1996, and June 25, 1996 letters from the County of Fresno identifying concerns associated with  
the Redevelopment Plan and its adoption at the scheduled June 25, 1996, joint public hearing;  
and,

WHEREAS, such letters have been considered as written objections pursuant to Section  
33364 of the Health and Safety Code; and,

WHEREAS, the Council of the City of Fresno (1) in order to avoid delays in the  
implementation of the proposed Redevelopment Plan, and (2) desires that the effective date of  
the ordinance adopting a Redevelopment Plan for the Roeding Business Park Redevelopment  
Area become effective prior to August 20, 1996, in order to utilize the 1995-1996 Base Year for  
the calculation of tax increment revenues; and,

WHEREAS, by Resolution No. 1433, on May 21, 1996, the Agency adopted rules  
governing participation by property owners and the extension of reasonable preferences to  
business occupants; and,

WHEREAS, on May 30, 1996, in a public meeting, the Project Area Committee for the  
Roeding Business Park Redevelopment Project Area, has submitted to the Council its report  
recommending approval of the Redevelopment Plan as modified in Exhibit "B"; and,

WHEREAS, by Resolution No. 10875, adopted on June 5, 1996, in a noticed public  
hearing, the Planning Commission of the City of Fresno has submitted to the Council its report  
(1) that the Redevelopment Plan conforms to the 1984 Fresno General Plan, as proposed to be  
amended, including, but not limited to, the Housing Element of the General Plan; (2) of its

~~recommendation for approval of the proposed Redevelopment Plan in Exhibit "A," as modified~~

in Exhibit "B," except for Recommendations No. 4 and 5 thereof, including the Project Area Boundary Alternative, if necessary, for deletion of the 54-acre property in Exhibit "C"; (3) that the Planning Commission shall have the ability to review Development and Disposition Agreements, Eminent Domain Proceedings, Owner Participation Agreements, and Assessment Districts when there is an issue that cannot be resolved by the staff and the property owners through the absence of willing buyers, willing sellers, and willing participants, respectively; and,

WHEREAS, on June 12, 1996, in a noticed public hearing, the Housing and Community Development Commission (the "HCDC") has submitted to the Council and Agency its report (1) that the Redevelopment Plan conforms to the 1984 Fresno General Plan, as proposed to be amended, including, but not limited to, the Housing Element of the General Plan; (2) of its recommendation for approval of the proposed Redevelopment Plan in Exhibit "A," as modified in Exhibit "B," except for Recommendations No. 4 and 5 thereof, including the Project Area Boundary Alternative, if necessary, for deletion of the 54-acre property in Exhibit "C"; (3) and its approval of the finding that the use of 20 Percent Low-and Moderate-income Housing Funds outside the Project Area will be of benefit to the Project Area, and further that priority in the use of the 20 Percent Housing Set-Aside Funds be given to the surrounding areas of the Project Area; and,

WHEREAS, on June 17, 1996, in a noticed public hearing, the Fresno County Airport Land Use Commission (the "ALUC"), considered the Final Environmental Impact Report No. 10122, and determined (see Exhibit "D") that the Roeding Business Park Redevelopment

~~Plan is consistent with the Fresno-Chandler-Downtown Airport Environs Specific Plan (the~~  
"Environs Plan"), subject to the following revisions to the proposed Redevelopment Plan: (1) All structures proposed within the approach and horizontal surfaces of the Environs Plan shall be limited to the height limits of the applicable imaginary surface; (2) All proposed uses within the Environs Plan Airport Safety Zones (I,II, & III) shall conform with the "Safety and Noise Compatibility Comparison" matrix of the Environs Plan; (3) Utility substations shall not be established in ASZ II; (4) Avigation Easements shall be required for all private property that is in the 65 CNEL noise contour area.

WHEREAS, by Council Resolution No. 96-140 and Agency Resolution No. 1436, adopted on June 18, 1996, the Council and the Agency certified Final Environmental Impact Report No. 10122 for the Roeding Business Park Redevelopment Plan with attachments: (A) Statement of Potential Adverse Environmental Effects and Associated Mitigation Measures to Lessen or Avoid those Effects; (B) Statement of Unavoidable Adverse Effects; (C) Statement of Overriding Considerations that the Project Benefits Outweigh the Unavoidable Adverse Effects; and (D) Mitigation Monitoring Checklist; and,

WHEREAS, the Charter of the City of Fresno permits the ordinance adopting the Roeding Business Park Redevelopment Plan to be adopted by the Council on the day of its introduction; and,

WHEREAS, the Council and the Agency held a joint public hearing on June 25, 1996, at 5:30 p.m., heard testimony concerning the proposed Redevelopment Plan, closed the joint public hearing, and continued the matter to July 16, 1996, at 9:30 a.m. to deliberate, to adopt

~~necessary written findings, and to make determinations relating to the adoption of the~~

Redevelopment Plan in the Council Chambers, 2600 Fresno Street, Fresno, California; and,

WHEREAS, pursuant to Community Redevelopment Law, the notice of said joint public hearing (1) was duly and regularly published in The Fresno Bee, a newspaper of general circulation in the County of Fresno, once a week for four successive weeks prior to the date of said hearing, and a copy of said notice and affidavit of publication are on file with the City Clerk; (2) copies of said notice were mailed by first-class mail to the last known address of each assessee of each parcel of land in the proposed Project Area as shown on the last equalized assessment roll of the County of Fresno, with a statement notifying that said property is proposed to be subject to the possibility of acquisition or condemnation under the proposed Redevelopment Plan; (3) copies of said notice were mailed by first-class mail to all residential and business occupants within the proposed Project Area at least 30 days prior to said joint public hearing; (4) copies of said notice were mailed by certified mail with return receipt requested to the governing body of each taxing agency which receives taxes from property in the Project Area; and,

WHEREAS, the Council and Agency have considered the report and recommendations of the Planning Commission, the Housing and Community Development Commission, the Fresno County Airport Land Use Commission, the Owner Participation Rules adopted by the Agency, the Report to the Council, the Redevelopment Plan and its economic feasibility, the feasibility of its relocation method or plan, and the Final Environmental Impact Report No. 10122, has provided an opportunity for all persons to be heard and has received and considered all evidence and statements presented for or against any and all aspects of the Redevelopment Plan, and has

~~made written findings in response to each written objection to the Redevelopment Plan from an~~  
affected property owner or taxing entity; and,

WHEREAS, all actions required by law have been taken by all appropriate public bodies;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FRESNO DOES  
ORDAIN AS FOLLOWS:

SECTION 1. That the purpose and intent of the Council with respect to the Project Area is to accomplish the following: (a) eliminate blighting influences and correct environmental deficiencies in the Project Area, including, among others, small and irregular-shaped lots in multiple ownership, faulty exterior spacing, deteriorated and obsolete building types, incompatible and uneconomic land uses, inadequate or deteriorated public improvements, facilities and utilities and a high crime rate; (b) assemble land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area; (c) replan, redesign and develop undeveloped and underdeveloped areas which are economically stagnant or improperly utilized; (d) provide opportunities for participation by owners and tenants in the revitalization of their properties; (e) strengthen industrial, commercial and aviation-related functions in the Project Area; (f) strengthen the economic base of the Project Area and the community by installing needed site improvements to stimulate revitalization, new industrial and commercial expansion, employment and economic growth; (g) provide adequate land for parking and open spaces; (h) provide a positive visual image through the implementation of performance criteria to assure high site design standards and environmental quality, compatibility with Chandler Airport operations, conservation of and compatibility with historic structures and monuments, and other design

~~elements which provide unity and integrity to the entire Project; (i) expand and improve the~~  
community's supply of low- and moderate-income housing; (j) encourage the active and continuous participation of Project Area occupants in the formulation, refinement, and implementation of the Redevelopment Plan, in order to ensure that Redevelopment Plan proposals are beneficial to the people who live and work within the Project Area, as well as the community in general.

SECTION 2. The Council hereby finds and determines that:

(a) The Project Area, as amended for deletion of the 54-acre County Area in Exhibit "C," is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in the California Community Redevelopment Law. This finding is based upon the following facts, as more particularly set forth in the Report to Council and the June 18, 1996 Supplement to the Report to Council:

(1) The Project Area is predominantly urbanized.

(2) The Project Area is characterized by and suffers from a combination of blighting physical and economic conditions, including, among others: buildings that are deteriorated and dilapidated; buildings suffering from defects in design or physical construction; buildings which are substandard in design; incompatible uses; lots of irregular form and shape and of inadequate size for proper usefulness which are under multiple ownership; impaired investments; low lease rates; vacant and underutilized parcels; a high crime rate; and inadequate public improvements and utilities.

(3) The combination of the conditions referred to in paragraph (2) above is so

~~prevalent and so substantial that it causes a reduction of, or lack of, proper utilization of the~~  
Project Area to such an extent that it constitutes a serious physical and economic burden on the  
City which cannot reasonably be expected to be reversed or alleviated by private enterprise or  
governmental action, or both, without redevelopment.

(4) The availability of tax increment revenues from the Project Area will allow  
the Agency to undertake redevelopment activities in the Project Area and the redevelopment of  
the Project Area will serve to promote and stimulate new private investment in the Project Area,  
and increase or improve the supply of low-and moderate-income housing within the community.

(b) The Redevelopment Plan will redevelop the Project Area in conformity with the  
Community Redevelopment Law and in the interests of the public peace, health, safety and  
welfare. This finding is based upon the fact that redevelopment of the Project Area will  
implement the objectives of the Community Redevelopment Law by aiding in the elimination and  
correction of the conditions of blight; providing for planning, development, redesign, clearance,  
reconstruction or rehabilitation of properties which need improvement; improving or increasing  
the supply of low- and moderate-income housing within the community; providing additional  
employment opportunities; and providing for higher economic utilization of potentially useful  
land.

(c) The adoption and carrying out of the Redevelopment Plan is economically sound  
and feasible. This finding is based on the facts, as more particularly set forth in the Report to  
Council that under the Redevelopment Plan the Agency will be authorized to seek and utilize a  
variety of potential financing resources, including tax increments; that the nature and timing of

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public redevelopment assistance will depend on the amount and availability of such financing resources, including tax increments generated by new investment in the Project Area; and that under the Redevelopment Plan no public redevelopment activity will be undertaken unless the Agency can demonstrate that it has adequate revenue to finance the activity.

(d) The Redevelopment Plan conforms to the 1984 Fresno General Plan, as amended, including, but not limited to the Housing Element of the General Plan. This finding is based upon the finding of the Planning Commission that the Redevelopment Plan conforms to the 1984 Fresno General Plan, as proposed for amendment.

(e) The carrying out of the Redevelopment Plan would promote the public peace, health, safety and welfare of the City of Fresno and will effectuate the purposes and policy of the Community Redevelopment Law. This finding is based upon the fact that redevelopment, as contemplated by the Redevelopment Plan, will benefit the Project Area by correcting conditions of blight and by coordinating public and private actions to stimulate development and improve the physical and economic conditions of the Project Area.

(f) The acquisition of real property including possible condemnation, as provided for in the Redevelopment Plan, is necessary to the execution of the Redevelopment Plan, and adequate provisions have been made for the payment for property to be acquired as provided by law. This finding is based upon the need to ensure that the provisions of the Redevelopment Plan will be carried out and to prevent the recurrence of blight.

(g) The Agency has a feasible method or plan for the relocation of families and persons who may be displaced, temporarily or permanently, from housing facilities in the Project

~~Area. This finding is based upon the fact that Exhibit 1 of the Agency's Report to Council~~  
contains a method or plan for relocation and the Redevelopment Plan provides for relocation assistance according to law.

(h) There are, or shall be provided, within the Project Area or within other areas not generally less desirable with regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons who may be displaced from the Project Area, decent, safe and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment. This finding is based upon the fact that in the event any residential displacement is caused by the Redevelopment Plan, no person or family will be required to move from any dwelling unit until suitable replacement housing is available.

(i) Families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to Sections 33411 and 33411.1 of the Community Redevelopment Law; and dwelling units housing persons and families of low or moderate income within the Project Area shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to Sections 33334.5, 33413 and 33413.5 of the Community Redevelopment Law.

(j) Inclusion of any lands, buildings or improvements in the Project Area which are not detrimental to the public health, safety or welfare is necessary for the effective redevelopment of the entire area of which they are a part; and any area included is necessary for effective redevelopment and is not included for the purpose of obtaining the allocation of tax increment revenues from such area pursuant to Section 33670 of the Community Redevelopment Law

~~without other substantial justification for its inclusion. This finding is based upon the fact that~~

the boundaries of the Project Area were chosen as a unified and consistent whole to include all properties contributing to or affected by the blighting conditions characterizing the Project Area.

(k) The elimination of blight and the redevelopment of the Project Area could not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency. This finding is based upon the facts, as more particularly set forth in the Report to Council that because of the higher costs and more significant risks associated with development of blighted areas, individual developers are unable and unwilling to invest in blighted areas without substantial public assistance, that low and moderate-income persons are unable to finance needed improvements, and funds from other public sources and programs are insufficient to eliminate the blighting conditions.

(l) The Project Area is a predominantly urbanized area, as defined by subdivision (b) of Section 33320.1. This finding is based upon the facts, as more particularly set forth in the Report to Council, and the Supplement to the Report to Council, that approximately 89 percent of the land in the Project Area has been or is developed for urban uses and 100 percent of the land in the Project Area is an integral part of an area developed for urban purposes.

(m) The time limitations in the Redevelopment Plan, which are the maximum time limitations authorized under the Community Redevelopment Law, are reasonably related to the proposed projects to be implemented in the Project Area and the ability of the Agency to eliminate blight within the Project Area. This finding is based upon the facts that redevelopment depends, in large part, upon private market forces beyond the control of the Agency and shorter

~~time limitations would impair the Agency's ability to be flexible and respond to market conditions~~

as and when appropriate and would impair the Agency's ability to maintain development standards and controls over a period of time sufficient to assure area stabilization. In addition, shorter time limitations would limit the revenue sources and financing capacity necessary to carry out proposed projects in the Project Area.

SECTION 3. The Council is satisfied that permanent housing facilities will be available within three (3) years from the time occupants of the Project Area are displaced and that pending the development of the facilities, there will be available to the displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement.

SECTION 4. In order to implement and facilitate the effectuation of the Redevelopment Plan, certain official actions must be taken by the Council; accordingly, the Council hereby: (a) pledges its cooperation in helping to carry out the Redevelopment Plan; (b) directs the various officials, departments, boards and agencies of the City of Fresno having administrative responsibilities in the Project Area to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Redevelopment Plan; (c) stands ready to consider and take appropriate action on proposals and measures designed to effectuate the Redevelopment Plan; and (d) declares its intention to undertake and complete any proceeding, including the expenditure of moneys, necessary to be carried out by the City under the provisions of the Redevelopment Plan.

SECTION 5. The Council is satisfied that written findings have been adopted in response

~~to each written objection, received either before or at the noticed public hearing. Having~~  
considered all evidence and testimony presented for or against any aspect of the Redevelopment Plan, the Council hereby overrules all written and oral objections to the Redevelopment Plan and incorporates by reference into this ordinance those findings in response to written objections filed by Fresno County contained within Resolution No. 96-166 adopted by Council on July 16, 1996.

SECTION 6. The mitigation measures, as identified in Council Resolution No. 96-140 and Agency Resolution No. 1436 adopted on June 18, 1996, making findings based upon certification of the Final Environmental Impact Report No. 10122 on the Roeding Business Park Redevelopment Plan with attachments: (A) Statement of Potential Adverse Environmental Effects and Associated Mitigation Measures to Lessen or Avoid those Effects; (B) Statement of Unavoidable Adverse Effects; (C) Statement of Overriding Considerations that the Project Benefits Outweigh the Unavoidable Adverse Effects; and (D) Mitigation Monitoring Checklist, will be incorporated in the Redevelopment Project as conditions of the Project entitlements; and

SECTION 7. That certain documents entitled "Redevelopment Plan for the Roeding Business Park Redevelopment Project," in Exhibit "A," a copy of which is on file in the office of the City Clerk, and as modified in Exhibit "B," and as further modified in Exhibits "C" and "D," is hereby incorporated by reference herein and designated as the official "Redevelopment Plan for the Roeding Business Park Redevelopment Project."

SECTION 8. The City of Fresno Development Department is hereby directed for a period of at least two (2) years after the effective date of this Ordinance to advise all applicants for building permits within the Project Area that the site for which a building permit is sought for

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~~the construction of buildings or for other improvements is within a redevelopment project area.~~

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SECTION 9. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, and the Agency hereby is vested with the responsibility for carrying out the Redevelopment Plan.

SECTION 10. The City Clerk is hereby directed to record with the County Recorder of Fresno County a notice of the approval and adoption of the Redevelopment Plan pursuant to this Ordinance, containing a description of the land within the Project Area and a statement that proceedings for the redevelopment of the Project Area have been instituted under the Community Redevelopment Law.

SECTION 11. The City Clerk is hereby directed to transmit a copy of the description and statement recorded by the Clerk pursuant to Section 10 of this Ordinance, a copy of this Ordinance and a map or plat indicating the boundaries of the Project Area, to the auditor and assessor of the County of Fresno, to the governing body of each of the taxing agencies which receives taxes from property in the Project Area and to the State Board of Equalization within thirty (30) days following adoption of the Redevelopment Plan.

SECTION 12. If any part of this Ordinance or the Redevelopment Plan which it approves is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or of the Redevelopment Plan, and this Council hereby declares that it would have passed the remainder of this Ordinance or approved the remainder of the Redevelopment Plan if such invalid portion thereof had not been a part thereof.

Ordinance No. 96-53

Adoption of Roeding Business Park

Redevelopment Plan

Page 16

~~SECTION 13. This Ordinance shall become effective and in full force and effect~~

at 12:01 a.m. on the thirty-first day after its passage.

CLERK'S CERTIFICATE

STATE OF CALIFORNIA    )  
COUNTY OF FRESNO     ) ss.  
CITY OF FRESNO         )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 16th day of July 1996, by the following vote:

Ayes:       Briggs, Lung, Quintero, PATTERSON  
Noes:       Calandra, Ronquillo, Woody  
Absent:     None  
Dated this 16 day of July 1996.

REBECCA E. KLISCH  
City Clerk

By Rebecca E. Klisch  
~~Deputy~~

APPROVED AS TO FORM:

HILDA CANTÚ MONTÓY  
City Attorney

By Hilda Cantú Montóy  
Deputy

CLERK'S CERTIFICATE

STATE OF CALIFORNIA )

)ss

COUNTY OF FRESNO )

On August 13th, 1996, before me, Jocelyne Gueret, personally appeared Rebecca E. Klisch, City Clerk personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument(s) the person(s), or the entity upon behalf of the **CITY OF FRESNO** of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

REBECCA E. KLISCH  
CITY CLERK

By

Jocelyne Gueret  
DEPUTY

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**DRAFT**

REDEVELOPMENT PLAN

FOR THE

ROEDING BUSINESS PARK REDEVELOPMENT PROJECT

Prepared by the

REDEVELOPMENT AGENCY OF THE CITY OF FRESNO

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REDEVELOPMENT PLAN  
FOR THE  
ROEDING BUSINESS PARK REDEVELOPMENT PROJECT

I. [§100] INTRODUCTION

This is the Redevelopment Plan (the "Plan") for the Roeding Business Park Redevelopment Project (the "Project") in the City of Fresno (the "City") and County of Fresno (the "County"), State of California, and consists of the Text, the Legal Description of the Project Area Boundaries (Attachment No. 1), the Project Area Map (Attachment No. 2), the Redevelopment Land Use Map (Attachment No. 3) and the Proposed Public Improvements (Attachment No. 4). This Plan was prepared by the Redevelopment Agency of the City of Fresno (the "Agency") pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 et seq.), the California Constitution and all applicable local laws and ordinances.

This Plan provides the Agency with powers, duties and obligations to implement and further the program generally formulated in this Plan for the redevelopment, rehabilitation and revitalization of the area within the boundaries of the Project (the "Project Area"). Because of the long-term nature of this Plan and the need to retain in the Agency flexibility to respond to market and economic conditions, property owner and developer interests and opportunities from time to time presented for redevelopment, this Plan does not present a precise plan or establish specific projects for the redevelopment, rehabilitation and revitalization of any area within the Project Area, nor does this Plan present specific proposals in an attempt to solve or alleviate the concerns and problems of the community relating to the Project Area. Instead, this Plan presents a process and a basic framework within which specific plans will be presented, specific projects will be established and specific solutions will be proposed, and by which tools are provided to the Agency to fashion, develop and proceed with such specific plans, projects and solutions.

The Project Area includes area within the County. By Ordinance No. 0-95-004 adopted on March 7, 1995, the Board of Supervisors of the County of Fresno (the "Board") authorized the Agency to redevelop certain portions of the County. By Ordinance No. \_\_\_\_\_ adopted on \_\_\_\_\_, 1996, the Board approved the Plan.

The proposed redevelopment of the areas of the Project Area located within the City conforms to the General Plan for the City of Fresno adopted by the City Council of the City of Fresno (the "City Council") as it exists as of the date of adoption of this Plan. The proposed redevelopment of the areas of the Project Area located within the County conforms to the General Plan for the County of Fresno as it exists as of the date of adoption of this Plan.

This Plan is based upon an Amended Preliminary Plan formulated and adopted by the Planning Commission of the City of Fresno (the "Planning Commission") by resolution adopted on July 19, 1995, as reselected and reaffirmed by resolution adopted on October 4, 1995, and as amended by resolution adopted on January 17, 1996.

The purposes of this Plan are to promote the elimination of blight, reverse the trend of economic stagnation, and ensure the realization of the Project Area's potential for industrial and commercial growth. The major goals of the Plan are:

- A. The elimination of blighting influences and the correction of environmental deficiencies in the Project Area, including, among others, small and irregular-shaped lots in multiple ownership, faulty exterior spacing, obsolete and deteriorated buildings, incompatible and uneconomic land uses, inadequate or deteriorated public improvements, facilities and utilities, and a high crime rate.
- B. The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.
- C. The replanning, redesign and development of undeveloped and underdeveloped areas which are stagnant or improperly utilized.
- D. The providing of opportunities for participation by owners and tenants in the revitalization of their properties.
- E. The strengthening of industrial, commercial and aviation-related functions in the Project area.
- F. The strengthening of the economic base of the Project Area and the community by the installation of needed site improvements to stimulate new industrial and commercial expansion, employment and economic growth.
- G. The provision of adequate land for parking and open spaces.
- H. The establishment of a positive visual image through the implementation of performance criteria to assure high site design standards and environmental quality, compatibility with Chandler Airport operations, conservation of and compatibility

with historic structures and monuments, and other design elements which provide unity and integrity to the entire Project.

- I. The expansion and improvement of the community's supply of low- and moderate-income housing.

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J. ~~The encouragement of active and continuous participation of~~ Project Area occupants in the formulation, refinement, and implementation of this Plan, in order to ensure that Plan proposals are beneficial to the people who live and work within the Project Area, as well as the community in general.

Below is a summary of adopted plans and policies of the City and County that are applicable to the Project Area:

City General Plan: For a number of years, the long-term policy for the Project Area has been to encourage the development of industrial and commercial uses in proximity to existing and proposed major transportation modes including railroads, freeways, arterial and collector streets, and the Fresno-Chandler Downtown Airport.

County General Plan: A 55-acre parcel at the southeast corner of Belmont and Marks Avenues is within the County area of the Project Area and outside the current City boundaries, and for a number of years the long-term County policy has been to encourage the development of industrial uses in proximity to existing and proposed major transportation modes, including railroads, freeways, and arterial and collector streets.

Fresno High/Roeding Community Plan: The Fresno High/Roeding Community Plan was adopted by the City Council in 1977, pertains to the portion of the Project Area north of the Southern Pacific Railroad's Kerman Branchline, and is designed to further refine the goals expressed within the City's General Plan. The Fresno High/Roeding Community Plan was also adopted by the Board in 1979 and further refines the goals of the County General Plan with respect to the 55-acre parcel at the southeast corner of Belmont and Marks Avenues.

Edison Community Plan: The Edison Community Plan was adopted by the City Council in 1977, pertains to the portion of the Project Area south of the Southern Pacific Railroad's Kerman Branchline, and is designed to further refine the goals expressed within the City's General Plan.

Fresno-Chandler Downtown Airport Master Plan: The Fresno-Chandler Downtown Airport Master Plan ("Master Plan") is a specific plan, and was adopted by the City Council in 1976 to integrate long-term airfield and terminal area requirements with existing and forecasted aviation needs and the surface access systems. The majority of the land area included within the Master Plan is within the Project Area, ~~except for the areas south of Kearney Boulevard and east of Thorne Avenue.~~ An update of the Master Plan is currently underway.

Fresno-Chandler Downtown Airport Environs Specific Plan: The Fresno-Chandler Downtown Airport Environs Specific Plan ("Environs Specific Plan") was adopted by the City Council in 1982. The purpose of the Environs Specific Plan is to: (1) minimize the exposure of the public to high noise levels and safety hazards through land use controls and policies for property in the vicinity of the Fresno-Chandler Downtown Airport; and (2) to limit urban encroachment around the Fresno-Chandler Downtown Airport in order to allow for its continued viability. Threats to the continuation of flight operations, or to the lives, property, health and welfare of persons on the ground shall be considered legitimate interests of the Environs Specific Plan. An update of the Environs Specific Plan is currently underway.

Fresno County Airport Land Use Commission's Fresno-Chandler Downtown Airport Land Use Policy Plan: The Fresno County Airport Land Use Commission's ("ACLU's") Fresno-Chandler Downtown Airport Land Use Policy Plan was adopted in 1980 to guide the ACLU's decisions with respect to the Fresno-Chandler Downtown Airport.

## II. [§200] DESCRIPTION OF PROJECT AREA

The boundaries of the Project Area are described in the "Legal Description of the Project Area Boundaries," attached hereto as Attachment No. 1 and incorporated herein by reference, and are shown on the "Project Area Map," attached hereto as Attachment No. 2 and incorporated herein by reference.

## III. [§300] PROPOSED REDEVELOPMENT ACTIONS

### A. [§301] General

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

1. The acquisition of certain real property;

2. The demolition or removal of certain buildings and improvements;
3. Providing for participation by owners and tenants presently located in the Project Area and the extension of preferences to business occupants and other tenants ~~desiring to remain or relocate within the redeveloped~~ Project Area;
4. The management of any property acquired by and under the ownership and control of the Agency;
5. Providing relocation assistance to displaced Project occupants;
6. The installation, construction or reconstruction of streets, utilities and other public improvements;
7. The disposition of property for uses in accordance with this Plan;
8. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
9. The rehabilitation of structures and improvements by present owners, their successors and the Agency; and
10. The assembly of adequate sites for the development and construction of industrial and commercial facilities, and the resulting increase in employment opportunities.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by law.

B. [§302] Participation Opportunities: Extension of Preferences for Reentry Within Redeveloped Project Area

1. [§303] Opportunities for Owners and Business Tenants

In accordance with this Plan and the rules for participation by owners and the extension of preferences to business tenants adopted by the Agency pursuant to this Plan and subject to the Community Redevelopment Law, including but not limited to Sections 33339 and 33340 of the Community Redevelopment Law, persons who are owners of real property in the Project Area will 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.

2. [§304] Rules for Participation Opportunities, Priorities and Preferences

In order to provide opportunities to owners to participate in the redevelopment of the Project Area and to extend reasonable preferences to businesses to reenter into business within the redeveloped Project Area, the Agency shall promulgate rules for participation by owners and the extension of preferences to business tenants for reentry within the redeveloped Project Area. If conflicts develop between the desires of participants for particular sites or land uses, the Agency is authorized to establish reasonable priorities and preferences among the owners and business tenants. Some of the factors to be considered in establishing these priorities and preferences may include a participant's length of occupancy in the area; accommodation of as many participants as possible; similarity of land use; the necessity to assemble sites for integrated, modern development; conformity of a participant's proposal with the intent and objectives of this Plan; and service to the community of a 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 elimination and changing of some land uses; (2) the construction, widening or realignment of some streets; (3) the ability of participants to finance acquisition and development or rehabilitation in accordance with this Plan; (4) the reduction in the total number of individual parcels in the Project Area; (5) the construction or expansion of public facilities; and (6) any property acquisition of the Agency pursuant to Section 309 of this Plan or any other provision, statute, or local code authorizing acquisition by the Agency.

### 3. [§305] Participation Agreements

The Agency may require that, as a condition to participation in redevelopment, each participant shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop and use and maintain the property in conformance with this Plan and to be subject to the provisions hereof. ~~In such agreements, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.~~

In the event a participant fails or refuses to rehabilitate, develop and use and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency and sold or leased for rehabilitation or development in accordance with this Plan.

Under certain specified circumstances, the Agency may determine that property subject to a participation agreement may nevertheless be acquired by the Agency, through eminent domain if necessary, if acquisition of such a property will be of benefit to the Project or is necessary to carry out the goals or objectives of the Plan as outlined in Section 100, or for other more necessary public purposes, even if the owner fully performs under the participation agreement.

### 4. [§306] Conforming Owners

The Agency may, at its sole and absolute discretion, determine that certain real property within the Project Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without a participation agreement with the Agency, provided such owner continues to operate, use and maintain the real property within the requirements of this Plan. However, a conforming owner shall be required by the Agency to enter into a participation agreement with the Agency in the event that such owner desires to: (a) construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming; or (b) acquire additional property within the Project Area.

Under certain specified circumstances, the Agency may determine that property previously determined by the Agency to be conforming, may nevertheless, be acquired by the Agency, through eminent domain if necessary, if acquisition of such a property will be of benefit to the Project, or is necessary to carry out the goals or objectives of the Plan as outlined in Section 100, or for other more necessary public purposes, even if the conforming property owner has continued to operate, use and maintain the real property within the requirements of this Plan.

C. [§307] Cooperation with Public Bodies

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction or operation of this Project. The Agency shall seek the aid and cooperation of such ~~public bodies and shall attempt to coordinate this Plan with the activities of such~~ public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. Any public body which owns or leases property in the Project Area will be afforded all the privileges of owner and tenant participation if such public body is willing to enter into a participation agreement with the Agency. All plans for development of property in the Project Area by a public body shall be subject to Agency approval.

The Agency may impose on all public bodies the planning and design controls contained in this Plan to insure that present uses and any future development by public bodies will conform to the requirements of this Plan. The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures or other improvements (within or without the Project Area) which land, buildings, facilities, structures or other improvements are or would be of benefit to the Project.

D. [§308] Property Acquisition

1. [§309] Real Property

Except as specifically exempted herein, the Agency may acquire, but is not required to acquire, any real property located in the Project Area by any means authorized by law.

It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute this Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Project Area which cannot be acquired by gift, devise, exchange, purchase or any other lawful method. In cases where such purchase cannot be negotiated, property, at the sole discretion of the Agency, may be acquired by the Agency through the exercise of its power of eminent domain, which must be commenced within twelve (12) years from the date the City Council ordinance adopting this Plan becomes effective.

Notwithstanding a property owner has entered into a participation agreement, the Agency may determine that property subject to a participation agreement may be acquired by the Agency, through eminent domain, if acquisition of such a property will be of benefit to the Project or is necessary to carry out the goals or objectives of the Plan as outlined in Section 100, or for other more necessary public purposes, even if the owner fully performs under the participation agreement.

The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee.

The Agency is not authorized to acquire real property owned by public bodies which do not consent to such acquisition. The Agency is authorized, however, to acquire public property transferred to private ownership before redevelopment of the Project Area is completed.

## 2. [§310] Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means, including eminent domain.

### E. [§311] Property Management

During such time as property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

### F. [§312] Payments to Taxing Agencies

In accordance with Section 33401 of the Community Redevelopment Law, in any year during which it owns property in the Project Area, the Agency is authorized, but not required, to pay directly to any city, county, city and 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.

In accordance with Section 33607.5 of the Community Redevelopment Law, the Agency shall make the required payments to affected taxing entities.

G. [§313] Relocation of Persons (Including Individuals and Families),  
Business Concerns and Others Displaced by the Project

1. [§314] Assistance in Finding Other Locations

The Agency, to the extent required by law, 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 Project 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.

2. [§315] Relocation Payments

The Agency, to the extent required by law, 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 Agency rules and regulations adopted pursuant thereto. The Agency may make such other payments as may be appropriate and for which funds are available.

H. [§316] Demolition, Clearance, and Building and Site Preparation

1. [§317] Demolition and Clearance

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

2. [§318] Preparation of Building Sites

The Agency is authorized to prepare, or cause to be prepared, as building sites any real property in the Project Area owned by the Agency. In connection therewith, the Agency may cause, provide for or undertake the installation or construction of streets, utilities, parks, playgrounds and other public improvements necessary to carry out this Plan. The Agency is also authorized to construct foundations, platforms and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for industrial, commercial, public and other uses provided in this Plan.

Prior consent of the City Council is required for the Agency to develop sites for commercial or industrial use by providing streets, sidewalks, utilities or other improvements which an owner or operator of the site would otherwise be obliged to provide.

I. [§319] Property Disposition and Development

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1. [§320] Real Property Disposition and Development

a. [§321] General

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust or otherwise dispose of any interest in real property. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale or transfer without public bidding. Property containing buildings or structures rehabilitated by the Agency shall be offered for resale within one (1) year after completion of rehabilitation or an annual report concerning such property shall be published by the Agency as required by law.

Real property acquired by the Agency may be conveyed by the Agency without charge to the City and, where beneficial to the Project Area, without charge to any public body. All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan.

All purchasers or lessees of property acquired from the Agency shall be made obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

b. [§322] Disposition and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased or conveyed by the Agency, as well as all property subject to participation agreements, is subject to the provisions 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, 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 Recorder of the County.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, marital status, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of property in the Project Area. All property sold, leased, conveyed or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases or contracts for the sale, lease, sublease or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law.

c. [§323] Development by the Agency

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 Attachment No. 4, attached hereto and incorporated herein by reference, and may acquire or pay for the land required therefor.

In addition to the public improvements authorized under Section 318 and the specific publicly-owned improvements identified in Attachment No. 4 of this Plan, the Agency is authorized to install and construct, or to cause to be installed and constructed, within or without the Project Area, for itself or for any public body or entity for the benefit of the Project Area, public improvements and public utilities, including, but not limited to, the following: (1) over and underpasses; (2) sewers; (3) natural gas distribution systems; (4) water distribution systems; (5) parks, plazas and pedestrian paths; (6) playgrounds; (7) parking facilities; (8) landscaped areas; and (9) street improvements.

The Agency may enter into contracts, leases and agreements with the City or other public body or entity pursuant to this Section 323, and the obligation of the Agency under such contract, lease or agreement shall constitute an indebtedness of the Agency which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under subdivision (b) of Section 33670 of the Community Redevelopment Law and Section 502 of this Plan or out of any other available funds.

d. [§324] Development Plans

All development plans (whether public or private) shall be submitted to the Agency for approval and architectural review. All development in the Project Area must conform to the applicable City and County design review standards.

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2. [§325] Personal Property Disposition

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

J. [§326] Rehabilitation, Conservation and Moving of Structures

1. [§327] Rehabilitation and Conservation

The Agency is authorized to rehabilitate and conserve, or to cause to be rehabilitated and conserved, any building or structure in the Project Area owned by the Agency. The Agency is also authorized and directed to advise, encourage and assist in the rehabilitation and conservation of property in the Project Area not owned by the Agency. The Agency is also authorized to acquire, restore, rehabilitate, move and conserve buildings or structures of historic or architectural significance.

2. [§328] Moving of Structures

As necessary in carrying out this Plan, the Agency is authorized to move, or to cause to be moved, any standard structure or building or any structure or building which can be rehabilitated to a location within or outside the Project Area.

K. [§329] Low- and Moderate-Income Housing

1. [§330] Replacement Housing

In accordance with Section 33334.5 of the Community Redevelopment Law, whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low and moderate income housing market as part of the Project, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement dwelling units at affordable rents within the Project Area or within the territorial jurisdiction of the

Agency in accordance with all of the provisions of Sections 33413 and 33413.5 of said Community Redevelopment Law.

2. [§331] Inclusionary Housing

Whenever new or rehabilitated dwelling units are developed by the Agency or by other public or private entities or persons within the Project Area, the Agency shall comply with the inclusionary housing requirements set forth in Section 33413(b) of the Community Redevelopment Law.

3. [§332] Increased and Improved Housing Supply

Pursuant to Section 33334.2 of the Community Redevelopment Law, not less than twenty percent (20%) of all taxes which are allocated to the Agency pursuant to subdivision (b) of Section 33670 of the Community Redevelopment Law and Section 502 of this Plan shall be used by the Agency for the purposes of increasing, improving and preserving the City's and County's supply of housing for persons and families of very low, low or moderate income unless certain findings are made as required by that section to lessen or exempt such requirement. In carrying out this purpose, the Agency may exercise any or all of its powers, including the following:

- a. Acquire land or building sites;
- b. Improve land or building sites with on-site or off-site improvements;
- c. Donate land to private or public persons or entities;
- d. Finance insurance premiums pursuant to Health and Safety Code Section 33136;
- e. Construct buildings or structures;
- f. Acquire buildings or structures;
- g. Rehabilitate buildings or structures;
- h. Provide subsidies to or for the benefit of persons or families of very low, low or moderate income;
- i. Develop plans, pay principal and interest on bonds, loans, advances or other indebtedness or pay financing or carrying charges;

- j. Maintain the community's supply of mobilehomes; and
- k. Preserve the availability of affordable housing units which are assisted or subsidized by public entities and which are threatened with conversion to ~~market rates~~.

The Agency may use these funds to meet, in whole or in part, either the replacement housing provisions in Section 330 above or the inclusionary housing provisions in Section 331 above. These funds may be used inside or outside the Project Area provided, however, that funds may be used outside the Project Area only if findings of benefit to the Project are made as required by said Section 33334.2 of the Community Redevelopment Law.

The funds for this purpose shall be held in a separate Low and Moderate Income Housing Fund until used. Any interest earned by such Low and Moderate Income Housing Fund shall accrue to the Fund.

#### IV. [§400] USES PERMITTED IN THE PROJECT AREA

##### A. [§401] Redevelopment Land Use Map

The "Redevelopment Land Use Map," attached hereto as Attachment No. 3 and incorporated herein by reference, illustrates the location of the Project Area boundaries, major streets within the Project Area and the proposed land uses to be permitted in the Project for all land -- public, semi-public and private.

##### B. [§402] Designated Land Uses

###### 1. [§403] General-Heavy Commercial Uses

The areas shown on the Redevelopment Land Use Map (Attachment No. 3) for General-Heavy Commercial Uses which are located in the City shall be used for the permitted commercial uses set forth and described in the City General Plan and City Zoning Ordinance (Section 12-403-C).

###### 2. [§404] Limited or Heavy Industrial Uses

The areas shown on the Redevelopment Land Use Map (Attachment No. 3) for Limited or Heavy Industrial Uses is a dual land use designation. Prior to annexation to the City the uses shall be as set forth in the Limited Industrial land use designation in the County General Plan, the Fresno High/Roeding Community Plan adopted by the County, and the County Zoning Ordinance, subject to the securing of a conditional use permit. Upon annexation to

the City the uses shall be as set forth in the Heavy Industrial land use designation of the City General Plan and the City Zoning Ordinance (Section 12-403-C), subject to the securing of a conditional use permit.

3. [§405] Light Industrial Uses

~~The areas shown on the Redevelopment Land Use Map~~  
(Attachment No. 3) for Light Industrial uses which are located in the City shall be used for the permitted light industrial uses set forth and described in the City General Plan and City Zoning Ordinance (Section 12-403-C). Property at the southwest corner of Belmont and Palm Avenues (APN 459-023-39, pursuant to S-91-71), and on the south side of Belmont between Ferger and Roosevelt Streets (APN 459-032-05, 15, and 23, pursuant to R-90-49 and S-90-172) are designated as light industrial uses, however, they are subject to the securing of a conditional use permit.

4. [§406] Open Space Uses

The areas shown on the Redevelopment Land Use Map (Attachment No. 3) for open space uses which are located in the City shall be used for a range of permitted open space uses including, but not limited to, ponding basins (with or without a park use), parks, or landscaped areas, as set forth and described in the City General Plan and City Zoning Ordinance (Section 12-403-C).

5. [§407] Public Facilities Uses

The areas shown on the Redevelopment Land Use Map (Attachment No. 3) for public facilities uses which are located in the City shall be used for a range of permitted public facilities uses including, but not limited to, public facilities, quasi-public facilities (including cemeteries, mortuaries, etc.), and airports, as set forth and described in the City General Plan and City Zoning Ordinance (Section 12-403-C).

C. [§408] Other Land Uses

1. [§409] Public Rights-of-Way

As illustrated on the Redevelopment Land Use Map (Attachment No. 3), the major public rights-of-way within the Project Area include existing and proposed freeways, arterial and collector streets and railroad rights-of-way, as set forth and described in the City's General Plan. In relation to public rights-of-way adjacent to the 55-acre portion of the Project Area at the southeast corner of Belmont and Marks Avenues, prior to annexation to the City the public rights-of-way shall be as set forth in the County General Plan and the Fresno High/Roeding Community Plan adopted by the County.

Additional public streets, alleys, easements and railroad rights-of-way may be created in the Project Area as needed for proper development. Existing streets, alleys, easements and railroad rights-of-way may be abandoned, closed or modified as necessary for proper development of the Project.

~~Any changes in the existing interior or exterior layout of public rights-of-way with respect to the Project Area, shall be in accordance with the applicable City or County General Plan, the objectives of this Plan and the applicable City's or County's design standards, shall be effectuated in the manner prescribed by state and local law and shall be guided by the following criteria:~~

- a. A balancing of the needs of proposed and potential new developments for adequate pedestrian and vehicular access, railway access, vehicular parking and delivery loading docks with the similar needs of any existing developments permitted to remain;
- b. The requirements imposed by such factors as topography, traffic safety and aesthetics; and
- c. The potential need to serve not only the Project Area and new or existing developments but to also serve areas outside the Project by providing convenient and efficient vehicular and railway access and movement.

The public rights-of-way may be used for vehicular and/or pedestrian traffic and railway access, as well as for public improvements, public and private utilities and activities typically found in public rights-of-way.

2. [§410] Other Public, Semi-Public, Institutional and Nonprofit Uses

In any area shown on the Redevelopment Land Use Map (Attachment No. 3), 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. All such uses shall, to the extent possible, conform to the provisions of this Plan applicable to the uses in the specific area involved. The Agency may impose such other reasonable requirements and/or restrictions as may be necessary to protect the development and use of the Project Area.

3. [§411] Nonconforming Uses

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

The Agency may authorize additions, alterations, repairs or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project where, in the determination of the Agency, such improvements would be compatible with surrounding Project uses and development.

D. [§412] General Controls and Limitations

All real property in the Project Area is made subject to the controls and requirements of this Plan. No real property shall be developed, rehabilitated or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

1. [§413] Construction

All construction in the Project Area shall comply with all applicable state and local laws and codes in effect from time to time, including, but not limited to, any specific or community plans. Therefore, all construction in the Project Area shall comply with both the controls and requirements of this Plan and applicable state and local laws and codes including, but not limited to, specific and community plans, and compliance with this Plan does not eliminate the need to comply with applicable planning and zoning requirements of the City or County. 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.

2. [§414] Rehabilitation and Retention of Properties

Any existing structure within the Project Area approved by the Agency for retention and rehabilitation shall be repaired, altered, reconstructed or rehabilitated in such a manner that it will be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding uses.

3. [§415] Limitation on the Number of Buildings

The number of buildings in the Project Area shall not exceed the number of buildings permitted under the applicable City's and County's General Plan.

4. [§416] Number of Dwelling Units

The number of dwelling units presently in the Project Area is approximately 130 and shall not exceed the number of dwelling units permitted under the applicable City's and County's General Plan.

5. [§417] Limitation on Type, Size and Height of Buildings

Except as set forth in other sections of this Plan, the type, size and height of buildings shall be as limited by applicable federal, state and local statutes, ordinances and regulations.

6. [§418] Open Spaces, Landscaping, Light, Air and Privacy

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.

Sufficient space shall be maintained between buildings in all areas to provide adequate light, air and privacy.

7. [§419] Signs

All signs shall conform to the applicable City or County sign ordinances as they now exist or are hereafter amended. Design of all proposed new signs shall be submitted to the Agency and/or City or County prior to installation for review and approval pursuant to the procedures of this Plan.

8. [§420] Utilities

The Agency shall require that all utilities be placed underground whenever physically and economically feasible.

9. [§421] Incompatible Uses

No use or structure which by reason of appearance, traffic, smoke, glare, noise, odor or similar factors would be incompatible with the surrounding areas or structures shall be permitted in any part of the Project Area.

10. [§422] Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based upon race, color, creed, religion, sex, marital status, national origin or ancestry permitted in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of property in the Project Area.

11. [§423] Subdivision of Parcels

No parcel in the Project Area, including any parcel retained by a participant, shall be subdivided without the approval of the Agency.

12. [§424] Minor Variations

Under exceptional circumstances, the City's Development Department Director is authorized to permit a variation from the limits, restrictions and controls established by this Plan. In order to permit such variation, the City's Development Department Director must first find all of the following:

- a. The application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan;
- b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions and controls;
- c. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and
- d. Permitting a variation will not be contrary to the objectives of this Plan or of the applicable General Plan of the City or County.

No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the City's Development Department Director shall impose such conditions as are necessary to protect the public peace, health, safety or welfare and to assure compliance with the purposes of this Plan. Any variation permitted by the City's Development Department Director hereunder shall not supersede any other approval required under applicable City or County codes and ordinances.

Within fifteen (15) calendar days after the publication of a notice pursuant to Section 12-401-C of the City's Zoning Ordinance, of the decision by the City's Development Department Director, the decision may be appealed to the City Planning Commission. Any appeal to a decision of the City's Development Department Director shall be pursuant to the procedures within the City's Municipal Code.

E. [§425] Design for Development

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

No new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired or rehabilitated except in accordance with this Plan and any such controls and, in the case of property which is the subject of a disposition and development or participation agreement with the Agency and any other property, in the discretion of the Agency, in accordance with architectural, landscape and site plans submitted to and approved in writing by the Agency. One of the objectives of this Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space and other amenities to enhance the aesthetic quality of the Project Area. The Agency shall not approve any plans that do not comply with this Plan.

In addition, as specified in Section 413 of this Plan, new improvements shall comply with applicable state and local laws and codes including, but not limited to, specific and community plans.

F. [§426] Building Permits

No permit shall be issued for the construction of any new building or for any construction on an existing building in the Project Area from the date of adoption of this Plan until the application for such permit has been made and

processed in a manner consistent with all applicable City or County requirements including, but not limited to, specific and community plans.

The Agency is authorized to establish permit procedures and approvals in addition to those set forth above where required for the purposes of this Plan. Where such additional procedures and approvals are established, a building permit shall be issued only after the applicant for same has been granted all approvals required by the City for the area within the City, the County for the area within the County, and the Agency at the time of application.

V. [§500] METHODS OF FINANCING THE PROJECT

A. [§501] General Description of the Proposed Financing Method

The Agency is authorized to finance this Project with financial assistance from the City, County, State of California, 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 Agency is also authorized to obtain advances, borrow funds and create indebtedness in carrying out this Plan. The principal and interest on such advances, funds and indebtedness may be paid from tax increments or any other funds available to the Agency. Advances and loans for survey and planning and for the operating capital for nominal administration of this Project may be provided by the City and County until adequate tax increment or other funds are available, or sufficiently assured, to repay the advances and loans and to permit borrowing adequate working capital from sources other than the City and County. The City and County, as they are able, may also supply additional assistance through City and County loans and grants for various public facilities.

The City, County or any other public agency may expend money to assist the Agency in carrying out this Project. As available, gas tax funds from the state and county may be used for street improvements and public transit facilities.

B. [§502] Tax Increment Funds

All taxes levied upon taxable property within the Project Area each year, by or for the benefit of the State of California, the County of Fresno, the City of Fresno, any district or any other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving this Plan, shall be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of

said taxing agencies upon the total sum of the assessed value of the taxable property in the 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 of the Project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll of the County of Fresno 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).

2. That portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on loans, monies advanced to or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Project. Unless and until the total assessed valuation of the taxable property in the Project exceeds the total assessed value of the taxable property in the Project as shown by the last equalized assessment roll referred to in subdivision 1 hereof, all of the taxes levied and collected upon the taxable property in the 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, all monies thereafter received from taxes upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

The portion of taxes mentioned in subdivision 2 above are hereby irrevocably pledged for the payment of the principal of and interest on the advance of monies, or making of loans or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance the Project, in whole or in part. The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the Project.

The Agency is authorized to issue bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the

members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

The bonds and other obligations of the Agency are not a debt of the City, County or the state, nor are any of its political subdivisions liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency, and such bonds and other obligations shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

The amount of bonded indebtedness to be repaid in whole or in part from the allocation of taxes described in subdivision 2 above which can be outstanding at any one time shall not exceed \$93,000,000.

The Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Project beyond twenty (20) years from the date of adoption of this Plan, except debt to be incurred that is payable from the Low and Moderate Income Housing Fund or debt required in order to fulfill the Agency's housing obligations under Section 33413 of the Community Redevelopment Law. The Agency shall not repay from the allocation of taxes described in subdivision 2 above loans, advances or other indebtedness beyond forty-five (45) years from the date of adoption of this Plan.

C. [\$503] Other Loans and Grants

Any other loans, grants, guarantees or financial assistance from the United States, the State of California or any other public or private source will be utilized if available.

VI. [\$600] ACTIONS BY THE CITY AND COUNTY

The City, and as to the portion of the Project Area located in the County, the County, shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Actions by the City or County shall include, but not be limited to, the following:

- A. Institution and completion of proceedings for opening, closing, vacating, widening or changing the grades of streets, alleys and other public rights-of-way and for other necessary modifications of the streets, the street layout and other public rights-of-way in the Project Area. Such action by the City or County shall include the requirement of abandonment, removal and relocation by the public utility companies of their operations of public rights-of-way as appropriate to carry out this Plan, provided that nothing

in this Plan shall be construed to require the cost of such abandonment, removal and relocation to be borne by others than those legally required to bear such cost.

- B. Institution and completion of proceedings necessary for changes and improvements in private and publicly-owned public utilities within or affecting the Project Area.
- C. Revision of zoning (if necessary) within the Project Area to permit the land uses and development authorized by this Plan.
- D. Imposition wherever necessary (by conditional use permits or other means) of appropriate controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
- E. Provision for administrative enforcement of this Plan by the City or County after development.
- F. Performance of the above actions and of all other functions and services relating to public peace, health, safety and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- G. The undertaking and completing of any other proceedings necessary to carry out the Project.

The foregoing actions to be taken by the City or County do not involve or constitute any commitment for financial outlays by the City or County.

## VII. [§700] ENFORCEMENT

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the City.

The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.

#### VIII. [§800] EFFECTIVENESS OF THIS PLAN

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, for thirty (30) years from the date of adoption of this Plan by the City Council. After the effectiveness of this Plan, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, in which case the Agency shall retain its authority to implement requirements under Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.

#### IX. [§900] PROCEDURE FOR AMENDMENT

This Plan may be amended by means of the procedure established in Sections 33450-33458 of the Community Redevelopment Law or by any other procedure hereafter established by law.

ROEDING BUSINESS PARK REDEVELOPMENT PROJECT --  
PROJECT AREA BOUNDARY DESCRIPTION

Those portions of Sections 4, 5, 6, 7 and 8 in Township 14 South, Range 20 East, Sections 31, 32 and 33 in Township 13 South, Range 20 East, Sections 1 and 12 in Township 14 South, Range 19 East, and Section 36 in Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the intersection of the South right-of-way line of West Whitesbridge Avenue and the West right-of-way line of North Marks Avenue, said point of intersection being located approximately 30 feet, more or less, West of, and approximately 30 feet, more or less, South of the Northeast corner of said Section 12; thence Northerly, along the West right-of-way line of North Marks Avenue and its Southerly production, to the North right-of-way line of West Belmont Avenue; thence Easterly, along the North right-of-way line of West Belmont Avenue, to the Northerly production of the East line of Lot 14 of West Fresno, according to the map thereof recorded in Volume 2, page 50 of Plats, Fresno County Records; thence Southerly, along the Northerly production of the East line of said Lot 14, to the South line of said Lot 14; thence Easterly, along the South line of Lots 15 and 16 of said West Fresno and the Easterly production of said South line, to the East right-of-way line of North Hughes Avenue; thence Southerly, along said East right-of-way line, to the North right-of-way line of West Nielsen Avenue; thence Easterly, along the North right-of-way line of West Nielsen Avenue, to the East line of Lot 37 of Weibe Home Tract, according to the map thereof recorded in Book 3, page 25 of Record of Surveys, Fresno County Records; thence North  $0^{\circ}18'03''$  West, along the East line of Lots 37 and 20 of said Weibe Home Tract to a point on the East line of said Lot 20, a distance of 181.61 feet South of the Northeast corner of said Lot 20; thence Northeasterly along a non-tangent curve, concave to the Southeast, whose radius point bears South  $78^{\circ}18'56''$  East, having a radius of 230.00 feet, through a central angle of  $33^{\circ}19'27''$ , an arc distance of 133.77 feet; thence North  $32^{\circ}58'00''$  West, a distance of 118.22 feet to the east line of said Lot 20; thence North  $0^{\circ}18'03''$  West, along said East line, a distance of 65.96 feet to the Northeast corner of said Lot 20; said Northeast corner being a point on the South line of the Southern Pacific Railroad right-of-way; thence North  $89^{\circ}42'16''$  East, along said South line a distance of 1370 feet, more or less, to the Northeast corner of Lot 22 of said Weibe Home Tract; thence Northerly, along the Northerly production of the East line of said Lot 22, also being the West right-of-way line of North Fruit Avenue (formerly known as "Shasta Avenue," as shown on said Weibe Home Tract), to an intersection with the North right-of-way line of West Belmont Avenue, said point of intersection being a point on the South line of Lot 67 of Roeding's Villa Colony, according to the map thereof recorded in Book 2, page 43, of Record of Surveys, Fresno County Records; thence Easterly, along the North right-of-way line of West Belmont Avenue and its Easterly production, also being the South line of Lot 32 of said Roeding Villa Colony and its Easterly production, to the intersection with the Northerly production of the Westerly right-of-way line of North Roosevelt Avenue, formerly known as "West Avenue," as shown on the map of La Sierra Tract, according to the map thereof recorded in Book 5, page 49, of Record of Surveys, Fresno County Records; thence Southerly, along said Northerly production and the Westerly right-of-way line of North Roosevelt Avenue, also being the Easterly line of Lots 1, 7, 8, 9, and

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10 of Block 1 of said La Sierra Tract, to the Southeasterly corner of said Lot 10; thence Westerly, along the Southerly line of said Lot 10 and its Westerly production to the intersection with the Northeast corner of Lot 32 of said Block 1; thence Southerly, along the Easterly line of said Lot 32 to a point lying approximately 12.5 feet south of the Northerly line of said Lot 32; thence Westerly, along a line lying parallel with said Northerly line of Lot 32 and its Westerly production, to the intersection with the Westerly right-of-way line of North Ferger Avenue, formerly known as "McKinley Avenue" as shown on the map of said La Sierra Tract, said point of intersection also being a point lying on the Easterly line of Lot 11 of Block 2 of said La Sierra Tract; thence Northerly, along the Westerly right-of-way line of North Ferger Avenue, also being the Easterly line of Lots 11, 10, 9, 8, 7, and 1 of said Block 2, to the intersection with the Southerly right-of-way line of East Belmont Avenue, said point of intersection being a point on the Easterly line of said Lot 1 and lying approximately 10 feet south of the Northeast corner of said Block 2; thence Westerly, along the Southerly right-of-way line of East Belmont Avenue, also being a line lying parallel with and approximately 10 feet south of the Northerly line of Lots 1 through 6, inclusive, of said Block 2, to the intersection with the Westerly line of said Lot 6, said point of intersection being a point on the Easterly right-of-way line of the Alley lying between North Palm Avenue and North Ferger Avenue; thence, Southerly along the Easterly right-of-way line of said alley, also being the Westerly line of Lots 6 through 21, inclusive, in Block 2, and the Westerly line of Lots 1 through 33, inclusive, in Block 8 of said La Sierra Tract, to the Northwesternly production of the Northeasterly right-of-way line of North H Street (formerly known as "Park Boulevard," as shown on the map of said La Sierra Tract); thence Southeasterly, along said Northeasterly right-of-way and its production to the Easterly right-of-way line of North Roosevelt Avenue (formerly known as "West Avenue," as shown on the map of said La Sierra Tract); thence Southerly, along the Easterly right-of-way line of North Roosevelt Avenue to the intersection with the North right-of-way line of East Divisadero Street (formerly known as "Nielsen Avenue" as shown on the map of Central Addition, recorded in Volume 1, page 30 of Plats, Fresno County Record), said point of intersection also being the Southwest corner of Lot 18 in Block 1 of said Central Addition; thence Westerly, along the Westerly production of the North right-of-way line of East Divisadero Street, to the West right-of-way line of North Roosevelt Avenue; thence Southerly, along the Westerly right-of-way line of North Roosevelt Avenue to the intersection with the Northerly right-of-way line of East Divisadero Street; thence Southwesterly and Westerly, along the Northerly right-of-way line of Divisadero Street to the point of intersection of the Northwesternly production of a line parallel with and 250 feet Northeasterly from the Northeasterly right-of-way line of G Street and the Northerly right-of-way line of East Divisadero Street, said point of intersection also being the most Northeasterly corner of the Urban Renewal Plan for West Fresno Project Two (Project No. California R-60), adopted by the Fresno City Council Ordinance No. 6384 and recorded in Book 4953, beginning at page 673, Fresno County Records; thence Westerly, along the Northerly boundary of said West Fresno Project Two and the Northerly right-of-way line of East Divisadero Street to an intersection with the West line of said Section 4; thence Southerly, along the West Fresno Project Two boundary a distance of 40 feet, more or less, to the West Quarter corner of

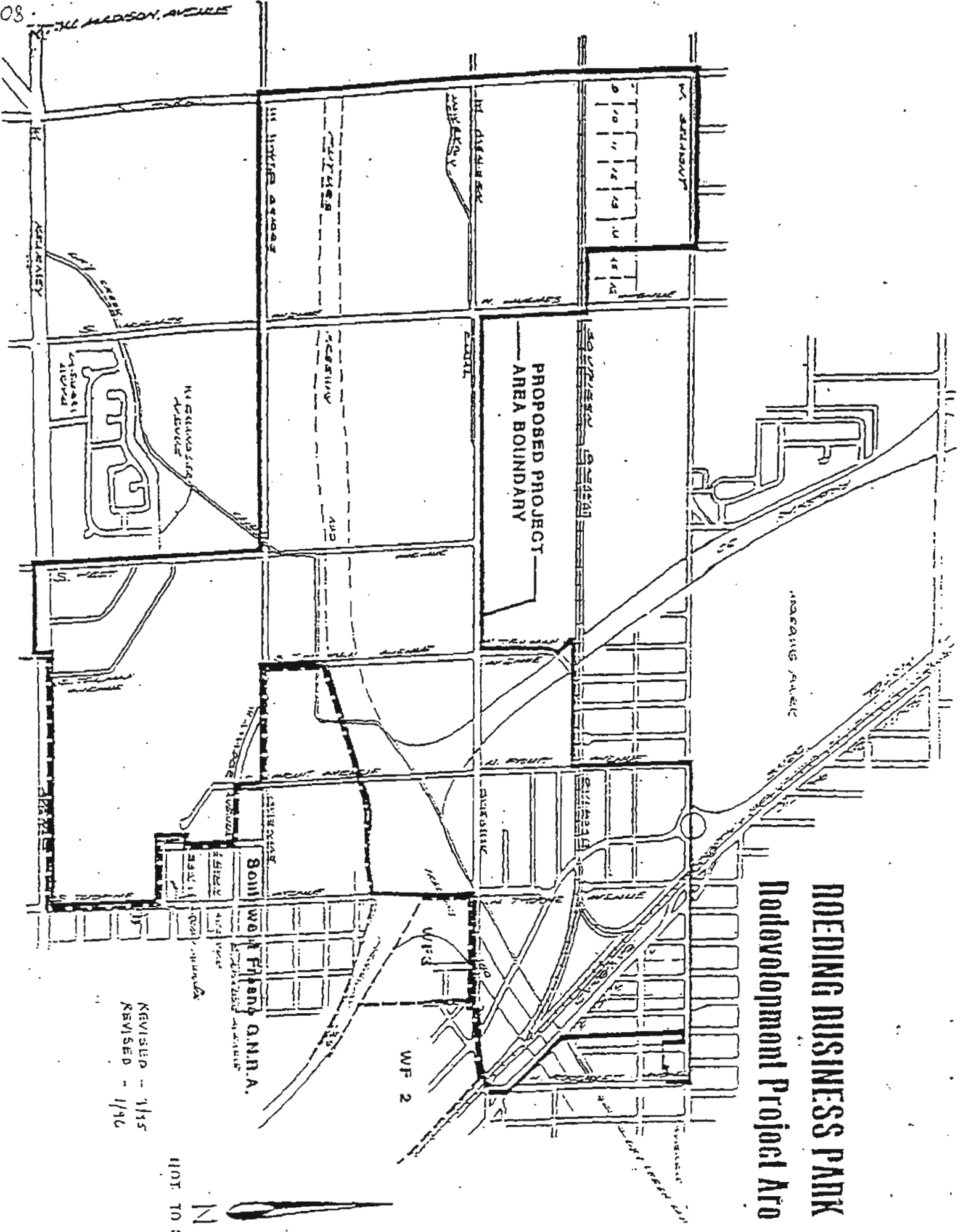
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said Section 4; ~~thence~~ Westerly, along the West Fresno Project Two boundary and a line parallel with and 30 feet Northerly of the Southerly line of East Divisadero Street, also being the North line of the Southeast Quarter of said Section 5, a distance of 70 feet, more or less, to the Northerly production of the Westerly right-of-way line of Trinity Street, said point of intersection also being the ~~most~~ Westerly Northwest corner of said West Fresno Project Two and the Northeast corner of the Urban Renewal Plan for West Fresno Project Three, adopted by Fresno City Council Ordinance No. 69-12 and recorded in Volume 5652, beginning at page 264, Fresno County Records; ~~thence~~ Westerly, along the West Fresno Project Three boundary and a line parallel with and 30 feet North of the Southerly right-of-way line of East Divisadero Street, to the Northerly production of a line parallel with and 30 feet West of the Easterly right-of-line of South Thorne Avenue, said point of intersection also being the Northwest corner of said West Fresno Project ~~Three~~; ~~thence~~ Southerly, along the West Fresno Project Three boundary and a line parallel with and 30 feet West of the Northerly production of the Easterly right-of-way line of South Thorne Avenue, to a line perpendicular to the Northerly production of the Easterly right-of-way line of South Thorne Avenue that intersects said Easterly right-of-way line, a distance of 70.39 feet North of the intersection of said Easterly right-of-way line and the Northeasterly right-of-way line of Freeway 99; ~~thence~~, departing from the boundary of the said West Fresno Project Three, Southwesterly, to the intersection of the Northerly production of the Westerly right-of-way line of South Thorne Avenue and the Southerly right-of-way line of Freeway 180, said point of intersection also being a point on the Northerly boundary of the Urban Renewal Plan for the Southwest Fresno General Neighborhood Renewal Area (GNRA) Project, adopted by Fresno City Council Ordinance No. 69-13, and recorded in Volume 5652, beginning at page 305, Fresno County Records; ~~thence~~ Southwesterly, along the Southerly right-of-way line of Freeway 180 and the proposed Freeway 180 alignment, also being the Northerly boundary of said Southwest Fresno GNRA Project, to the Westerly right-of-way line of North Teilman Avenue; ~~thence~~ Southerly, along the Westerly right-of-way line of North Teilman Avenue and its Southerly production, also being the Southwest Fresno GNRA Project boundary, to the Southerly right-of-way line of East Whitesbridge Road; ~~thence~~ Easterly, along the Southwest Fresno GNRA Project boundary and the Southerly right-of-way of East Whitesbridge Road to the Westerly right-of-way line of South Fruit Avenue; ~~thence~~ Southerly, along the Southwest Fresno GNRA Project boundary and the Westerly right-of-way line of South Fruit Avenue and its Southerly production, to the Southerly right-of-way line of East Amador Street; ~~thence~~ Easterly, along the Southwest Fresno GNRA Project boundary and the Southerly right-of-way line of East Amador Street, to the Westerly right-of-way line of South Arthur Avenue; ~~thence~~ Southerly, along the Southwest Fresno GNRA Project boundary and the Westerly right-of-way line of South Arthur Avenue, to the Westerly production of the North Right-of-way line of West San Joaquin Avenue; ~~thence~~ Westerly, along the Southwest Fresno GNRA Project boundary and the North right-of-way line of West San Joaquin Avenue and its Westerly production, a distance of 150 feet; ~~thence~~ South along the Southwest Fresno GNRA Project boundary to the Westerly production of the Southerly right-of-way line of West Chandler Avenue; ~~thence~~ Easterly, along the Southwest Fresno GNRA Project boundary and the Southerly right-of-way line of West Chandler Avenue and its Westerly

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production, to the Westerly right-of-way line of South Thorne Avenue; thence Southerly, along the Southwest Fresno GNRA Project boundary and the Westerly line of South Thorne Avenue to the Northerly right-of-way line of West Kearney Boulevard; thence Westerly, along the Southwest Fresno GNRA Project boundary and the Northerly right-of-way line of West Kearney Boulevard to a point that is 330 feet West of the centerline of South Teilman Avenue; thence South along the Southwest Fresno GNRA Project boundary to the Southerly right-of-way line of West Kearney Boulevard; thence, departing from the boundary of the Southwest Fresno GNRA Project, Westerly, along the Southerly right-of-way line of West Kearney Boulevard, to the Westerly right-of-way line of South West Avenue; thence Northerly, along the Westerly right-of-way line of South West Avenue and its Northerly production, to the South right-of-way line of West Whitesbridge Avenue; thence Westerly, along the South right-of-way line of West Whitesbridge Avenue and its Westerly production to the Point of Beginning; said project area containing an acreage of 1,014 acres, more or less.

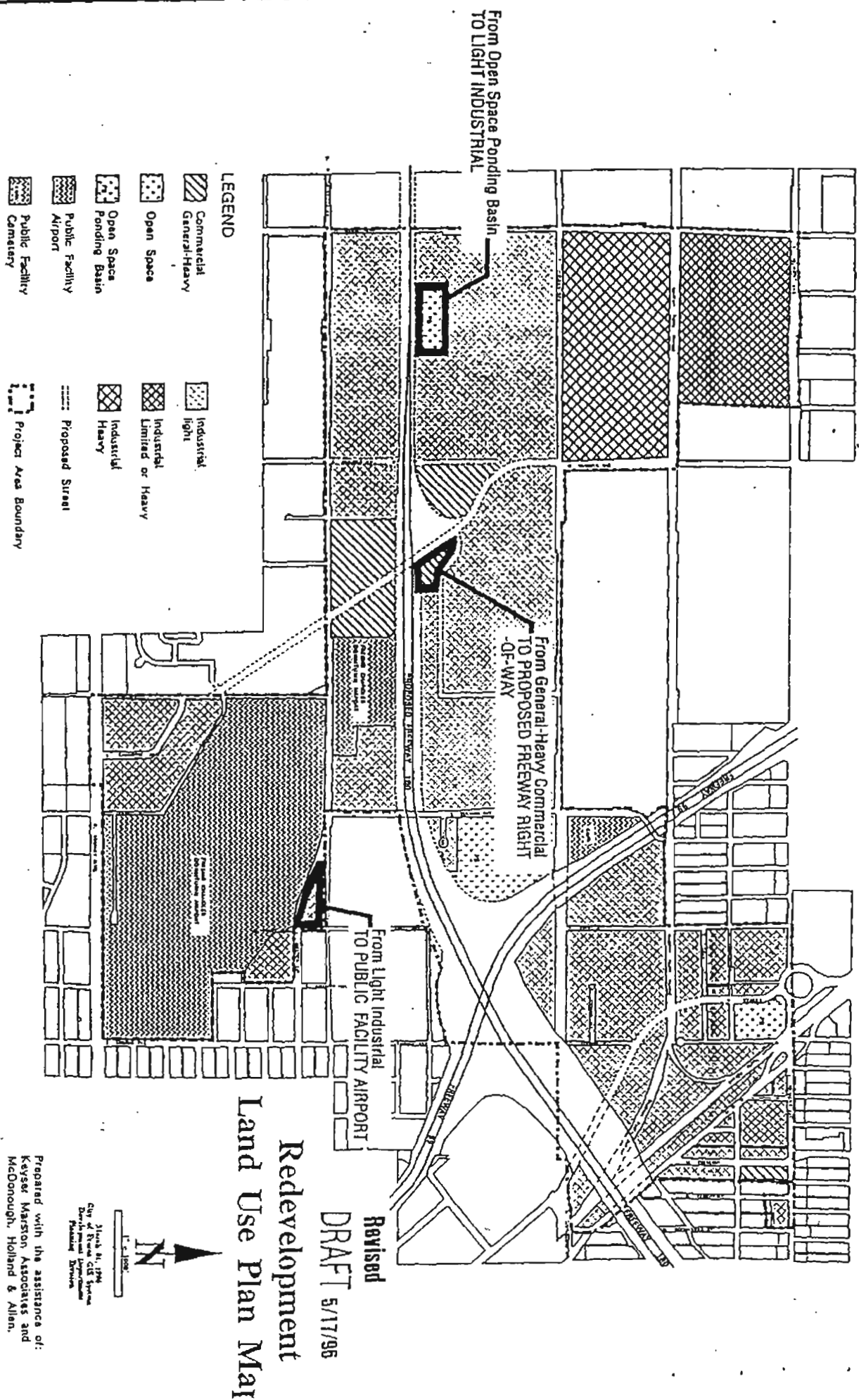
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# NOEDING BUSINESS PARK Development Project Afo

REVISED - 1/15  
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NOT TO S



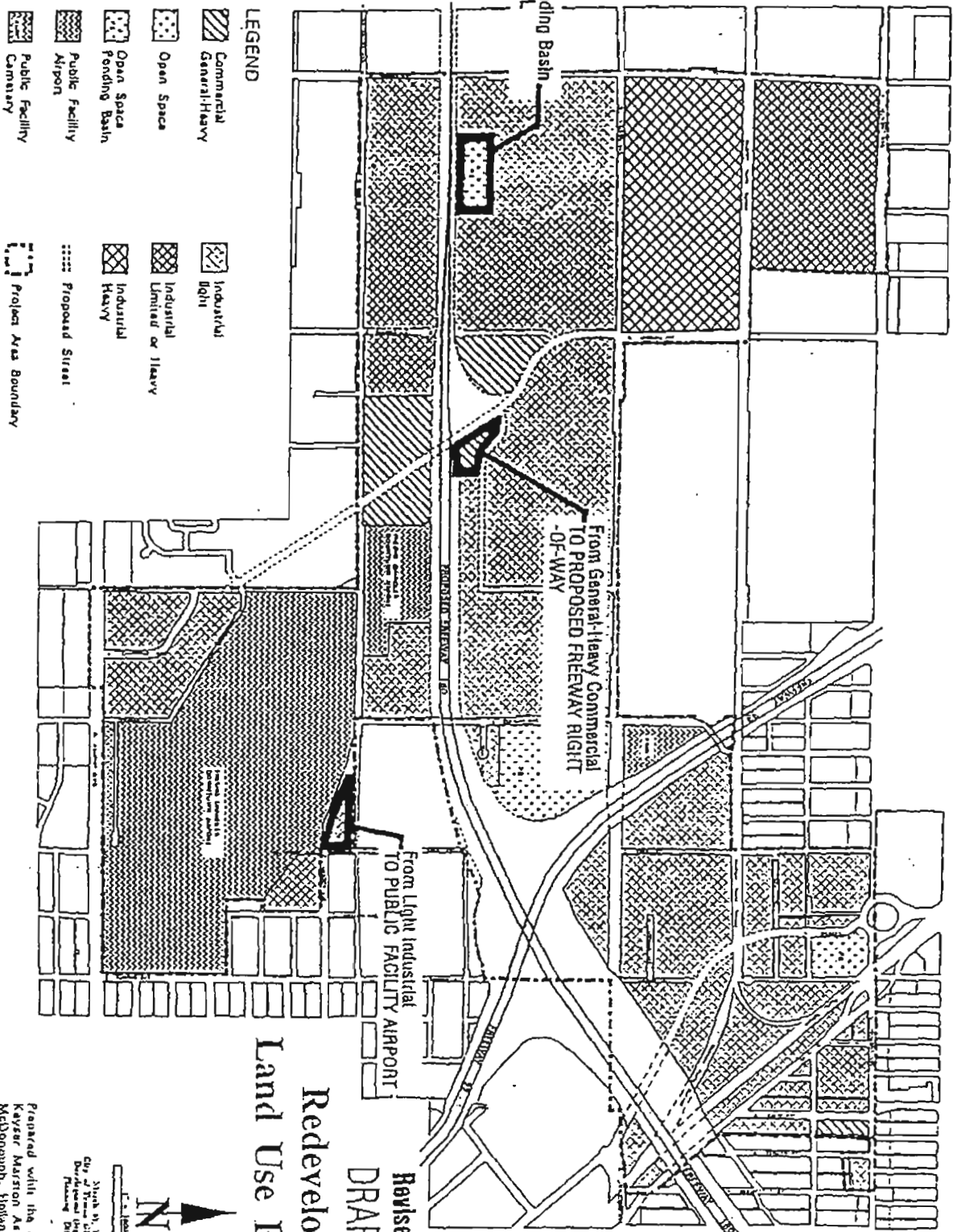
PROPOSED PUBLIC IMPROVEMENTS

1. Street improvements, including, but not limited to, street extensions and widenings, sidewalks, curbs, and gutters on G Street, Teilman Avenue, West Avenue, Hughes Avenue, Marks Avenue, Neilsen Avenue, Belmont Avenue, Fruit Avenue, Thorne Avenue, Franklin Avenue, Napa Avenue, Summer Avenue, Burton Avenue and Voorman Avenue.
2. Railroad crossing safety improvements, including, but not limited to, the railroad crossings at Marks Avenue and G Street.
3. Bridge and culvert improvements related to Houghton Canal and Dry Creek Canal, including, but not limited to the following areas: Marks Avenue N/O Neilsen and Houghton Canal; Marks Avenue and Houghton Canal; Whitesbridge Avenue and Dry Creek; Hughes Avenue and Houghton Canal; West Avenue and Dry Creek Canal; Teilman Avenue and Dry Creek Canal; Teilman Avenue and Houghton Canal; and Neilsen Avenue and Houghton Canal.
4. Sewer improvements, including, but not limited to, a lift station; 8", 10", 12" 15" and 18" sewer mains; service lines; manholes; bore and jack casings; and related temporary pavement and payment restoration work.
5. Water improvements, including, but not limited to, water wells; fire hydrants; 8" water and service lines; 12" and 14" water mains; bore and jack casings; wet ties; and related pavement restoration work.
6. Storm drain improvements, including, but not limited to, outfalls and inlets; manholes; 18", 24", 30", 36", 42", 48", 54" and 64" pipe; 18", 30" and 36" bore pipe; and related temporary pavement and pavement restoration.
7. Traffic signal and safety lighting improvements, including, but not limited to the following locations: West and Whitesbridge, Marks and Whitesbridge, G Street and Neilsen, Marks and Neilsen, Marks & Belmont, Hughes and Whitesbridge, Hughes & Neilsen, West and Kearney, Teilman & Neilsen, and Teilman and Whitesbridge.

## ROEDING BUSINESS PARK REDEVELOPMENT AREA PROJECT AREA COMMITTEE RECOMMENDATIONS

The Project Area Committee (PAC) recommends the adoption of the proposed Roeding Business Project Redevelopment Plan with the following modifications:

1. REDEVELOPMENT PLAN MAP UPDATE--Approval of the Redevelopment Land Use Plan Map with the three modifications as shown on Exhibit "1".
2. MISSION AND GOAL STATEMENT MODIFICATION--Revise Section 100, INTRODUCTION, paragraph six, pursuant to attached Exhibit "2".
3. PROTECTION OF COMPLETED OWNER PARTICIPANTS--Remove the last paragraph in Section 305, which provides for the condemnation of property of an owner who has fully performed under a participation agreement.
4. LIMITATION ON EMINENT DOMAIN (Willing Participants Only)
  - a. Add the following sentence to last paragraph of Section 306, Conforming Owners, "The exercise of the eminent domain process by the Agency shall be employed only in those cases where the situation of "willing buyer" and "willing seller" exists.
  - b. Revise Section 309, Real Property, pursuant to attached Exhibit "3."
5. LIMITATION ON ASSESSMENT DISTRICTS (Willing Participants Only)--Add new Section 504, Assessment Districts, as shown on Exhibit "4".
6. PROTECTION OF EXISTING PROPERTIES IN APPLYING PROPERTY DEVELOPMENT STANDARDS--Revise Section 425, Design for Development, pursuant to attached Exhibit "5".
7. PROTECTION OF EXISTING PROPERTIES IN ANY PROACTIVE REZONING PROGRAM--Add new Section 427, Proactive Rezoning, as shown on Exhibit "6".
8. CONTINUING ROLE OF PAC OR PLAN IMPLEMENTATION COMMITTEE--Add new Section 428, Project Review, as shown on Exhibit "7".



Revised  
DRAFT 5/17/96

# Redevelopment Land Use Plan Map

Prepared with the assistance of:  
Keyser Marston Associates and  
McDonough, Holland & Allen.

## ROEDING BUSINESS PARK PROJECT AREA COMMITTEE MISSION AND GOALS STATEMENT

Preparation of the Roeding Business Park Redevelopment Plan was initiated by the Fresno Redevelopment Agency and Bombay-Lyles for the purpose of improving the economic, physical and social conditions of the Roeding Park Area. Additionally, they saw a need to create a high-quality industrial park with adequately large blocks of land to attract new businesses to our City to insure the future economic vitality of Fresno. The following Mission Statement expresses the purpose of the Project Area Committee in working with the planning staff of the City of Fresno to formulate this redevelopment plan.

The Project Area Committee is a self-elected group of concerned citizens made up of renters, owner-occupant residents, and people representing business owners in the affected area. The Project Area Committee has reviewed and examined the draft Roeding Business Park Redevelopment Project Plan to ensure that the Plan is reflective of the desires of those who reside, work, own businesses and own property within the Project Area. Toward that end, it has been the purpose and objective of the Project Area Committee that the Redevelopment Plan be formulated to achieve the following goals:

1. Improves the image, perception, and the physical, environmental and social conditions of the Project Area.
2. Avoids the imposition of any undue hardships upon both present and future residents and business owners and seriously considers the consequences of redevelopment to these individuals.
3. Considers help for existing small businesses that depend upon a local client base for their livelihood.
4. Provides easy, fair, well defined options for owner participation.
5. Mirrors the desires of the majority of the existing tenants and residents;
6. Conforms existing plans to the Roeding Park Plan, so the overlaps are consistent to the whole area.
7. Establishes a strong economic base and attracts business development within the Project Area boundaries.
8. Pursues implementation of the Plan in a well defined and timely manner, so as to limit disruption of businesses and traffic in areas planned for latter phases of Plan

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Mission and Goals Statement  
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implementation.

9. Results in a high-quality industrial park that attracts the proposed type of tenant.
10. Provides adequate transportation infrastructure to serve and improve industrial traffic flow, and improves overall access to the Project Area and the Southwest Fresno Community.

APPROVED AND ADOPTED

This 28th day of March, 1996.

JP RBPMSN.3

## D.     [§308] PROPERTY ACQUISITION

1.     [§309]         Real Property

Except as specifically exempted herein, the Agency may acquire, but is not required to, acquire, any real property located in the Project Area by any means authorized by law.

It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute this Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Project Area which cannot be acquired by gift, devise, exchange, purchase or any other lawful method. *The exercise of the eminent domain process by the Agency shall be employed only in those cases where the situation of "willing buyer" and "willing seller" exists.* ~~In such cases where purchases cannot be negotiated, property, at the sole discretion of the Agency, may be acquired by the Agency through~~ The exercise of its power of eminent domain which must be commenced within twelve (12) years from the date the City Council ordinance adopting this Plan becomes effective.

~~Notwithstanding a property owner has entered into a participation agreement, the Agency may determine that property subject to a participation agreement may be acquired by the Agency, through eminent domain, if acquisition of such a property will be of benefit to the Project or is necessary to carry out the goals or objectives of the Plan as outlined in Section 100, or for other more necessary public purposes, even if the owner fully performs under the participation agreement.~~

D. [S504] Assessment Districts

"NEW SECTION ADDITION"

To prevent adverse financial impacts associated with the implementation of the Redevelopment Plan, assessment, improvement, or special tax districts to implement the Redevelopment Plan's recommendations shall not be formed unless they can legally be formed with "willing participants" only.

E. [S425] Design for Development

"ADD THE FOLLOWING TO THIS SECTION AFTER THE PARAGRAPH:"

Specifically, to ensure the comprehensive growth and compatibility of industrial land use, Section 12-225.5, PROPERTY DEVELOPMENT STANDARDS, of the M-1-P Zone District (Fresno Zoning Ordinance) with the deletion of the minimum lot dimension and new district size requirements, shall be applied to all industrial developments (land uses) in the Project Area except as follows:

1. The rebuilding of an existing legal industrial use or building.
2. The intensification (adding-on-to) of an existing legal industrial use or building.
3. The addition of an accessory building to an existing legal industrial use.
4. Qualifying developments, at the Director's discretion, can be considered for a variance to the M-1-P Zone District requirements.

G. [S427] Proactive Rezoning

"NEW SECTION ADDITION"

To ensure the comprehensive implementation of the Redevelopment Plan with minimum impact on existing legal uses, that are both conforming and nonconforming, the City of Fresno and the Fresno Redevelopment Agency shall not engage in a proactive rezoning program which creates nonconforming uses.

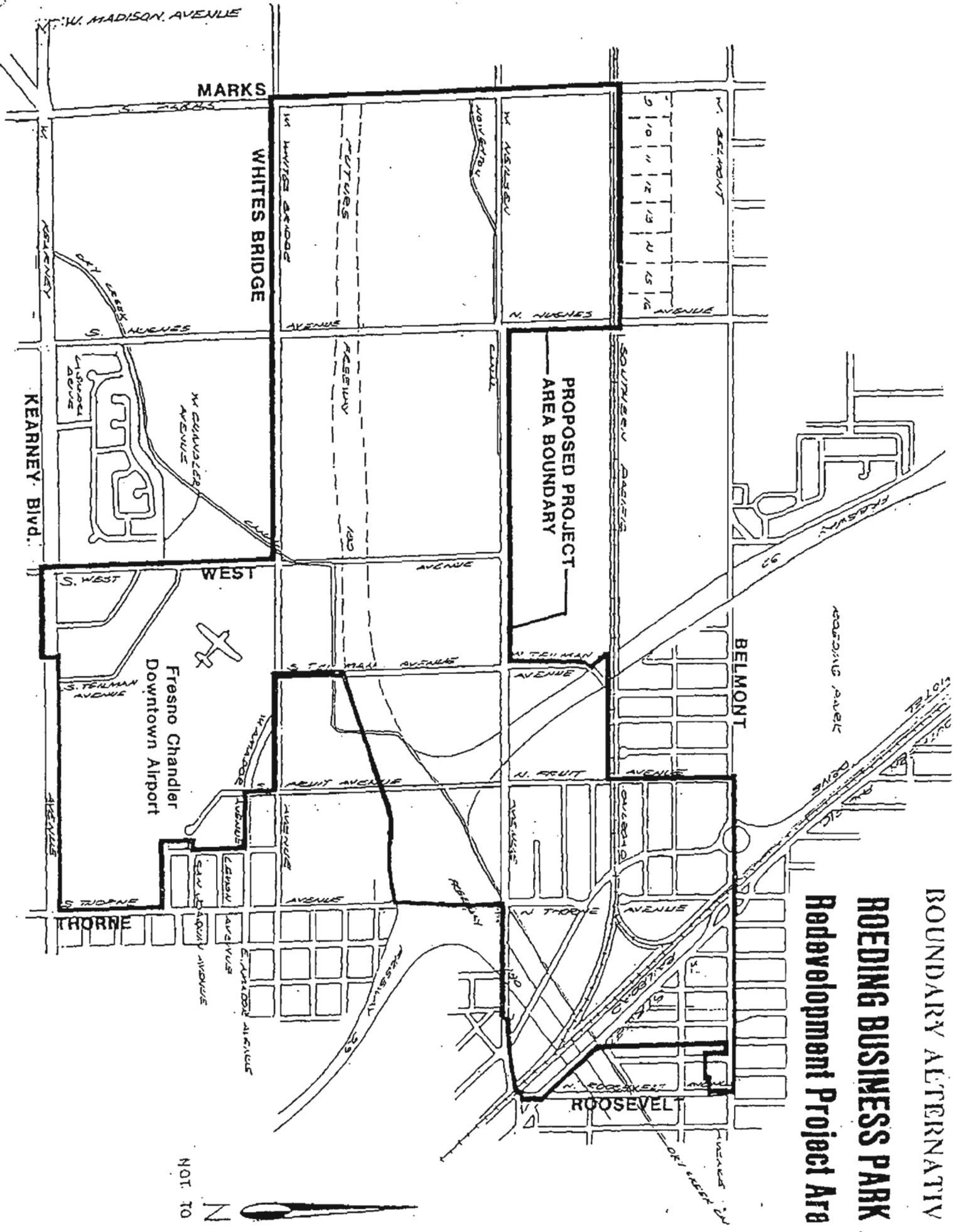
## H. [S428] Project Review

## "NEW SECTION ADDITION:"

To ensure the comprehensive development of the Project Area in the Roeding Business Park Redevelopment Plan and its implementation in a vigorous and timely manner, continuous citizen participation in an advisory role is necessary in the implementation process. Project review through citizen participation should be accomplished as follows:

- Upon adoption of the Roeding Business Park Redevelopment Plan, the existing Project Area Committee (the "PAC") shall serve in an advisory role throughout the life of the Plan.
- Should the PAC be disbanded, then within 30 days after the disbandment, a committee shall be formed and called the Roeding Business Park Redevelopment Plan Implementation Committee (the "Committee"). The Committee shall be appointed pursuant to the planning guidelines of the Local Planning and Procedures Ordinance.
- The PAC or the Implementation Committee shall serve in an advisory role to review and monitor the implementation of the Roeding Business Park Redevelopment Plan. The Committee shall make recommendations to City Staff, the Planning Commission, City Council, and any other appropriate commission or advisory body regarding plan amendments, development entitlements, and site plan review applications in the Roeding Business Park Redevelopment Plan Area. This advisory role shall not diminish any rights or responsibilities of the PAC under Redevelopment Law.
- The Tower District Specific Plan Project Review Committee shall also be provided an opportunity to review and advise on all developments in the Project Area bounded by Belmont Avenue, the Palm/Ferger Avenue Alley, and the Southern Pacific Railroad Alignment. Design Guidelines in the Tower District Specific Plan may be used to evaluate the developments.

# BOUNDARY ALTERNATIVE ROEDING BUSINESS PARK Redevelopment Project Area



NOT TO

PROJECT AREA BOUNDARY ALTERNATIVE

ROEDING BUSINESS PARK REDEVELOPMENT PROJECT --  
PROJECT AREA BOUNDARY DESCRIPTION

Those portions of Sections 4, 5, 6, 7 and 8 in Township 14 South, Range 20 East, Sections 31, 32 and 33 in Township 13 South, Range 20 East, Sections 1 and 12 in Township 14 South, Range 19 East, and Section 36 in Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the intersection of the South right-of-way line of West Whitesbridge Avenue and the West right-of-way line of North Marks Avenue, said point of intersection being located approximately 30 feet, more or less, West of, and approximately 30 feet, more or less, South of the Northeast corner of said Section 12; thence Northerly, along the West right-of-way line of North Marks Avenue and its Southerly production, to the ~~North right-of-way line of West Belmont Avenue; thence Easterly, along the North right-of-way line of West Belmont Avenue, to the Northerly production of the East line of Lot 14 of West Fresno, according to the map thereof recorded in Volume 2, page 50 of Plats, Fresno County Records; thence Southerly, along the Northerly production of the East line of said Lot 14, to the South line of said Lot 14; thence Easterly, along the South line of Lots 15 and 16 of said West Fresno and the Easterly production of said South line intersection with the Westerly production of the South line of Lot 9 of West Fresno, recorded in Volume 2, page 50 of Plats, Fresno County Records; thence Easterly along the South line of Lots 9 through 16, inclusive, of said West Fresno and the Westerly and Easterly productions of said South line, to the East right-of-way line of North Hughes Avenue; thence Southerly, along said East right-of-way line, to the North right-of-way line of West Nielsen Avenue; thence Easterly, along the North right-of-way line of West Nielsen Avenue, to the East line of Lot 37 of Weibe Home Tract, according to the map thereof recorded in Book 3, page 25 of Record of Surveys, Fresno County Records; thence North 00° 18' 03" West, along the East line of Lots 37 and 20 of said Weibe Home Tract to a point on the East line of said Lot 20, a distance of 181.61 feet South of the Northeast corner of said Lot 20; thence Northeasterly along a non-tangent curve, concave to the Southeast, whose radius point bears South 78° 18' 56" East, having a radius of 230.00 feet, through a central angle of 33° 19' 27", an arc distance of 133.77 feet; thence North 32° 58' 00" West, a distance of 118.22 feet to the east line of said Lot 20; thence North 00° 18' 03" West, along said East line, a distance of 65.96 feet to the Northeast corner of said Lot 20; said Northeast corner being a point on the South line of the Southern Pacific Railroad right-of-way; thence North 89° 42' 16" East, along said South line a distance of 1370 feet, more or less, to the Northeast corner of Lot 22 of said Weibe Home Tract; thence Northerly, along the Northerly production of the East line of said Lot 22, also being the West right-of-way line of North Fruit Avenue (formerly known as "Shasta Avenue," as shown on said Weibe Home Tract), to an intersection with the North right-of-way line of West Belmont Avenue, said point of intersection being a point on the South Line of Lot 67 of Roeding's Villa Colony, according to the map thereof recorded in Book 2, page 43, of Record of Surveys, Fresno County Records; thence Easterly, along the North right-of-way line of West Belmont Avenue and~~

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its Easterly production, also being the South line of Lot 32 of said Roeding Villa Colony and its Easterly production, to the intersection with the Northerly production of the Westerly right-of-way line of North Roosevelt Avenue, formerly known as "West Avenue," as shown on the map of La Sierra Tract, according to the map thereof recorded in Book 5, page 49, of Record of Surveys, Fresno County Records; thence Southerly, along said Northerly production and the Westerly right-of-way line of North Roosevelt Avenue, also being the Easterly line of Lots 1, 7, 8, 9, and 10 of Block 1 of said La Sierra Tract, to the Southeasterly corner of said Lot 10; thence Westerly, along the Southerly line of said Lot 10 and its Westerly production to the intersection with the Northeast corner of Lot 32 of said Block 1; thence Southerly, along the Easterly line of said Lot 32 to a point lying approximately 12.5 feet south of the Northerly line of said Lot 32; thence Westerly, along a line lying parallel with said Northerly line of Lot 32 and its Westerly production, to the intersection with the Westerly right-of-way line of North Ferger Avenue, formerly known as "McKinley Avenue" as shown on the map of said La Sierra Tract, said point of intersection also being a point lying on the Easterly line of Lot 11 of Block 2 of said La Sierra Tract; thence Northerly, along the Westerly right-of-way line of North Ferger Avenue, also being the Easterly line of Lots 11, 10, 9, 8, 7, and 1 of said Block 2, to the intersection with the Southerly right-of-way line of East Belmont Avenue, said point of intersection being a point on the Easterly line of said Lot 1 and lying approximately 10 feet south of the Northeast corner of said Block 2; thence Westerly, along the Southerly right-of-way line of East Belmont Avenue, also being a line lying parallel with and approximately 10 feet south of the Northerly line of Lots 1 through 6, inclusive, of said Block 2, to the intersection with the Westerly line of said Lot 6, said point of intersection being a point on the Easterly right-of-way line of the Alley lying between North Palm Avenue and North Ferger Avenue; thence, Southerly along the Easterly right-of-way line of said alley, also being the Westerly line of Lots 6 through 21, inclusive, in Block 2, and the Westerly line of Lots 1 through 33, inclusive, in Block 8 of said La Sierra Tract, to the Northwesterly production of the Northeasterly right-of-way line of North H Street (formerly known as "Park Boulevard," as shown on the map of said La Sierra Tract); thence Southeasterly, along said Northeasterly right-of-way and its production to the Easterly right-of-way line of North Roosevelt Avenue (formerly known as "West Avenue," as shown on the map of said La Sierra Tract); thence Southerly, along the Easterly right-of-way line of North Roosevelt Avenue to the intersection with the North right-of-way line of East Divisadero Street (formerly known as "Nielsen Avenue" as shown on the map of Central Addition, recorded in Volume 1, page 30 of Plats, Fresno County Record), said point of intersection also being the Southwest corner of Lot 18 in Block 1 of said Central Addition; thence Westerly, along the Westerly production of the North right-of-way line of East Divisadero Street, to the West right-of-way line of North Roosevelt Avenue; thence Southerly, along the Westerly right-of-way line of North Roosevelt Avenue to the intersection with the Northerly right-of-way line of East Divisadero Street; thence Southwesterly and Westerly, along the Northerly right-of-way line of Divisadero Street to the point of intersection of the Northwesterly production of a line parallel with and 250 feet Northeasterly from the Northeasterly right-of-way line of G Street and the Northerly right-of-way line of East Divisadero Street, said point of intersection also being the

Roeding Business Park Project  
Area Boundary Description

most Northeasterly corner of the Urban Renewal Plan for West Fresno Project Two (Project No. California R-60), adopted by the Fresno City Council Ordinance No. 6384 and recorded in Book 4953, beginning at page 673, Fresno County Records; thence Westerly, along the Northerly boundary of said West Fresno Project Two and the Northerly right-of-way line of East Divisadero Street to an intersection with the West line of said Section 4; thence Southerly, along the West Fresno Project Two boundary a distance of 40 feet, more or less, to the West Quarter corner of said Section 4; thence Westerly, along the West Fresno Project Two boundary and a line parallel with and 30 feet Northerly of the Southerly line of East Divisadero Street, also being the North line of the Southeast Quarter of said Section 5, a distance of 70 feet, more or less, to the Northerly production of the Westerly right-of-way line of Trinity Street, said point of intersection also being the most Westerly Northwest corner of said West Fresno Project Two and the Northeast corner of the Urban Renewal Plan for West Fresno Project Three, adopted by Fresno City Council Ordinance No. 69-12 and recorded in Volume 5652, beginning at page 264, Fresno County Records; thence Westerly, along the West Fresno Project Three boundary and a line parallel with and 30 feet North of the Southerly right-of-way line of East Divisadero Street, to the Northerly production of a line parallel with and 30 feet West of the Easterly right-of-way line of South Thorne Avenue, said point of intersection also being the Northwest corner of said West Fresno Project Three; thence Southerly, along the West Fresno Project Three boundary and a line parallel with and 30 feet West of the Northerly production of the Easterly right-of-way line of South Thorne Avenue, to a line perpendicular to the Northerly production of the Easterly right-of-way line of South Thorne Avenue that intersects said Easterly right-of-way line, a distance of 70.39 feet North of the intersection of said Easterly right-of-way line and the Northeasterly right-of-way line of Freeway 99; thence, departing from the boundary of the said West Fresno Project Three, Southwesterly, to the intersection of the Northerly production of the Westerly right-of-way line of South Thorne Avenue and the Southerly right-of-way line of Freeway 180, said point of intersection also being a point on the Northerly boundary of the Urban Renewal Plan for the Southwest Fresno General Neighborhood Renewal Area (GNRA) Project, adopted by Fresno City Council Ordinance No. 69-13, and recorded in Volume 5652, beginning at page 305, Fresno County Records; thence Southwesterly, along the Southerly right-of-way line of Freeway 180 and the proposed Freeway 180 alignment, also being the Northerly boundary of said Southwest Fresno GNRA Project, to the Westerly right-of-way line of North Teilman Avenue; thence Southerly, along the Westerly right-of-way line of North Teilman Avenue and its Southerly production, also being the Southwest Fresno GNRA Project boundary, to the Southerly right-of-way line of East Whitesbridge Road; thence Easterly, along the Southwest Fresno GNRA Project boundary and the Southerly right-of-way of East Whitesbridge Road to the Westerly right-of-way line of South Fruit Avenue; thence Southerly, along the Southwest Fresno GNRA Project boundary and the Westerly right-of-way line of South Fruit Avenue and its Southerly production, to the Southerly right-of-way line of East Amador Street; thence Easterly, along the Southwest Fresno GNRA Project boundary and the Southerly right-of-way line of East Amador Street, to the Westerly right-of-way line of South Arthur Avenue; thence Southerly, along the Southwest Fresno GNRA Project boundary and the Westerly right-of-way line of South Arthur Avenue, to

Roeding Business Park Project  
Area Boundary Description

the Westerly production of the North Right-of-way line of West San Joaquin Avenue; thence Westerly, along the Southwest Fresno GNRA Project boundary and the North right-of-way line of West San Joaquin Avenue and its Westerly production, a distance of 150 feet; thence South along the Southwest Fresno GNRA Project boundary to the Westerly production of the Southerly right-of-way line of West Chandler Avenue; thence Easterly, along the Southwest Fresno GNRA Project boundary and the Southerly right-of-way line of West Chandler Avenue and its Westerly production, to the Westerly right-of-way line of South Thorne Avenue; thence Southerly, along the Southwest Fresno GNRA Project boundary and the Westerly line of South Thorne Avenue to the Northerly right-of-way line of West Kearney Boulevard; thence Westerly, along the Southwest Fresno GNRA Project boundary and the Northerly right-of-way line of West Kearney Boulevard to a point that is 330 feet West of the centerline of South Teilman Avenue; thence South along the Southwest Fresno GNRA Project boundary to the Southerly right-of-way line of West Kearney Boulevard; thence, departing from the boundary of the Southwest Fresno GNRA Project, Westerly, along the Southerly right-of-way line of West Kearney Boulevard, to the Westerly right-of-way line of South West Avenue; thence Northerly, along the Westerly right-of-way line of South West Avenue and its Northerly production, to the South right-of-way line of West Whitesbridge Avenue; thence Westerly, along the South right-of-way line of West Whitesbridge Avenue and its Westerly production to the Point of Beginning; said project area containing an acreage of ~~1,014~~ 954 acres, more or less.

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County of

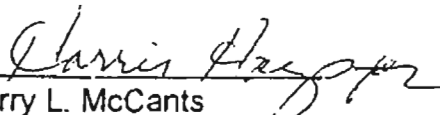


Airport Land Use Commission

DATE: June 17, 1996

TO: Airport Land Use Commission

FROM: Kerry L. McCants  
Development Services Manager  
Secretary - Airport Land Use Commission

  
Kerry L. McCants  
Development Services Manager

SUBJECT: Determine whether the proposed City of Fresno Roeding Business Park Redevelopment Plan is consistent with the Fresno-Chandler Downtown Airport Environs Specific Plan.

#### PROPOSAL

The Redevelopment Agency of the City of Fresno, pursuant to the Community Redevelopment Law of the State of California, has proposed the Roeding Business Park Redevelopment Plan located in the City and County of Fresno (See Exhibit 7). The purposes of the Plan are to promote the elimination of blight, reverse the trend of economic stagnation, and ensure the realization of the Project Area's potential for industrial and commercial growth.

The Plan includes within its project boundaries the Fresno-Chandler Downtown Airport, and its three Airport Safety Zones, thus requiring review by the Airport Land Use Commission in accordance with Section 21670, et seq. of the California Public Utilities Code.

The Plan is scheduled to go before the Board of Supervisors on June 18, 1996 for its first reading, and to the Fresno City Council and Redevelopment Agency on June 25, 1996, for approval and adoption.

## FACTS

The Plan encompasses approximately 1,127 acres of land south and west of downtown Fresno (See Exhibit 1). The primary north-south streets that serve the project area are Teilman, Thorne, and Marks Avenues. All of the Plan, which is within the review area (Airport Safety Zones) of the Fresno-Chandler Downtown Airport, lies mainly within the boundaries of the City of Fresno.

Planned land uses in the project area are not substantially different from those defined in the existing City of Fresno General Plan, Fresno High-Roeding Community Plan, Edison Community Plan, and Tower District Specific Plan. Existing zoning allows primarily light manufacturing uses, along with warehousing/storage and commercial uses. Currently there are many existing land uses that are incompatible with the Plan, including single family residences located adjacent to industrial uses. Most of the existing residential uses are on lands zoned for manufacturing and commercial uses.

## ANALYSIS

There are four considerations in a finding of consistency:

### 1. Noise

Portions of the proposed project lie within the 60 and 65 CNEL noise contours of the Fresno-Chandler Airport (See Exhibit 2). The proposed land use designations within these contours are General-Heavy Commercial, Light Industrial, and Freeway 180. All industrial, commercial, and transportation uses listed in the Safety and Noise Compatibility Comparison matrix of the Fresno-Chandler Downtown Airport Environs Specific Plan are compatible within these noise contours (See Exhibit 3). The 70 and 75 CNEL noise contours are completely within the boundaries of the airport.

### 2. Airspace Protection

A portion of the proposed project lies within the Fresno-Chandler Downtown Airport Environs Specific Plan's airspace protection areas. The airspace protection areas reflect "F.A.R. Part 77 - Objects Affecting Navigable Airspace" for a basic utility airport. These airspace protections limit the maximum height of any obstruction within 5,000 feet of the airport. The Plan regulates the height of development by the type of zoning allowed under each land use designation (See Exhibit 4).

The approach surface of the Fresno-Chandler Downtown Airport (ASZ I & II), limits all structures to a height that will not penetrate a 20 to 1 slope. Only the northwest approach zone is located within the Plan area. The approach surface starts at the end of the primary surface of the airport (200 feet from the end of the runway), along the extended centerline

of the runway expanding to a 2,000 foot width at 5,000 feet from the primary surface (See Exhibit 2).

This 20 to 1 slope sets 75 feet as the lowest maximum building height within the approach surface outside of the clear zone (ASZ I). This area is designated for General-Heavy Commercial on the Plan. Zoning allowed under this designation (C-5, C-6, C-R, & S-L) limits building heights to 35 feet by right, or higher with a CUP up to four stories (C-6 & C-R only).

The other designations located under the approach surface are Light Industrial and Heavy Industrial. The nearest Light Industrial designation to the airport would have a lowest maximum building height of 100 feet. The Heavy Industrial designation would have a 150 foot maximum building height due to the Horizontal Surface height limit. The zoning allowed within these designations (C-M, M-1, M-1-P, S-L; & M-2, M-3, S-L respectively), not the land use designations, limits the height of buildings from 11 feet to 75 feet for Light Industrial, and 11 feet to no limit within the Heavy Industrial designation.

The Horizontal Surface corresponds with ASZ III, which surrounds the remaining 5,000 feet around the airport, outside of the approach surface. The Horizontal Zone limits the height of structures to 150 feet, as mentioned above. Light Industrial is the main designation within the Horizontal Surface, along with General-Heavy Commercial and public facility/open space. The same zoning height restrictions listed above, 11 feet to 75 feet for Light Industrial, and 11 feet to no limit within the Heavy Industrial designation, also apply here.

The zoning allowed under the various land use designations proposed by the Plan are mainly consistent with the airspace protection surfaces of the Fresno-Chandler Downtown Airport Environs Specific Plan. The two allowable zones that do not have a height limit, M-2 and M-3, currently do not exist within the Plan area. Rezoning to M-2 or M-3 would require ALUC review of the specific rezoning proposal for consistency with the ALUC Plan. An other option is to require revision of the Plan to adhere to the airspace protections of the Fresno-Chandler Downtown Airport Environs Specific Plan.

### 3. Safety

The Roeding Redevelopment Plan Area is located mainly within the three Airport Safety Zones of the Fresno-Chandler Downtown Airport Environs Specific Plan.

ASZ I is the Clear Zone of the airport as defined in Federal Aviation Regulations Part 152. A portion of Safety Zone I is located outside airport property but is outside of the Redevelopment Plan area. The Fresno-Chandler Environs Specific Plan states that no new non-residential uses shall be established in ASZ I. The ALUC "Safety and Noise Compatibility Comparison" matrix, Appendix B of the Environs Plan, shows transportation,

communications, utilities, agriculture (except livestock), permanent open space, and water areas as the only compatible uses within ASZ I (See Exhibit 3).

The proposed designations within Safety Zone II are Heavy Industrial, Light Industrial, General-Heavy Commercial, and the proposed Freeway 180 right-of-way. The Fresno-Chandler Downtown Airport Environs Specific Plan specifies new non-residential uses that shall not be established in ASZ II:

- the manufacturing, storage, or sale of chemical, petroleum, plastic, rubber, and allied products;
- utility substations;
- uses where population concentrations exceed an average density of greater than 25 people per acre during a 24 hour period, or a single event that gathers more than 50 people per acre for a duration of greater than 2 hours.

Proposed designations within Safety Zone III are Light Industrial, General-Heavy Commercial, and Public Facility. Allowable uses are considered incompatible in the ASZ III only if they attract an average density greater than 25 people per acre during a 2-hour period.

Implementation of the Plan would result in the removal of existing residential uses within the project area. The residential uses currently existing are inconsistent with current General Plan land use designations for the Project area. The removal of these residential uses would improve land use compatibility surrounding the airport.

The Plan is not compatible with the Fresno-Chandler Downtown Airport Environs Specific Plan in regard to Safety. The zoning allowed under the Industrial designations of the Plan could allow uses not allowed in ASZ II and III. In order to be consistent, the plan should include the above stated restrictions.

#### 4. Avigation Easement

An Avigation easement is required for all private property in Airport Safety Zone I, one parcel in Airport Safety Zone II, and all private property in the 65 CNEL noise contour per the Fresno-Chandler Downtown Airport Environs Specific Plan. Exhibit 5 shows the parcels on which avigation easements are to be acquired, per the Fresno-Chandler Downtown Airport Environs Specific Plan. The portion of the southeast Clear Zone located outside airport property is not within the Plan's boundary, so is not at issue here.

### ENVIRONMENTAL DETERMINATION

The City of Fresno, as the Lead Agency, is responsible for preparing the environmental documentation for this project. The Airport Land Use Commission must review and consider the environmental effects as identified by the Lead Agency, prior to acting upon the project.

The City of Fresno prepared a Program Environmental Impact Report (See Exhibit 6) for the Redevelopment Plan.

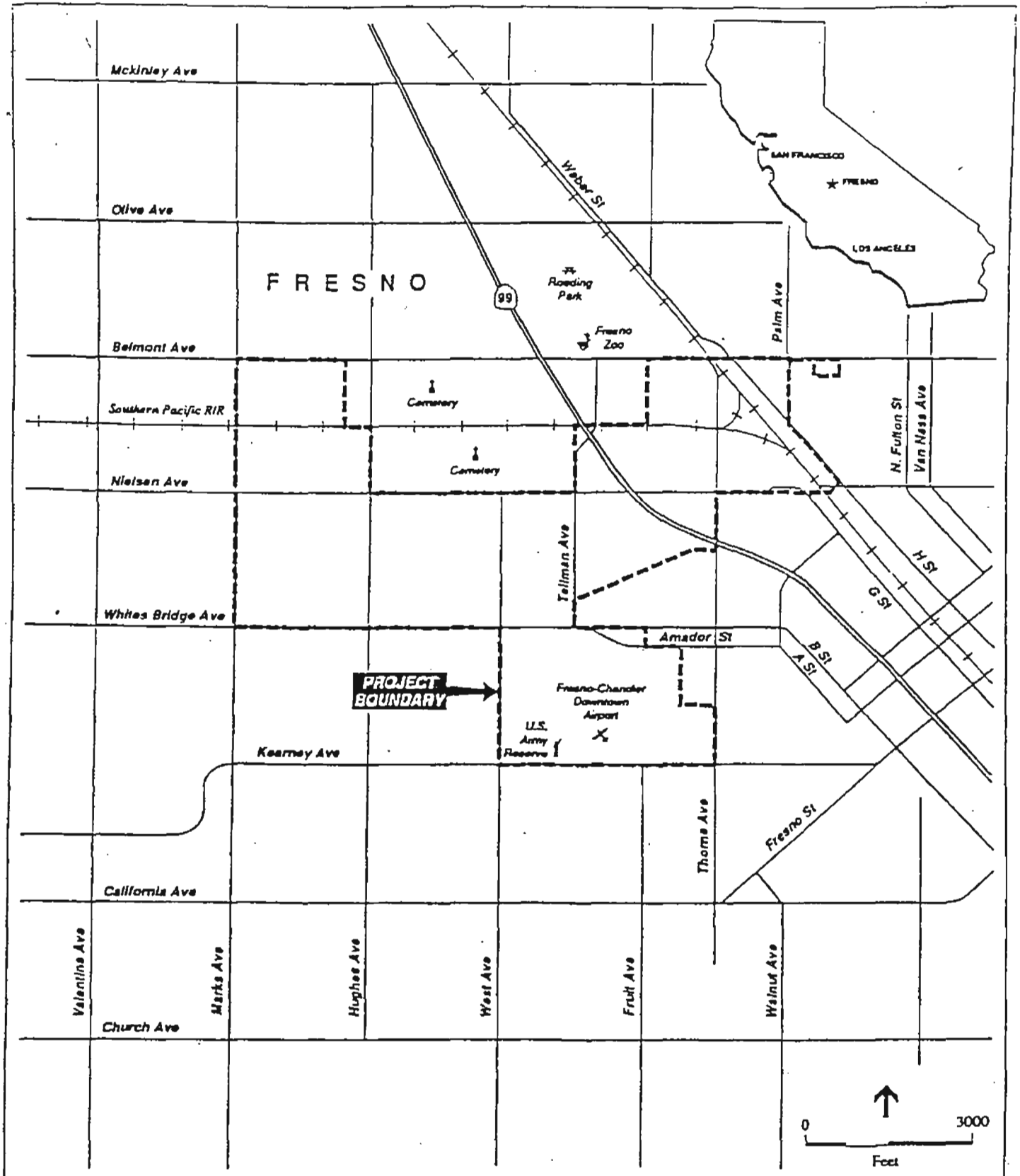
### RECOMMENDATION

1. The Commission should indicate it has reviewed and considered the Environmental Impact Report for the Roeding Business Park Redevelopment Plan.
2. Determine that the Roeding Business Park Redevelopment Plan is consistent with the Fresno-Chandler Downtown Airport Environs Specific Plan, subject to the following revisions:
  1. All structures proposed within the approach and horizontal surfaces of the Fresno-Chandler Downtown Airport Environs Specific Plan shall be limited to the height limits of the applicable imaginary surface.
  2. All proposed uses within the Fresno-Chandler Downtown Airport Environs Specific Plan Airport Safety Zones (I, II, & III) shall conform with the "Safety and Noise Compatibility Comparison" matrix of the Fresno-Chandler Downtown Airport Environs Specific Plan, Exhibit 3 of this report.
  3. Utility substations shall not be established in ASZ II.
  4. Avigation Easements shall be required for all private property that is in the 65 CNEL noise contour area.

### ALTERNATIVE

Determine that the Roeding Business Park Redevelopment Plan is inconsistent with the Fresno-Chandler Downtown Airport Environs Specific Plan.

# EXHIBIT 1

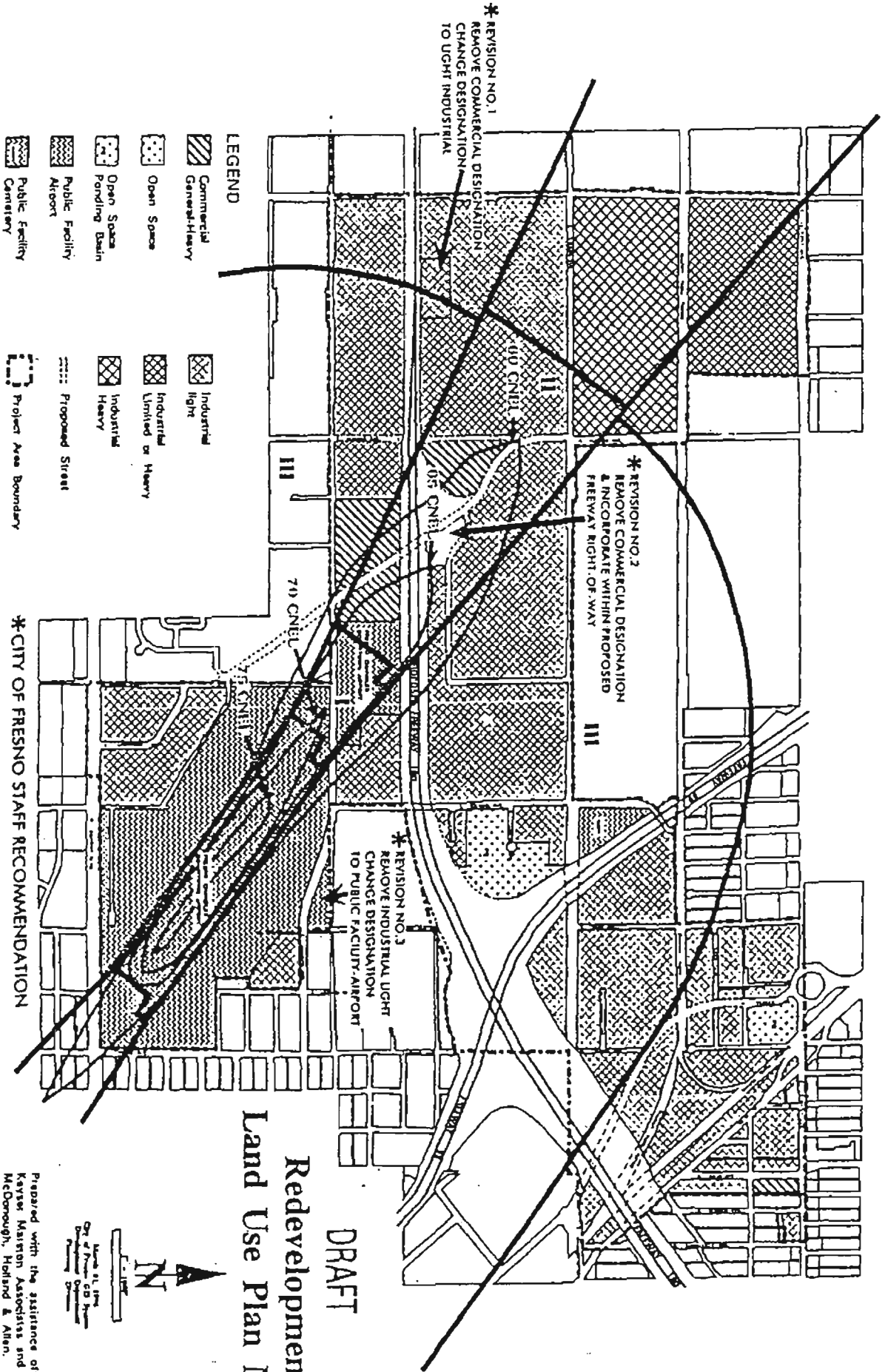


SOURCE: Environmental Science Associates

Roeding Business Park Redevelopment Plan EIR / 950145 ■

Regional Location Map

# EXHIBIT 2



# EXHIBIT 3

## SAFETY AND NOISE COMPATIBILITY COMPARISON<sup>1</sup>

LAND USE CATEGORY	SAFETY ZONE <sup>a</sup>			NOISE CONTOUR <sup>b</sup>		
	1	2	3	65-70	70-75	75+
<b>A. RESIDENTIAL</b>						
1. Single family	N	Y <sup>g</sup>	Y	N	N	N
2. Two family	N	N	Y	N	N	N
3. Multi-family dwelling	N	N	Y	N	N	N
4. Group quarters	N	N	Y	N	N	N
5. Residential hotels	N	N	Y <sup>c</sup>	N	N	N
6. Mobile home parks or courts	N	N	Y <sup>c</sup>	N	N	N
7. Transient lodging - hotels, motels	N	N	Y <sup>c</sup>	N	N	N
8. Other residential	N	N	Y	N	N	N
<b>B. INDUSTRIAL/MANUFACTURING</b>						
1. Food and kindred product	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	Y	N
2. Textile mill products	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	Y	N
3. Apparel	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	Y	N
4. Lumber and wood products	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	Y	N
5. Furniture and fixtures	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	Y	N
6. Paper and allied products	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	Y	N
7. Printing, publishing	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	Y	N
8. Chemicals and allied products	N	N	Y <sup>c</sup>	Y	Y	N
9. Petroleum refining and related industries	N	N	Y <sup>c</sup>	Y	Y	N
10. Rubber and misc. plastic	N	N	Y <sup>c</sup>	Y	Y	N
11. Stone, clay and glass products	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	Y	N
12. Primary metal industries	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	Y	N
13. Fabricated metal products	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	Y	N
14. Misc. manufacturing	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	Y	N
<b>C. TRANSPORTATION, COMMUNICATIONS AND UTILITIES</b>						
1. Railroad, rapid rail transit	Y <sup>o</sup>	Y <sup>e</sup>	Y	Y	Y	Y
2. Highway and street ROW	Y <sup>o</sup>	Y	Y	Y	Y	Y
3. Auto parking lots	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	Y	Y
4. Communications (noise sensitive)	Y <sup>o</sup>	Y	Y	Y	Y	N
5. Utilities	Y <sup>o</sup>	Y	Y	Y	Y	Y
6. Other trans, comm, and util	Y <sup>o</sup>	Y	Y	Y	Y	Y

<sup>1</sup> Appendix B of the Fresno-Chandler Downtown Airport Environs Specific Plan

LAND USE CATEGORYSAFETY ZONE<sup>a</sup>

1 2 3

NOISE CONTOUR<sup>b</sup>

65-70 70-75 75+

D. COMMERCIAL/RETAIL TRADE

1. Wholesale trade	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	Y	N
2. Building materials-retail	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	Y	N
3. General merchandise-retail	N	N	Y <sup>c</sup>	Y	N	N
4. Food-retail	N	N	Y <sup>c</sup>	Y	N	N
5. Automotive	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	N	N
6. Apparel and accessories-retail	N	N	Y <sup>c</sup>	Y	N	N
7. Eating and drinking places	N	N	Y <sup>c</sup>	Y	N	N
8. Furniture, home furnishing-retail	N	N	Y <sup>c</sup>	Y	N	N
9. Other retail trade	N	N	Y <sup>c</sup>	Y	N	N

E. PERSONAL AND BUSINESS SERVICES

1. Finance, insurance and real estate	N	Y <sup>c</sup>	Y <sup>c</sup>	N	N	N
2. Personal services	N	Y <sup>c</sup>	Y <sup>c</sup>	N	N	N
3. Business services	N	Y <sup>c</sup>	Y <sup>c</sup>	N	N	N
4. Repair services	N	Y <sup>c</sup>	Y <sup>c</sup>	N	N	N
5. Contract construction services	N	Y <sup>c</sup>	Y <sup>c</sup>	N	N	N
6. Indoor recreation services	N	Y <sup>c</sup>	Y <sup>c</sup>	N	N	N
7. Other services	N	Y <sup>c</sup>	Y <sup>c</sup>	N	N	N

F. PUBLIC AND QUASI PUBLIC SERVICES

1. Government services	N	N	Y <sup>c</sup>	N	N	N
2. Educational services	N	N	Y <sup>c</sup>	N	N	N
3. Cultural activities incl churches	N	N	Y <sup>c</sup>	N	N	N
4. Medical and other health services	N	N	Y <sup>c</sup>	N	N	N
5. Cemeteries	N	Y <sup>c</sup>	Y	Y	N	N
6. Non-profit organizations	N	N	Y <sup>c</sup>	N	N	N
7. Other public and quasi-public services	N	N	Y <sup>c</sup>	N	N	N

G. OUTDOOR RECREATION

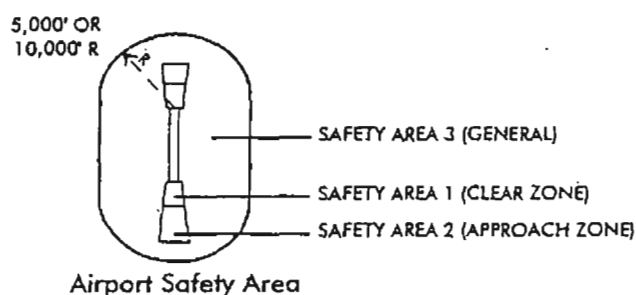
1. Playground, neighborhood parks	N	N	Y <sup>c</sup>	N	N	N
2. Community and regional parks	N	N	Y <sup>c</sup>	N	N	N
3. Nature exhibits	N	Y <sup>c</sup>	Y <sup>c</sup>	N	N	N
4. Spectator sports incl arenas	N	N	Y <sup>c</sup>	N	N	N
5. Golf courses, riding stables	N	Y <sup>c</sup>	Y <sup>c</sup>	Y	N	N
6. Water-based recreational areas	N	N	Y <sup>c</sup>	N	N	N
7. Resort and group camps	N	N	Y <sup>c</sup>	N	N	N
8. Auditoriums, concert halls	N	N	Y <sup>c</sup>	N	N	N
9. Outdoor amphitheaters, music shell	N	N	Y <sup>c</sup>	N	N	N
10. Other outdoor recreation	N	Y <sup>c</sup>	Y <sup>c</sup>	N	N	N

LAND USE CATEGORY	SAFETY ZONE <sup>a</sup>			NOISE CONTOUR <sup>b</sup>		
	1	2	3	65-70	70-75	75+
<b>H. <u>RESOURCE PRODUCTION, EXTRACTION, AND OPEN SPACE</u></b>						
1. Agriculture (except livestock)	Y <sup>c</sup>	Y	Y	Y	Y	Y
2. Livestock farming, animal breeding	N	Y	Y	Y	N	N
3. Forestry activities	N	Y	Y	Y	Y	Y
4. Fishing activities and related services	N	Y	Y	Y	Y	Y
5. Mining activities	N	Y	Y	Y	Y	Y
6. Permanent open space	Y <sup>c</sup>	Y	Y	Y	N	N
7. Water areas	Y <sup>c</sup>	Y	Y	Y	N	N

#### NOTES TO TABLE

- a. Source: "Rio Linda Airport Comprehensive Land Use Plan", Sacramento Regional Area Planning Commission, June 1977.

The Safety Zones corresponds to the areas shown in the diagram below:



- b. Source: "Fresno Air Terminal Environs Area Plan", Table B-1, Peat, Marwich, Mitchel & Co., 1979.

Noise values are expressed in CNEL.

- c. These uses are compatible only if they do not result in a large concentration of people which is defined as a gathering of individuals in an area that would result in an average density of greater than 25 people per acre during a 24-hour period; or a single event that would result in the gathering of more than 50 people per acre for a duration of greater than 2 hours.
- d. A use which includes the following is not permitted in this contour: Professional, scientific and controlling instruments; photographic and optical goods; watches and clocks manufacturing.
- e. No structures in clear zone, no passenger terminals.
- f. No major transmission lines in the clear zone.
- g. Single family residential is a compatible land use only if the population density is less than two single family residences per acre

# EXHIBIT 4

PROPOSED LAND USE DESIGNATION	CITY OF FRESNO ZONING DISTRICT		HEIGHT LIMIT (Stories)
GENERAL HEAVY COMMERCIAL	C-5	General Commercial	35' (2)
	C-6	Heavy Commercial	35' (2)
	C-R	Commercial Recreation	35' (2)
	S-L	Storage/Limited, Mini Storage Facility	11' (1) 35' for caretaker residence
LIGHT INDUSTRIAL	C-M	Commercial & Light Manufacturing	75'
	M-1	Light Manufacturing	50'
	M-1-P	Industrial Park Manufacturing	50' (4)
	S-L	Storage/Limited, Mini Storage Facility	11' (1) 35' for caretaker residence
HEAVY INDUSTRIAL	M-2	General Industrial	None
	M-3	Heavy Industrial	None
	S-L	Storage/Limited, Mini Storage Facility	11' (1) 35' for caretaker residence

EVB:kk  
g:\devs&pln\planning\atl\exhibit4

# FRESNO-CHANDLER DOWNTOWN AIRPORT ENVIRONS AREA SPECIFIC PLAN

## AIRPORT LAYOUT: CLEAR ZONE ELEMENT

