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JAN 17 1969
VOL 5652 PAGE 212
FRESNO COUNTY, CALIFORNIA
J. L. BROWN, COUNTY RECORDER

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
APPROVING THE URBAN RENEWAL PLAN AND THE FEASI-
BILITY OF RELOCATION FOR MARIPOSA MEDICAL CENTER
PROJECT

Alfred H. Hite
BY BERT ROSS

FEE
\$ 2.00

WHEREAS, under the provisions of Title I of the Housing Act of 1949, as amended, the Housing and Home Finance Administrator is authorized to provide financial assistance to Local Public Agencies for undertaking and carrying out urban renewal projects; and,

WHEREAS, it is provided in such Act that contracts for financial aid thereunder shall require that the Urban Renewal Plan for the respective project area be approved by the governing body of the locality in which the project is situated and that such approval include findings by the governing body that: (1) the financial aid to be provided in the contract is necessary to enable the project to be undertaken in accordance with the Urban Renewal Plan; (2) the Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise; (3) the Urban Renewal Plan conforms to a general plan for the development of the locality as a whole; and (4) the Urban Renewal Plan gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan; and

WHEREAS, the Redevelopment Agency of the City of Fresno (herein called the "Local Public Agency") has entered

PASSED JAN 14 1969
EFFECTIVE FEB 14 1969

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into a planning contract for financial assistance under such Act with the United States of America, acting by and through the Housing and Home Finance Administrator, pursuant to which Federal funds were provided for the urban renewal project (herein called the "Project") identified as "Mariposa Medical Center Project" and encompassing the area in the City of Fresno, State of California (herein called the "Locality") described in Exhibit "A" attached hereto.

WHEREAS, the Local Public Agency has applied for additional financial assistance under such Act and proposes to enter into an additional contract or contracts with the Housing and Home Finance Agency for the undertaking of and for making available additional financial assistance for the project; and

WHEREAS, the Local Public Agency has made detailed studies of the location, physical condition of structures, land use, environmental influences, and social, cultural, and economic conditions of the Project area and has determined that the area is blighted area and that it is detrimental and a menace to the safety, health, and welfare of the inhabitants and users thereof and of the Locality at large, because of overcrowding and improper location of structures on the land; conversions to incompatible types of uses, such as rooming houses among family dwellings; obsolete building types, such as large residences or other buildings which through lack of use and maintenance have a blighting influence, detrimental land uses and conditions, such as incompatible uses, structures in mixed use, and adverse influences from noise, smoke, and fumes; unsafe, congested, poorly designed and otherwise deficient streets; inadequate public utilities and community facilities contributing to unsatisfactory living conditions and economic decline and an excessive number of substandard structures; and the members of this Governing

Body have been fully apprised by the Local Public Agency and are aware of these facts and conditions; and

WHEREAS, there has been prepared and referred to the City Council of the Locality (herein called the "Governing Body") for review and approval an Urban Renewal Plan for the Project area, supported by material, data, and recommendations which material, data, and recommendations are in addition to said Urban Renewal Plan; and

WHEREAS, said Urban Renewal Plan has been approved by the Governing Body of the Local Public Agency; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the Locality as a whole; and

WHEREAS, the Planning Commission of the City of Fresno, which is the duly designated and acting official planning body for the Locality, has submitted to the Governing Body its report and recommendations respecting said Urban Renewal Plan for the Project area and has certified that said Urban Renewal Plan conforms to the said general plan for the Locality as a whole, and the Governing Body has duly considered said report, recommendations, and certification of the planning body; and

WHEREAS, said Urban Renewal Plan for the Project area prescribes certain land uses for the Project area and will require, among other things, changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action; and

WHEREAS, the Local Public Agency has prepared and submitted a program for the relocation of families and businesses that may be displaced as a result of carrying out the

Project in accordance with said Urban Renewal Plan; and

WHEREAS, there have also been presented to the Governing Body information and data respecting the relocation program which has been prepared by the Local Public Agency as a result of studies, surveys, and inspections in the Project area and the assembling and analysis of the data and information obtained from such studies, surveys, and inspections; and

WHEREAS, the members of the Governing Body have general knowledge of the conditions prevailing in the Project area and of availability of proper housing in the Locality for the relocation of families that may be displaced from the Project area and, in light of such knowledge or local housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS, it is necessary that the Governing Body take appropriate official action respecting the relocation program and said Urban Renewal Plan for the Project, in conformity with the contract for financial assistance between the Local Public Agency and the United States of America, acting by and through the Housing and Home Finance Administrator; and

WHEREAS, the Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, or national origin; and

WHEREAS, the Governing Body, after due notice as required by law, has held a public hearing for the purpose of considering, and hearing and passing upon objections to, the Urban Renewal Plan;

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

SECTION 1. It hereby is found and determined
that, the hearing provided for herein having been closed,
the Governing Body having heard protests, and over-
ruled the same.

SECTION 2. It is the purpose and intent of the
Governing Body to eliminate blight within the Project area.

SECTION 3. It hereby is found and determined
that the Project is a blighted area, the redevelopment of
which is necessary to effectuate the public purposes de-
clared in Part 1 (commencing with Section 33000) Division
24, California Health and Safety Code, and qualifies as an
eligible Project area under said Part 1.

SECTION 4. Said Urban Renewal Plan for the
Project aforementioned, having been duly reviewed and con-
sidered, hereby is approved, designated as the Official
Redevelopment Plan of the Project area, and incorporated
herein by reference, and the City Clerk hereby is directed
to file a copy of said Urban Renewal Plan with the minutes
of this meeting.

SECTION 5. It hereby is found and determined
that said Urban Renewal Plan for the Project area:

- (a) Would redevelop the area in conformance
with said Part 1 of said Health and Safety Code
and in the interests of a public peace, health,
safety, and welfare;
- (b) Is economically sound and feasible in
its adoption and execution;
- (c) Conforms to the general plan of the
Locality;
- (d) Would promote the public peace, health,

safety and welfare of the Locality in its execution and would effectuate the purposes and policy of said Part I of said Health and Safety Code.

SECTION 6. It hereby is found and determined that the financial aid provided and to be provided pursuant to said contracts for Federal financial assistance pertaining to the Project is necessary to enable the Project to be undertaken in accordance with the Urban Renewal Plan for the Project area.

SECTION 7. It hereby is found and determined that the above mentioned Urban Renewal Plan for the Urban Renewal Area will afford maximum opportunity, consistent with the sound needs of the Locality as a whole, for the urban renewal of such areas by private enterprise.

SECTION 8. It hereby is found and determined that the Urban Renewal Plan for the Urban Renewal Area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health and safety and welfare of children residing in the general vicinity of the site covered by the Plan.

SECTION 9. It is hereby found and determined that the program for the proper relocation of the families displaced in carrying out the Project in decent, safe, and sanitary dwellings in conformity with acceptable standards is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the Project and that such dwellings or dwelling units available or to be made available to such displaced families are at least equal in number to the number of displaced families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of

the displaced families in the Project area, are available at rents or prices within the financial means of the displaced families, and are reasonably accessible to their places of employment.

SECTION 10. It hereby is found and determined that the Governing Body is satisfied permanent housing facilities will be available within three years from the time occupants of the Project area are displaced and, pending the development of such facilities, there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement.

SECTION 11. Condemnation of real property is necessary to the execution of the Urban Renewal Plan and adequate provisions have been made for payment for property to be acquired, as provided by law.

SECTION 12. It hereby is found and determined that, subject to the fiscal provisions of the Charter of the City of Fresno and the laws and Constitution of the State of California, and as part of its Local Grant-in-Aid to the Project required to give effect to the plan, and also as a condition to the receiving of Federal loans and grants with respect to the undertaking and completion of said Project, the Governing Body hereby certifies that for part of its Local Grants-in-Aid it has available, or has set aside or will set aside, funds for the improvements which will be provided to complete or assist in the completion of said Project:

The Chief Administrative Officer hereby is directed to include sufficient moneys to provide the necessary public improvements in his budgetary requests to the Governing Body as may be necessary from time to time, and the Governing Body

will approve them.

SECTION 13. In order to implement and facilitate the effectuation of the Urban Renewal Plan hereby approved it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action, and, accordingly, this Body hereby (a) pledges its cooperation in helping to carry out such Urban Renewal Plan; (b) requests the various officials, departments, boards, and agencies of the Locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with said Urban Renewal Plan; and (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate said Urban Renewal Plan.

SECTION 14. Additional financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, is necessary to enable the land in the Project area to be renewed in accordance with the Urban Renewal Plan for the Project area and, accordingly, the filing by the Local Public Agency of an application or applications for such financial assistance under said Title I is hereby approved.

SECTION 15. Before entering into any contract involving the sale of land within the Project area, the Local Public Agency shall submit such contract to the Governing Body for its approval or disapproval and no such contract shall be entered into without the approval of the Governing Body.

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I hereby certify that the foregoing Ordinance was, at a regular meeting of the Council of the City of Fresno, held on the 2nd day of January, 1969, introduced by Councilman Trombetta, and action thereon under the rules was postponed to the regular meeting of said Council held on the 14th day of January, 1969, at which meeting it was, on motion of Councilman Trombetta, seconded by Councilman Nagel, duly adopted by said Council, by the following vote:

Ayes: Bell, Nagel, Trombetta, Wills

Noes: Casaroda

Absent: WaneMiller, Mayor Hyde

Dated this 15th day of January, 1969

Attest: *Maguicene Lytle*
City Clerk,

By _____
Deputy

(SEAL)

URBAN RENEWAL PLAN
for
MARIPOSA MEDICAL CENTER PROJECT
in the
CITY OF FRESNO, COUNTY OF FRESNO
STATE OF CALIFORNIA

December 1968

REDEVELOPMENT AGENCY OF THE
CITY OF FRESNO, STATE OF CALIFORNIA

ND 401 EXHIBIT 2

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ARTICLE I - THE PLAN

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SECTION 101 Description of the Plan

This Urban Renewal Plan (hereinafter called the "Plan") is for and relates to an Urban Renewal Project in and for that certain project area known as the "MARIPOSA MEDICAL CENTER PROJECT", which is located and situated in the City of Fresno, County of Fresno, State of California, and is prepared under and pursuant to the Community Redevelopment Law - Section 33000 et seq. of the California Health and Safety Code, as amended.

As used in this Plan the words "Urban Renewal Plan" shall refer to an urban renewal plan as defined in the United States Housing Act of 1949, as amended, and to a redevelopment plan as defined in the California Community Redevelopment Law.

ARTICLE II - DESCRIPTION OF PROJECT

SECTION 201 Boundaries of Urban Renewal Project Area

There is attached hereto as Exhibit I and as an integral part of this Plan, a map designated "URBAN RENEWAL PLAN". One purpose of this map is to delineate and show the boundaries of the Project Area.

SECTION 202 Description of Urban Renewal Project Area

The Urban Renewal Project Area consists of approximately 200 acres in the City of Fresno, County of Fresno, State of California, and is described as follows:

Beginning at the intersection of the south line of Ventura Avenue with the southerly extension of the west line of South Angus Street; thence northerly along the west line of South Angus Street to its intersection with the southwest line of Bartlett Avenue; thence northwesterly along said southwesterly line and its prolongation to the northeast line of Tulare Street; thence northeasterly along the southwesterly extension of the southeasterly line and the southeasterly line of Block H of the Town of Fresno, according to map recorded in Book 1, Page 26 of Plats to a point on said southeasterly line of said Block H which is twenty feet southwesterly from the most easterly corner of said block; thence continuing in a northeasterly direction to the intersection of the north line of East Tulare Street and the east line of North Angus Street; thence westerly along the north property line and projected property line of East Tulare Street-Divisadero Street to the intersection of the northeasterly extension of the northwesterly line of Fresno Street; thence southwesterly along the northwesterly property line and its northeasterly extension to the intersection of said line with the northeasterly line of R Street; thence northwesterly along said northeasterly line and its northwestern projection to the intersection with the north line of Divisadero Street; thence westerly along the north property line of Divisadero Street to the intersection of the northwesterly extension of the southwesterly line of P Street; thence southeasterly along said northwesterly projection and along said southwesterly line of P Street to its intersection with the northwesterly line of Tuolumne Street; thence southwesterly along the northwesterly line of Tuolumne Street and its southwesterly projection to its intersection with the southwesterly line of O Street; thence southeasterly along the southwesterly property line of O Street and projected property line to the intersection with the southeasterly line of Fresno Street; thence northeasterly along the southeasterly property line of Fresno Street to its intersection with the southwesterly line of P Street; thence southeasterly along said southwesterly property line of P Street to its intersection with the northwesterly line of Tulare Street; thence southwesterly along said northwesterly property line of Tulare Street and its southwesterly projection to its intersection with the southwesterly line of M Street; thence southeasterly along said southwesterly property line of M Street and projected property lines to the intersection with the southeasterly line of Inyo Street; thence northeasterly along said southeasterly line of Inyo Street and the projected property lines to the intersection with the southwesterly line of O Street; thence southeasterly along said southwesterly line of O Street and projected property lines to the intersection with the southeasterly line of Ventura Street; thence northeasterly and continuously easterly along said southeasterly line of Ventura Street to the point of beginning.

SECTION 203 Types of Proposed Renewal Actions

The Urban Renewal Project (hereinafter called the "Project" or "Project Area") to be undertaken and carried out in the area described in Section 202 hereof, involves urban renewal and redevelopment activities under and pursuant to the Community Redevelopment Law - Sections 33000 et seq. of the California Health and Safety Code, as amended (hereinafter called the "State Law"), and other applicable statutes by the Redevelopment Agency of the City of Fresno (hereinafter called the "Agency") for the elimination and for the prevention of the development or spread of slums

and blight, and includes, to the extent permitted by law and specified in this Plan, or required to undertake and carry out the Plan:

- A. Acquisition of real property, including improved or unimproved land, structures, improvements, easements, incorporeal hereditaments, estates, and other rights in land, legal or equitable.
- B. Provision of relocation assistance to residents and business concerns displaced by this Project.
- C. Demolition, removal, and rehabilitation of buildings and improvements, and development of building sites.
- D. Installation, construction, or reconstruction of streets, utilities, and other improvements necessary for the carrying out in the Project Area the renewal objectives of law in accordance with this Plan.
- E. Disposition of any property acquired in the Project, including sale, initial leasing or retention by the Agency itself, at its fair value for uses in accordance with this Plan.
- F. As determined by the Agency, rehabilitation of structures and improvements, redevelopment, and/or development of now vacant land by present owners or their successors in interest for uses in accordance with this Plan, if the respective owners agree to participate.

SECTION 204 Major Responsibilities of the Agency

In the undertaking and carrying out of the Project and in the implementation of this Plan, the Agency shall be responsible for and shall carry out in the manner provided by law and this Plan the following:

A. Land Acquisition, Demolition, and Clearance

- 1. Acquisition of properties is necessary to the implementation of this Plan, and property to be acquired within the Project, where possible, will be by cooperative negotiation between the owner of such property and the Agency.
- 2. In cases where purchase cannot be negotiated, property shall be acquired by the Agency through the exercise of its right of eminent domain. The Agency will comply with all the provisions of the statutes and Constitution of the State of California and the Department of Housing and Urban Development of the U.S.A., relative to the exercise of the right of eminent domain. Payment for such property shall be in accordance with the State Law, as amended, and with applicable provisions of Federal law.
- 3. After land acquisition as described above, and relocation of families and businesses within the Project Area as described in Subsection B of this Section, the Agency shall clear or cause to have cleared all acquired and vacated improvements not in conformity with this Plan, except those improvements on properties which are not to be acquired, subject to owner participation, which properties may subsequently be acquired and cleared of all improvements if such action is determined by the Agency to be necessary in the interests of the Project. The Agency may clear individual properties as acquired and vacated.

B. Displacement and Relocation of Families, Individuals, and Businesses

The Agency, in discharging its responsibilities under the applicable State Law and the Federal Housing Act of 1949, as amended, will assist all families and single persons displaced from the Project by the Urban Renewal Program to relocate in decent, safe, and sanitary dwellings reasonably accessible to their place of employment and at rents within their means. The Agency has prepared and adopted a Relocation Plan which, in accordance with Sections 33738 and 33739 of the State Law, indicates that the Agency can feasibly relocate all displaced occupants. The Agency will also endeavor in every way to assist displaced businesses to relocate and re-establish themselves within the City of Fresno.

C. Land Disposition

The public interest requires that Project land be made available for redevelopment to assure the highest and best use and the highest practical return to the Project consistent with the requirements of this Plan.

The public interest also requires that disposition of land be effected in a fair and equitable manner and conditioned upon the redevelopment and use of the property in conformity with this Plan.

Lots or blocks of lots, with clear titles, will be offered for sale or lease to individuals, corporations, private or public, or the City of Fresno at a fair market price. Acceptance by the Agency of offers to purchase or lease, and selection of prospective purchasers or lessees, will be considered in the light of minimum qualifying factors for preference, mass acquisition, time of offering, financing, and responsibility.

SECTION 301 Land Use Map

There is attached hereto Exhibit 1 and as an integral part of this Plan, a map designated as the "URBAN RENEWAL PLAN". One purpose of this map is to show:

- A. The right-of-way of all thoroughfares, streets, alleys, and other public rights-of-way to be dedicated, to be retained, to be constructed, or to be improved.
- B. Proposed land use for all land in the Project Area not in public rights-of-way.

SECTION 302 Streets and Highway Adjustments Plan

There is attached hereto as Exhibit 1 and as an integral part of this Plan, a map designated as the "URBAN RENEWAL PLAN". One purpose of this map is to establish the action to be taken by the City of Fresno with respect to the opening and closing of streets, alleys, and other public rights-of-way and easements within and adjacent to the Project. It identifies the existing streets, alleys, and other public rights-of-way to remain, those to be abandoned or vacated, proposed new streets, other public rights-of-way to be established or improved, and existing streets and other public rights-of-way where widening is proposed. Street widening and other improvements to public rights-of-way are tentative, but will be generally as shown.

SECTION 303 Zoning Plan

Attached hereto, as an integral part of this Plan, is Exhibit 2, described as "ZONE PLAN MAP". The purpose of this map is to show the manner in which zoning districts are to be applied to land within the Project Area.

ARTICLE IV - LAND USE PROVISIONS AND BUILDING REQUIREMENTS

SECTION 401 Purposes

In addition to the provisions of any zoning or building ordinance, code, rule or regulation now or hereinafter enforced, and in order to achieve the objectives of this Plan for the purpose of (a) this Plan; (b) any provision of law - Federal, State, or local - having reference to the land uses and other requirements specified or provided in this Plan for the Project Area; and (c) any contract or transaction entered into by the Agency with respect to the Project Area, including its contract with the Federal Government, and its contracts, deeds, and other instruments made with or to private or other parties in connection with the disposition of land in the Project Area for redevelopment or with respect to the use of land in such area, the land lying within and constituting the Project Area, including land not acquired by the Agency, shall be subject to the requirements and restrictions specified in this Article IV and Article V.

SECTION 402 Land Use Proposals

Exhibits 1 and 2 indicate the overall proposals for the development of the Project Area. As indicated thereon, the entire Project Area will be devoted to multi-family residential, commercial, commercial - light manufacturing uses, and freeway rights-of-way. A circulation scheme provides for the movement of traffic throughout the Project Area and provides access to the local street and highway system outside the Project Area.

Existing alleys and some local streets may be abandoned to provide additional land for approved uses and freeway rights-of-way, as indicated on Exhibit 1.

The proposed regulations, controls and restrictions on land use and physical development which are to be applied to land use and properties within this Project Area are contained in this Plan and are generally indicated below:

Land use categories indicated for properties within this Redevelopment Area are shown on Exhibit 2 Zone Plan and include the following districts:

- C-P Administrative and Professional Office District;
- C-C Civic Center District;
- C-4 Central Trading District;
- C-M Commercial and Light Manufacturing District;
- and
- C-C-0 Civic Center Area Modifying District.

The C-P, Administrative and Professional Office District, is intended to provide for the development and maintenance of a concentrated complex of medical facilities and professional, administrative, and business offices, and compatible and related retail and service uses. Where the location of the C-P complex provides for gradual transition, both spatial and temporal, between high intensity commercial areas and surrounding residential uses, the administrative and professional office district offers a satisfactory environment for integration of medium-density multiple family residential uses. The property development standards applicable to residential uses in the C-P District shall be as provided herein. This District provides for the development and maintenance of a mixture of low and medium density multi-family residential dwellings at a general density of not to exceed 28 units per acre (One unit per 1500 sq. ft. of lot area). In addition to the uses permitted in the R-2 district, multi-family dwellings including rooming and boarding houses, apartment houses, fraternities, sororities and similar group housing facilities are also permitted. Both high and low-rise apartments can be included providing, however, that any structure in excess of three stories shall be equipped with appropriate elevators, and subject to the securing of a conditional use permit.

The C-C, Civic Center District, is intended to provide for the development and maintenance of the Civic Center, a grouping of governmental buildings, convention and cultural centers and other public activities adjoining the central business district and an integral part of the Central Area. The primary function of the Civic Center District are special purpose offices, and public assembly buildings forming the nucleus of a governmental and cultural complex. Related commercial uses such as hotels and motels, speciality shops and services, financial institutions, theatres, and general offices and medical facilities are also permitted. The character of the civic center district offers a satisfactory environment for certain types of multiple-family residential development, particularly housing for the elderly, where close proximity to the activities of the Central Area is important. Opportunities exist to provide pedestrian linkages and foci connecting civic center and the central business district. Design and property development standards require architectural and landscaping to create a high quality, park-like setting consistent with the design and development of the major public buildings in the area. The standards for residential uses shall be as specified in the R-3 District, and for commercial uses, the property development provisions of the C-P District shall govern.

The C-A, Central Trading District, is the classification applied to portions of the concentrated regional commercial area serving all or large portions of the urbanized area. The central trading district provides extensive opportunity for comparative retail shopping and commercial services but may also function partially as a community shopping district serving adjoining residential areas. The C-4 District may include several planned regional shopping centers, and functionally unique areas such as medical complexes, office concentrations, financial districts, convention centers, and civic centers which may be protected and encouraged by separate classification. Providing the primary focus for commercial activity within the metropolitan area, it is essential that regional transportation facilities such as

rapid transit or other forms of mass transportation, freeways, and major streets and highways provide access to Central Trading District areas. To enable concentration of commercial uses, residential uses are discouraged except in peripheral locations or transitional areas. The core of the Central Trading District is the superblock surrounding Fulton Mall, a pedestrian shopping axis providing the focus for prime retail and office developments in the central business district. This mall and several intersecting minor malls, a system of independent service roads, a peripheral traffic loop around the Core Superblock, and appropriate parking structures form the framework of public improvements upon which the commercial improvements are developed; all essential elements created by Central Business District redevelopment pursuant to Project Calif. No. R-24.

The C-M, Commercial and Light Manufacturing District, is intended to provide for retail and wholesale sales, light manufacturing and warehousing, distributing and storage, and similar uses required for the service of major retail centers. The C-M District is appropriately applied to transitional areas which include the sales of goods and services similar to those permitted in the heavy commercial district and the manufacturing, processing, fabrication, and storage of goods allowed in industrial zones. Residential uses are considered incompatible and are therefore prohibited in this district.

The C-C-O, Civic Center Area Modifying District, is an overlying zoning district intended to provide special land development standards which will protect and extend the environment created in the Civic Center District. Proximity to this unique concentration of public facilities creates an opportunity to enhance the appearance of adjoining districts by application of special set-back, landscaping, architectural, building height, sign controls, and design review regulations. The land uses permitted and property development standards of the underlying district are otherwise unaltered.

ARTICLE V - REGULATIONS AND CONTROLS, IN THE PROJECT AREASECTION 501 Duration and Covenants to Run with the Land

The requirements and restrictions specified in Article IV and this Article V shall be in force and effect for a period of thirty (30) years from the effective date of the Ordinance adopting this Plan and shall be incorporated in all deeds, contracts, and other instruments of land disposition, leases, and other contracts and instruments as appropriate, as covenants running with the land for said period of thirty (30) years. However, the covenant in respect to restrictions on the basis of race, religion, color, national origin, or ancestry shall run in perpetuity.

SECTION 502 Non-Discrimination

The participating owners, original purchasers, lessees or any successors in interest shall not effect or execute any agreement, lease, conveyance, or other instrument whereby any part of the Project Area acquired from the Agency or retained for the purposes of redevelopment or rehabilitation under this Plan is restricted upon the basis of race, religion, color, national origin or ancestry in the sale, lease, or occupancy thereof.

Lessees and purchasers of real property acquired in the Project Area and owners of properties within the Project Area improved pursuant to this Plan are obligated to refrain from restricting the rental, sale, or lease of the properties on the basis of the race, color, religion, ancestry, or national origin of any person.

All deeds, leases, or contracts for the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of any land in the Project shall be submitted to the Agency for approval and shall contain express provisions in substantially the following form:

- A. In deeds the following language shall appear--"The grantee herein covenants by and for himself, his heirs, executors, administrators, and assigns, and all persons claiming under or through them, that there shall be no discrimination against, or segregation of, any person or group of persons on account of race, color, creed, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises herein conveyed, nor shall the grantee himself or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the premises herein conveyed. The foregoing covenants shall run with the land".
- B. In leases the following language shall appear--"The lessee herein covenants by and for himself, his heirs, executors, administrators, and assigns, and all persons claiming under or through them, and this lease is made and accepted upon and subject to the following conditions: That there shall be no discrimination against or segregation of any person or group of persons, on account of race, color, creed, national origin, or ancestry, in the leasing, subleasing, transferring, use, occupancy, tenure, or enjoyment of the premises herein leased, nor shall the lessee himself, or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy, of tenants, lessees, sublessees, subtenants, or vendees in the premises herein leased".

- C. In contracts entered into by the Agency relating to the sale, transfer or leasing of land or any interest therein acquired by the Agency within the Project, the foregoing provisions in substantially the form set forth shall be included and such contract shall further provide that the foregoing provisions shall be binding upon and shall obligate the contracting party or parties, and any subcontracting party or parties, or other transferees under the instrument.

SECTION 503. Land Use Proposals for Properties to be Rehabilitated

All properties, the use of which conform to this Plan, have been designated as properties which may not be acquired subject to owner participation. Where the structures on the properties are economically feasible to rehabilitate and the proposed reuse conforms to the Urban Renewal Plan, it is anticipated that these properties will be rehabilitated as necessary to be in conformance with the Property Rehabilitation Standards described in Article VII, so as to be in conformance with the controls of this Plan.

Deleted duplicate provisions of Article VII

ARTICLE VI - PROJECT PROPOSALSSECTION 601 Extent of Acquisition, Demolition, and Clearance

As indicated in Section 203 hereof, this Project involves clearance, redevelopment, and rehabilitation activities. Accordingly, the Agency will acquire by purchase, eminent domain, or otherwise, all real property, including improved or unimproved land, structures, improvements, easements, incorporeal hereditaments, estates, and other rights in land, legal or equitable, situated and lying within the Project Area and will demolish and clear the area of all buildings, structures, or improvements located therein necessary to prepare the land for its new uses, except that the Agency does not now propose to acquire, demolish, or clear those properties indicated as "may not be acquired (subject to owner participation)" provided, however, that the Agency, in the overall interests of the Project, may acquire or demolish or clear any or all of such properties not to be acquired as the Agency subsequently determines such action to be necessary to carry out this Plan.

Exhibit 2, "ZONE PLAN", indicates the proposed land use for all land in the Project Area.

SECTION 602 Lots or Portions of Properties Which May Not Be Acquired (Subject to Owner Participation)

The parcels indicated on Exhibit 3, Acquisition Map, are designated as properties which "may not be acquired (subject to owner participation)".

The Agency will negotiate action to effect agreements with owners of the above properties whereby these properties will be subject to the regulations and controls of this Plan as covenants running with the land. In the event that any owner is unable or for any reason refuses to enter into such an agreement, his action shall constitute, in addition to any other basis, a basis for the Agency's acquisition of the property in question and all interest therein sufficient to insure compliance with the provisions and controls of this Plan.

ARTICLE VII - REHABILITATION OF STRUCTURESSECTION 701 Rehabilitation

The Project to be undertaken and carried out pursuant to this Plan will involve rehabilitation of certain structures and improvements.

SECTION 702 Properties to be Rehabilitated

Properties indicated on Exhibit 3 as properties which "may not be acquired (subject to owner participation)", can be rehabilitated by means that are economically feasible and also conform to the proposed reuses in the Urban Renewal Plan. These properties will be rehabilitated as necessary and will be brought into conformance with the controls of this Plan.

SECTION 703 Methods and Manner of Achieving RehabilitationA. Method of Achieving Rehabilitation

Rehabilitation of structures and improvements shall be undertaken and accomplished by the owners of such properties at their own expense pursuant to an agreement with the Agency which agreement, among other things, will obligate such owners and their heirs and assigns to:

1. Devote such property to the uses specified by this Plan and to abide by all the other provisions and conditions of this Plan for the period of time that this Plan is in force and effect.
2. To begin and complete within reasonable times to be specified by such agreement the required improvements to the property.
3. Such other conditions as the Agency deems necessary to carry out this Plan and incorporate in said agreement.

B. Manner of Carrying Out.

The owner of any property to be rehabilitated will be notified by the Agency as soon as possible after final determination that rehabilitation of such property is feasible and that the necessary agreement is ready for execution. Upon execution of such agreement, the Agency will, to the extent permitted by law, assist the owner in bringing about the rehabilitation of the property. In the event that an owner fails to execute an offered owner participation agreement or fails to carry out the terms of such an agreement, the Agency will acquire the affected property by purchase or by exercising its right of eminent domain and will either sell the property as is for redevelopment or rehabilitation by others pursuant to appropriate agreement, or will clear and demolish the structures and improvements on such property prior to disposition of the land for uses in accordance with this Plan.

SECTION 704 Standards for Satisfactory Rehabilitation

A. Structural Requirements

A structure or improvement to be rehabilitated pursuant to this Plan will be considered to be satisfactorily rehabilitated, and the Agency will so certify, if the rehabilitated structure or improvement meets the following standards:

B. Manner of Carrying Out

The owner of any property to be rehabilitated will be notified by the Agency as soon as possible after final determination that rehabilitation of such property is feasible and that the necessary agreement is ready for execution. Upon execution of such agreement, the Agency will, to the extent permitted by law, assist the owner in bringing about the rehabilitation of the property.

In the event that an owner fails or refuses to execute an offered owner participation agreement, the Agency will either:

1. Impress by an action at law upon all or any part of the affected property.
 - a. The obligation on the property of rehabilitation of the structures and improvements thereon to the standards for satisfactory rehabilitation provided in Section 604 of this Plan.
 - b. The devotion of such property to the uses specified in this Plan and to abide by all other provisions and conditions of this Plan for the period of time this Plan is in force and effect.
 - c. The beginning and completion, within reasonable times, of the required improvements to the property.
 - d. The non-discrimination provisions contained in Section 804 of this Plan.

- OR 2. Acquire in affected property by purchase or by exercise of the Agency's right of eminent domain and may either sell the property so acquired for rehabilitation by others pursuant to appropriate agreement, or may clear and demolish the structures and improvements on such property prior to disposition of the land for uses in accordance with this Plan.

SECTION 704 Standards for Satisfactory Rehabilitation

A. Structural Requirements

A structure or improvement to be rehabilitated pursuant to this Plan will be considered to be satisfactorily rehabilitated, and the Agency will so certify, if the rehabilitated structure or improvement meets the following standards:

1. Any such property within the Project shall be required to conform to all applicable provisions, requirements and regulations of this Plan, except as provided in this Section. Upon completion of rehabilitation, each structure must be safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue during the life of any new or existing mortgage and extend the remaining economic life of the property to a minimum of thirty (30) years.
2. Further, where not less restrictive than this Plan, any such property shall conform to the applicable provisions, requirements and regulations of the following existing City Ordinances or their equivalents hereinafter enacted or codified.
 - a. City's Zoning Ordinance, Articles 1 through 4, inclusive, Chapter 12 of the City's Municipal Code.
 - b. City's Subdivision Ordinance, Article 10, Chapter 12 of the City's Municipal Code.
 - c. City's Building Regulations Article 1, Chapter 13 of the City's Municipal Code.
 - d. City's Dangerous Building Ordinance, Article 12, Chapter 13 of the City's Municipal Code. Changes or repairs necessitated by this requirement shall meet the requirements of the Uniform Building Code, 1950 Edition, as adopted by the City of Fresno.
 - e. City's Plumbing Regulations, Article 7, Chapter 13 of the City's Municipal Code; existing plumbing systems and fixtures shall be subject to the provisions of Section 1.6 of said plumbing regulations. All necessary changes and/or repairs to existing plumbing systems and fixtures shall meet the requirements for new work.
 - f. City's Electrical Regulations, Article 4, Chapter 13 of the City's Municipal Code; existing electrical wiring and equipment shall be subject to the provisions of Subsection (a) of Section 13-400 of the Municipal Code, City of Fresno. All necessary changes and/or repairs to existing electrical wiring or equipment shall meet the requirements for new work.
 - g. City's Health Regulations, Chapter 9 of the City's Municipal Code.
 - h. In addition to the other controls of this Plan and the other requirements of the Rehabilitation Standards, and notwithstanding the provision of Subsection (d), Section 19100 of Article 1 of Chapter 2 of Part 3 of Division 13 of the California Health and Safety Code, all existing buildings to be retained within the Project Area shall be repaired, altered or reconstructed in such a manner that they will have a degree of seismic force resistance equal to at least 66-2/3 per cent of that required for new buildings of equivalent size, location, use and occupancy by the Uniform Building Code, 1950 edition, as adopted by the City of Fresno.
 - i. All other applicable codes, ordinances and regulations of the City, County, State and Federal Government.

B. Architectural Review

In the case of those structures which, through structural survey, have been determined to be capable of being rehabilitated to meet the requirements set forth by this Section, the following actions will be taken:

1. The owner will enter into an owner participation agreement with the Redevelopment Agency of the City of Fresno.
2. Proposed exterior design, exterior color scheme and other proposed aesthetic features will be reviewed by an Advisory Architectural Committee selected by the Redevelopment Agency of the City of Fresno and approved by the City of Fresno.
3. Prior to the issuance of a building permit, the plans for effecting rehabilitation, including the engineering plan, elevations and/or perspectives, shall be subject to review and approval of the Advisory Architectural Committee as specified in this Plan.

ARTICLE VIII - REDEVELOPERS' OBLIGATIONS

SECTION 001 Time Limit on Development

- A. Purchasers of land within the Project Area shall be required to commence construction not later than one year after conveyance of title to the developer. Construction shall be completed within time limits specified by the Agency.
- B. Owner participation agreements shall contain provisions governing initiation and completion of construction of such site improvements as are required in each case.

SECTION 002 Review of Plans

- A. No construction shall be undertaken in the Project Area until site development plans of the developer shall have been approved by the Agency in writing. Approval shall be granted if such plans will effectuate the purposes of this Plan and meet the standards herein set forth. The developer shall submit, among other things, gross floor area data for his proposed development.
- B. Site development plans shall include:
 - 1. Boundaries of the subject property.
 - 2. Location of building on the subject property with its maximum coverage noted.
 - 3. Point(s) of vehicular ingress and egress.
 - 4. Off-street parking and, where applicable, off-street loading.

SECTION 003 Prevention of Speculation in the Holding of Land

It is deemed to be in the public interest to develop the land in conformity with this Plan in the shortest possible time and to prohibit unreasonable holding of land. No developer shall, except with the prior written consent of the Agency, resell, lease, sublease, or otherwise dispose of land in the Project Area until the construction on said land has been completed and all the obligations imposed on such developer by this Plan have been discharged.

SECTION 901 Public Hearings

- A. Pursuant to the Community Redevelopment Law of the California Health and Safety Code, as amended, the Redevelopment Agency of the City of Fresno on January 2, 1969, at 3:00 p.m., held a public hearing on this Plan, after due notice mailed to the last known assessee of each parcel of land within the Project Area at his last known address as shown by the records of the Assessor of Fresno County, California, and after proper published notice of this hearing in a newspaper of general circulation, printed and published in Fresno, California. Subsequent thereto and on January 2, 1969, by its Resolution No. _____ the Agency approved and adopted the Urban Renewal Plan for the MARTINEZ MEDICAL CENTER PROJECT.
- B. Pursuant to the above described Community Redevelopment Law of the California Health and Safety Code, as amended, the City Council on January 2, 1969, at 3:00 p.m. in Fresno California, having published notice thereof conducted a public hearing to determine:
1. The project area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in this part.
 2. The redevelopment plan would redevelop the area in conformity with this part and in the interests of the public peace, health, safety, and welfare.
 3. The adoption and carrying out of the redevelopment plan is economically sound and feasible.
 4. The redevelopment plan conforms to the master or general plan of the community.
 5. The carrying out of the redevelopment plan would promote the public peace, health, safety, and welfare of the community and would effectuate the purposes and policy of this part.
 6. The condemnation of real property, if provided for in the redevelopment plan, is necessary to the execution of the redevelopment plan and adequate provisions have been made for payment for property to be acquired as provided by law.
 7. The agency has a feasible method or plan for the relocation of families and persons displaced from the project area, if the redevelopment plan may result in the temporary or permanent displacement of any occupants of housing facilities in the project area.
 8. There are or are being provided in the project area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons 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.

SECTION 902 Approval of Plan by Planning Commission

Pursuant to the Community Redevelopment Law of the California Health and Safety Code, as amended, this Plan was prepared by the Agency, in cooperation with the Planning Commission of the City of Fresno and by the retention of qualified consultants, and was submitted to the Planning Commission of the City of Fresno for its report and recommendation. Subsequent thereto and on December 17, 1968, by Resolution No. _____, said Planning Commission made its report that this Plan is in conformity with the General Plan adopted by the City Council, and further, said report recommended that the City Council approve and adopt this Plan.

SECTION 903. Approval of Plan by City Council - City of Fresno

- A. Pursuant to the Community Redevelopment Law of the California Health and Safety Code, as amended, approval of this Plan by the City Council of the City of Fresno shall be by Ordinance. The Ordinance shall:
1. Contain a legal description of the boundaries of the Project Area covered by this Plan.
 2. Set forth the purposes and intent of said Council with respect to the Project Area.
 3. Contain the findings and make the declarations of intention and determinations required in applicable sections of said Community Redevelopment Law of the California Health and Safety Code, as amended.
 4. Incorporate by reference to maps, reports, and other information the full details of the approved Plan.
 5. Designate the approved Plan as the official Urban Renewal Plan of the Project Area.
- B. Pursuant to Article VI of the Charter of the City of Fresno, the effective date of said Ordinance shall be thirty (30) days from and after the date of its adoption.
- C. The Ordinance shall be filed with the City Clerk and a copy of said Ordinance shall be sent to the Agency, and thereupon, the Agency shall become vested with the responsibility for carrying out the Plan. In addition, after the adoption of the Urban Renewal Plan by the City Council there will be recorded with the County Recorder of the County of Fresno, State of California, a description of the land within the Project Area and a statement that proceedings for the redevelopment of the Project Area pursuant to the Community Redevelopment Law of the State of California have been instituted. Recordation shall be in compliance with the provisions of Section 27295 of the Government Code of the State of California and shall, to the extent applicable, be effected as promptly as possible following adoption of the Urban Renewal Plan by the City Council.
- D. Before entering into any or certain types of contracts in connection with the Plan, the Council may require the Agency to submit such contracts to said Council and obtain its approval.
- E. This Plan, in Articles VI and VII above, provides for participation in the redevelopment and/or rehabilitation of property in the Project by owners of such property. If the owners of any such property fail or refuse to enter into a binding agreement within a reasonable time to be determined by the Agency for participation in accordance with this Plan, the provisions of said Articles VI and VII of this Plan, concerning the acquisition of such property by the Agency, shall apply.

SECTION 904. Effectuation of Zoning Changes

- A. For this Plan to be legally carried out, it is necessary that the present zoning applicable within the Project Area be changed as indicated on Exhibit 2 "ZONE PLAN MAP."
- B. Upon official request by the Agency, applicable zone change action shall be commenced by the City Planning Commission at such time as sufficient land has been acquired and such zone changes shall be completed prior to the disposition of affected property.
- C. All zone changes shall be in conformity with the provisions of this Plan, the City Charter, and the City Zoning Ordinance.

ARTICLE X - FINANCING:- SECTION 1001. Methods of Financing the Project

For financing purposes, the Agency will include the financing of the project in the Neighborhood Development Program of the Department of Housing and Urban Development of the United States of America (hereinafter called the "Government") in a form satisfactory to the Government, under the provisions of Title I of the Housing Act of 1949, as amended.

One fourth of the net project cost of carrying out and execution of the project under such program of financing under the Government must be met by non-federal sources.

The City of Fresno and/or other local public bodies may grant sums of money to the Agency or may undertake to provide certain site improvements or supporting facilities in accordance with the provisions of this Plan. Any such contributions in connection with the Project shall be included in the gross project cost to the extent that they are determined to be eligible for such inclusion and shall further be held to be a portion of the local share of the net project cost.

SECTION 1002. Payment for Property Condemned

Any funds borrowed by any or all of the means described above will include funds to pay for property acquired by the Agency. The Agency will pay the fair market value of all properties acquired. In the condemnation of any real property, the Agency will comply with all the provisions of the statutes and Constitution of the State of California relative to the exercise of the right of eminent domain and the provisions of the Department of Housing and Urban Development of the United States of America.

Added Section 1003 unintentionally omitted

ARTICLE X - FINANCING

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SECTION 1003 Tax Increment

In addition to the previous sections, the Agency may from time to time borrow money by any means legally available to it, including the issuance of bonds, and it may expend such money for any or all of the following purposes:

Repayment of monies advanced by the Government for planning the Project.

Acquisition of Project land and existing improvements.

Preparation of Agency acquired land for disposition.

Expenses in connection with disposition of the Project land

Expenses of administering the Project, including interest charges.

The City of Fresno and/or other local public bodies may grant sums of money to the Agency or may undertake to provide certain site improvements or supporting facilities in accordance with the provisions of this Plan. Any such contributions in connection with the Project shall be included in the gross project cost to the extent that they are determined to be eligible for such inclusion and shall further be held to be a portion of the local share of the net project cost.

The Agency may issue its bonds in one or more series, in such amounts, and on such terms and conditions as the Agency shall from time to time determine, including without limiting the generality of the foregoing, the rate of interest and the time, place and medium of payment thereof, the dates of issue and maturity, the denominations and whether coupon or registered, and the manner of calling or redeeming prior to maturity.

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

A. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment projects 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); and

B. That portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into such a special fund of the Agency to pay the principal of and interest on bonds, loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Urban Renewal Project. Unless and until the total assessed value 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 Paragraph A 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 bonds, loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys 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 Paragraph B hereof are hereby, and in any proceedings of the Agency for the advance of moneys or making of loans or issuance of bonds shall be, irrevocably pledged for the payment of the principal of and interest on said advances, loans, or bonds.

SECTION 1101 Amendment of Plan

After adoption of the Plan by the City Council of the City of Fresno, the provisions of the Plan may be amended by said Council only by formal written amendment duly approved and recommended by the Agency and within the provision of Chapter 4, Article 12 of the Community Redevelopment Law of the State of California.

Variances:

Under exceptional circumstances the Executive Director of the Agency is authorized to permit a variation from the limits, restrictions and controls of this Plan. In order to permit such a variation the Executive Director must first determine that:

1. The application of certain provisions of the Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Plan.
2. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not generally apply to other properties having the same standards, restrictions and controls.
3. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area.
4. Permitting a variation will not be contrary to the objectives of the Plan.
5. For a period of fifteen (15) days after a decision by the Executive Director, either granting or denying a variation, such granting or denial may be appealed to the Agency in writing by an affected property owner, setting forth the reason for such appeal.

No such 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 variance the Executive Director shall impose such conditions as are necessary to protect the public health, safety, or welfare and to assure compliance with the general purpose of this Plan.