

Document 3082
Revised May 29, 1971
Bk 5296 Pg 134

BILL NO. 1351

INTRODUCED BY COUNCILMAN Camacho

ORDINANCE NO. 71-48

AN ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AMENDING CITY OF FRESNO ORDINANCE NO. 6517 AS AMENDED BY CITY OF FRESNO ORDINANCE NO. 6601 IN ORDER TO ADOPT AND APPROVE AMENDMENT TO THE URBAN RENEWAL PLAN FOR WEST FRESNO PROJECT ONE, PROJECT NO. CALIF. R-35

WHEREAS, on September 24, 1964, the Council of the City of Fresno enacted Ordinance No. 6517 approving the Urban Renewal Plan and the Feasibility of Relocation for West Fresno Project One, Project No. Calif. R-35, and found that the relocation planned for West Fresno Project One, Project No. Calif. R-35 was feasible; and,

WHEREAS, on April 1, 1965, said Council enacted Ordinance No. 6601 amending Ordinance No. 6517 to amend the Urban Renewal Plan; and,

WHEREAS, on April 29, 1971, the governing body of the Redevelopment Agency of the City of Fresno (herein called the "Local Public Agency") approved and adopted the Urban Renewal Plan amendment as shown in the document entitled "Amendments to Urban Renewal Plan for West Fresno Project One, Project No. Calif. R-35, dated March, 1971, marked Exhibit "A" and attached hereto and herein called the "Amendment"; and,

WHEREAS, the Amendment will not effect substantial changes in the Urban Renewal Plan which affect the master or community plan and no hearing is required by the Planning Commission; and,

WHEREAS, the Council having considered the Amendment and all of the evidence and testimony for and against the Amendment; and,

WHEREAS, the Council is cognizant of the conditions that are imposed in the carrying out of the urban renewal project with federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, or national origin;

NOW, THEREFORE, the Council of the City of Fresno does ordain as follows:

SECTION 1. The Council hereby determines that the Amendment proposed by the Local Public Agency is necessary and desirable.

PASSED May 6, 1971
EFFECTIVE June 6, 1971

Recorded By Fresno
County Recorder

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SECTION 2. Ordinance No. 6517 of the City of Fresno, as amended by Ordinance No. 6601 of the City of Fresno, adopting the Urban Renewal Plan is amended to amend the Urban Renewal Plan in the particulars set forth in the Amendment annexed hereto, marked Exhibit "A," and hereby made a part of this ordinance with the same force and effect as if fully set forth herein.

SECTION 3. The Amendment does not effect substantial changes in the Urban Renewal Plan which affect the master or community plan. The Amendment shall form a part of the Urban Renewal Plan as fully and with the same effect as if the Amendment had been set forth in the Urban Renewal Plan. The Urban Renewal Plan is hereby ratified and confirmed as heretofore amended, and shall continue in full force and effect in accordance with the provisions thereof as amended by the Amendment which is hereby approved and adopted.

SECTION 4. All acts, conditions, and things required by law to exist, happen, or be performed, precedent to or in connection with the Amendment, have duly existed, happened, and have been performed in due time, form, and manner as required by law.

SECTION 5. The City Clerk of the City of Fresno is hereby authorized and directed to send a copy of this ordinance to the Local Public Agency and the Local Public Agency is vested with the responsibility for carrying out the Amendment.

SECTION 6. The City Clerk of the City of Fresno is hereby authorized and directed to record the Amendment in compliance with Section 27295 of the Government Code of the State of California, as promptly as practicable following adoption of the Amendment by this Council.

SECTION 7. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage.

* * *

AQM/p
4/27/71

March 1971

AMENDMENTS TO
URBAN RENEWAL PLAN FOR
WEST FRESNO PROJECT ONE, PROJECT NO. CALIP. R-35

Adopted September 24, 1964
Amended April 1, 1965

ARTICLE I

Exhibits, Map Nos. 1 and 2, to be amended per attached maps.

ARTICLE II

No changes

ARTICLE III - Land Use Plan

Section 301 Land Use Map

No changes in text, but Map No. 1 designated as Project Area Plan is to be amended as per attached map.

Section 302 Street and Highway Adjustments Plan

No changes

Section 303 Zoning Plan

No changes in text, but Map No. 2 designated as "Existing and Proposed Zoning Map" is to be amended as per the attached map.

Section 304 Land Use Provisions and Building Requirements

A. Purposes.

No changes.

B. Permitted Uses and Land Use Controls.

Amend to read as follows: Map No. 1, Project Area Plan indicates the overall proposals for the development of the Project Area. As indicated thereon, the Project Area will be devoted to commercial-residential, and

EXHIBIT "A"

commercial-industrial uses. Local Streets may be provided if required for access along the existing alignment and within the existing right-of-way of Merced Street between "B" and "P" Streets, and along the existing alignment and within the existing right-of-way of "B" Street between Fresno and Tuolumne Streets, in the parcel bounded by Freeway 99, Tuolumne, "F" and Fresno Streets, either along present rights-of-way or alternate alignments acceptable to the City of Fresno.

If the streets are abandoned, public utility easements will be provided as required.

It is proposed to develop the Project Area for uses as indicated on the "Project Area Plan", Map No. 1. The proposed regulations, controls and restrictions on land use and physical development which are to be applied to land use and properties within the Project Area are as follows:

I. Commercial-Residential Areas.

a. Permitted Uses:

- (1) Antique Shops
- (2) Appliance sales, household
- (3) Art galleries
- (4) Artist studios
- (5) Auction houses
- (6) Auditoriums
- (7) Automobile parts sales, new

- (8) Automobile sales with incidental repair and service, any repair and service shall be conducted within an enclosed building, subject to approval of the Director of the Planning and Inspection Department.
- (9) Automobile service stations, subject to the approval of the Planning Commission of the City of Fresno.
- (10) Bakery, retail
- (11) Bakery goods, retail sales only
- (12) Banks
- (13) Barber shops
- (14) Bars and cocktail lounges
- (15) Baths, Turkish, etc.
- (16) Beauty shops
- (17) Bicycle shops
- (18) Billiard parlor, subject to approval of the Director of the Planning and Inspection Department.

Renumber as required

- (19) Books
- (20) Bowling alleys
- (21) Building and loan offices
- (22) Business colleges
- (23) Bus terminals, subject to the approval of the Planning Commission of the City of Fresno
- (24) Cafeterias
- Caretakers' residence
- (25) Carpet sales, retail

- (26) Cleaning and dyeing shop, retail only, dry cleaning clothes in enclosed machines, using non-inflammable cleaning compounds
- (27) Clothing stores
- (28) Commercial schools
- (29) Communications equipment building
- (30) Confectionery, with incidental manufacturing
- (31) Dairy products
- (32) Dancing academies
- (33) Delicatessen
- (34) Department stores
- (35) Drive in restaurant, subject to approval of the Planning Commission of the City of Fresno
- (36) Drug stores
- (37) Dry goods
- (38) Electrical distribution substation, subject to the approval of the Planning Commission of the City of Fresno
- (39) Employment agency
- (40) Exhibit halls
- (41) Financial institutions
- (42) Florist shops
- (43) Fruit and vegetable stores
- (44) Furniture stores
- (45) Garden supplies
- (46) Gift shops
- (47) Glass store and glazing

- (48) Grocery stores
- (49) Gymnasium
- (50) Hardware stores
- (51) Health foods
- (52) Hobby shops
- (53) Home furnishings
- (54) Hotels for either transient or permanent guests. Residential apartments limited to not more than one bedroom
- (55) Ice cream
- (56) Ice and food products dispensing machines (not over 100 cubic feet) subject to the approval of the Planning Commission of the City of Fresno
- (57) Institutions of a philanthropic nature, except correctional and mental
- (58) Jewelry stores
- (59) Laboratories
 - (a) Biological
 - (b) Dental
 - (c) Medical
- (60) Laundry and dry cleaning pickup agencies for work to be done elsewhere
- (61) Laundry, self-service
- (62) Leather goods and luggage
- (63) Libraries
- (64) Liquor products, packaged
- (65) Lodges, clubs and fraternal organizations

- (66) Lunch rooms
- (67) Meat markets
- (68) Meeting halls
- (69) Microwave relay stations
- (70) Millinery
- (71) Motels
- (72) Motion picture theaters
- (73) Museum
- (74) Music institutions
- (75) Music stores
- (76) Natatoriums
- (77) Newspaper publishing
- (78) Newspaper stands
- (79) Notions
- (80) Offices
 - (a) Administrative
 - (b) Business
 - (c) General
 - (d) Medical
 - (e) Professional
- (81) Pawn shops, subject to the approval of
the Planning Commission of the City of
Fresno
- (82) Pet shops
- (83) Photographic studios and supplies
- (84) Picture framing
- (85) Plant nurseries
- (86) Post office
- (87) Print shop, lithographing, publishing
and blueprinting

- (88) Public parking lots or structures, subject to approval of the Director of the Planning and Inspection Department
- (89) Radio and television broadcasting studios
- (90) Radio and television sales and service
- (91) Reading rooms
- (92) Reducing salons
- (93) Restaurants
- (94) Secondhand goods sales, within a completely enclosed building, subject to the approval of the Planning Commission of the City of Fresno
- (95) Shoe repair shops
- (96) Shoe stores
- (97) Signs, subject to subsection C-11
- (98) Skating rinks
- (99) Small animal veterinary hospitals and clinics, within a completely enclosed building, with no boarding except as is incidental to veterinary care, subject to the following provisions:
Small animal veterinary hospitals and clinics shall be designed and constructed so that sound emitted through exterior walls and roof enclosing areas in which animals are kennelled or treated shall not exceed sixty-five (65) decibels. Incineration shall be prohibited.

- (100) Soft drink fountains
- (101) Sporting goods
- (102) Stationery stores
- (103) Super drug stores
- (104) Super markets
- (105) Taxidermist
- (106) Telephone booths
- (107) Tire sales, retail only
- (108) Tobacco products
- (109) Toy stores
- (110) Tropical fish raising
- (111) Upholstery, automobile and furniture, subject to approval of the Director of the Planning and Inspection Department
- (112) Variety stores
- (113) Water pump stations, subject to approval of the Director of the Planning and Inspection Department

The permitted uses listed in this section shall be subject to special permit requirements of the Zoning Ordinance of the City.

b. Land Use Controls.

- 1. Lot Area - No change
- 2. Lot Dimensions - No change
- 3. Population Density - No change
- 4. Building Height - No change.
- 5. Setbacks - Amend to read:

a. For parcels more than one (1) acre in area:

There shall be a minimum landscaped setback of twenty (20) feet from all rights-of-way street lines. This landscaped setback shall be improved and maintained in accordance with the provisions of the Fresno City zoning ordinance.

6. Yards - Amend to read:

No requirements, subject to the requirements of paragraph c.5 b.5 of this section.

7. Space between Buildings - No change

8. Lot Coverage - No change

9. Bulk Design - No change

10. Off-Street Parking - Amend to read as follows:

The design of all required parking spaces shall conform to "Parking Space Standards - Part I", adopted January 7, 1969, by Resolution No. 4815 of the Planning Commission of the City of Fresno, or as such standards may hereafter be amended.

Parking spaces shall be on the same lot with the commercial-residential or related use or within three hundred (300) feet therefrom and available for use by occupants and customers, as provided by City Ordinance. The following are the minimum ratios that shall be provided:

a. No change

b. No change

- g. For coin-operated vending machines, having more than one hundred (100) cubic feet located outdoors. There shall be at least two (2) parking spaces provided for each such machine.

Renumber as required

- d. No change
- e. No change
- f. No change
- g. No change
- h. No change
- i. For mortuaries, funeral homes and similar establishments. There shall be one (1) parking space for each twenty (20) square feet of floor area of assembly rooms, plus one (1) space for each employee, plus one

{1} space for each car owned by such establishment.

j. No change

k. No change

(1) No change

(2) No change

(3) No change

l. For small animal veterinary hospitals and clinics. There shall be provided four {4} parking spaces for each doctor in any building per each employee.

m. No change

11. Outdoor Advertising - No change
12. Loading - No change
13. Fire Protection - No change

II. Commercial-Industrial District.

No change

Section 305 Regulations and Controls in the Project Area

No change

ARTICLE IV - Project Proposals

Section 401 Extent of Acquisition, Demolition and Clearance

No changes

Section 402 Lots or Portions of Properties Which May Not Be
Acquired (Subject to Owner Participation)

No change

Section 403 Rehabilitation of Structures

A. Incidental Rehabilitation - No changes

B. Methods and Manner of Achieving Rehabilitation

1. No change

2. Manner of Carrying Out, Amend to read as follows:

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~~ may acquire the affected property by purchase or by exercising its right of eminent

domain and will either sell the property as is for re-development 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 404 Rehabilitation Standards

No change

Section 405 Redevelopers' Obligations

No change

ARTICLE V - Other Provisions Necessary to Meet State and Local Requirements

No change

ARTICLE VI - Changes of Plans

Section 601 Amendment of Plan

No change

Add New Section

Section 602 Variations

A. 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 make findings 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.

B. CONDITIONS.

The granting of any variation may be subject to such conditions as may be deemed appropriate or necessary to assure compliance with the intent and purpose of this Plan or to protect the public health, safety, or welfare. Any condition shall be reasonably related to the needs of the public, or the needs of owners or occupants of the affected property or properties in the neighborhood, which may be caused by the proposed development or use.

C. APPEAL.

Within fifteen days after a decision granting or denying a

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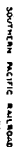
variation by the Executive Director, any interested person may appeal to the Agency from such decision or the conditions of granting a variation. The appeal shall be in writing, stating the reasons therefor, on a form or in such form as may be required by the Executive Director. The Agency, subject to the requirement of findings in paragraph A, above, may affirm, reverse or modify the decision or the conditions appealed from.

D. USE VARIATIONS.

A variation shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by this Plan and the land use zoning district governing the parcel of property.

E. VARIATION DEFINED.

Variation, as used in this section, shall mean approval of a Minor Deviation or a Variance Special Permit granted under the provisions of the City's Zoning Ordinance referred to in Section 404(A.) (2.) of this plan. Any Minor Deviation or Variance Special Permit pertaining to property in the Project Area shall be subject to such approval. Variation shall also mean approval of a deviation from any part of this plan to the extent that such deviation is not in conflict with or in violation of any law which would otherwise be applicable. No variation shall authorize anything in conflict with any provision of the Fresno Municipal Code or any procedure prescribed thereunder.



GERALD L. NING
6700 W. 14TH AVE
DENVER, CO 80202

PROJECT AREA
PLAN

R-213 1

OFFICIAL COUNCIL CERTIFICATION

ADOPTED BY THE CITY COUNCIL
OF THE CITY OF FRESNO, CALIFORNIA

ORDINANCE NO. 511, DATED 2006

DATE 09/26/06, ATTEST 4

Wm. H. H. H. H.

OFFICIAL APPROVAL CERTIFICATION
ADOPTED BY THE DEVELOPMENT AGENCY
OF THE CITY OF PASADENA, CALIFORNIA

RESOLUTION NO. 442 DATED JULY 1, 1988
DATE APRIL 1, 1988 AND BY THE CITY
ATTEST By _____
DATE MAY 5, 1988

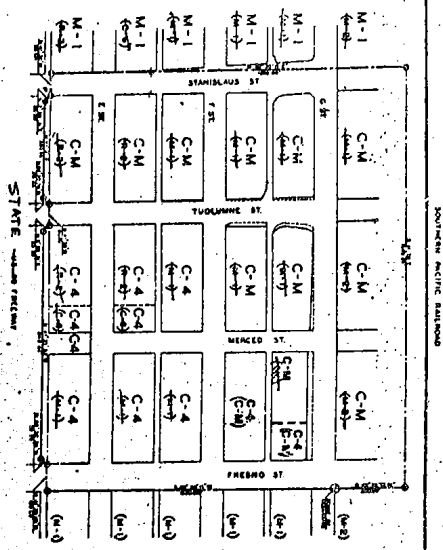
Real Estate

OFFICIAL AMENDMENT

LEGEND

PROJECT BACKGROUND

EXISTING HIGHWAY OF WAY TO REMAIN
EXISTING HIGHWAY OF WAY RESECTION
TENTATIVE RIGHT-OF-WAY
RIGHT-OF-WAY TO BE ABANDONED
NEW RIGHT-OF-WAY TO BE ESTABLISHED
MAY NOT BE ACQUIRED - COMMERCIAL-INDUSTRIAL
DISPOSITION RESPECT FOR
COMMERCIAL-PERSONAL USE
COMMERCIAL-INDUSTRIAL USE
PUBLIC EASEMENT



LEGEND

- EXISTING
 - (R-2) LOW DENSITY MULTIPLE FAMILY RESIDENTIAL
 - (C-2) HEAVY COMMERCIAL
 - (M-1) LIGHT MANUFACTURING
 - (R-2) GENERAL INDUSTRIAL
- PROPOSED
 - C-4 CENTRAL TRADING
 - C-M COMMERCIAL AND LIGHT MANUFACTURING
- PROJECT BOUNDARY
 - BOUNDARY POINT OF BEGINNING
 - BOUNDARY LABEL POINT

WINT FRESNO PROJECT ONE
 PROJECT NUMBER: 100-100-100
 THE DEVELOPMENT PROJECT OF THE CITY OF FRESNO

EXISTING AND PROPOSED ZONING MAP

DATE: 11-1-77
 R-213
 2