

# **HIGHWAY CITY NEIGHBORHOOD SPECIFIC PLAN**

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JANUARY 13, 1998  
6**



**DEVELOPMENT DEPARTMENT  
PLANNING DIVISION**



**HIGHWAY CITY NEIGHBORHOOD  
SPECIFIC PLAN**

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## **HIGHWAY CITY NEIGHBORHOOD SPECIFIC PLAN**

### **BACKGROUND INFORMATION DESCRIPTION OF EXISTING CONDITIONS AND PLAN UPDATE PROCESS**

#### **INTRODUCTION**

The Highway City Neighborhood is located approximately four miles northwest of the City of Fresno's traditional central business district along West Shaw Avenue, State Route (freeway) 99 and the Southern Pacific Railroad main track line. These major transportation corridors prompted the development of trucking and service commercial uses which became the anchor of a residential neighborhood spawned by the availability of inexpensive land. The alignments of these transportation routes and the development of commercial activities created remnant parcels that were not suitable for farming but lacked the urban services necessary to attract large scale residential development interests. Residential development subsequently occurred sporadically over a period of fifty years without the benefit of comprehensive plans and urban development standards. Consequently this area can now be characterized as an older neighborhood composed of a somewhat conflicting mixture of residential, commercial, industrial and rural uses.

The Highway City Area was annexed to the City of Fresno on June 1, 1981. This annexation was supported by a majority of the registered voters within the Highway City Area and unanimously supported by the Highway City Community Services District Board of Directors and the Fresno County Board of Supervisors. This change in governmental jurisdiction did not result in immediate and dramatic changes to this older neighborhood, although the City of Fresno assumed the lead in the provision of public safety and urban services to the area. This included the construction of a Community Center facility which has provided an increase in the level of community and recreation services for this area.

Located on the northwestern fringe of the Fresno Metropolitan Area, this neighborhood has remained somewhat isolated and disconnected from the urbanized area. However, expanding urban development through the 1980's and 1990's has converted much of the intervening vacant land to the north, south, and east into new residential subdivisions, convenience and service-commercial strips, high volume retail commercial super-stores and warehousing - industrial centers. This expanding urbanization is expected to exert a substantial increase in the potential demand for development or revitalization opportunities within the previously overlooked Highway City Neighborhood. While intensified development pressures may improve the values of some properties along West Shaw and North Golden State Boulevard, the majority of the neighborhood continues to suffer from the continued lack of adequate street and public improvements, incompatible development patterns, poorly maintained properties and the noise and unsightly appearance of the freeway and railroad corridors.

The Highway City Neighborhood has historically been included within the planned urban area of the Fresno General Plan. With the adoption of the 1976 Bullard Community Plan this neighborhood was more specifically identified as appropriate for intensive urban uses including medium density residential, general commercial and light industrial. The 1984 Fresno General Plan dramatically increased the planned urban intensity by expanding the planned medium-high density residential and industrial areas in order to anticipate the potential relocation and expansion of electronic or other high-technology industries from other more expensive and constrained metropolitan areas. However, this rather substantial industrial and residential development potential has remained somewhat dormant until the recent approach of incremental urban expansion. Now the long anticipated northwestward urban growth trend may present new opportunities for the neighborhood's physical and economic revitalization, but also pose potential threats to the interests of its residents in the older (traditional Highway City) neighborhoods.

The nature of the neighborhood's intermittent and conflicting development pattern has inhibited the neighborhood's growth and vitality. These circumstances have stimulated the desire to devise more specific planning strategies and implementation measures that would be more effective in stimulating neighborhood revitalization efforts. The Highway City Neighborhood was annexed to the City of Fresno in 1981 and the City Council approved the designation of redevelopment survey area in 1985. A physical and socio-economic blight report and draft redevelopment plan were subsequently completed. However, this plan was never considered for adoption as the interest in pursuing a redevelopment program subsided when conflicting land use alternatives and the issue of utilizing the powers of eminent domain to acquire properties for redevelopment purposes could not be satisfactorily resolved.

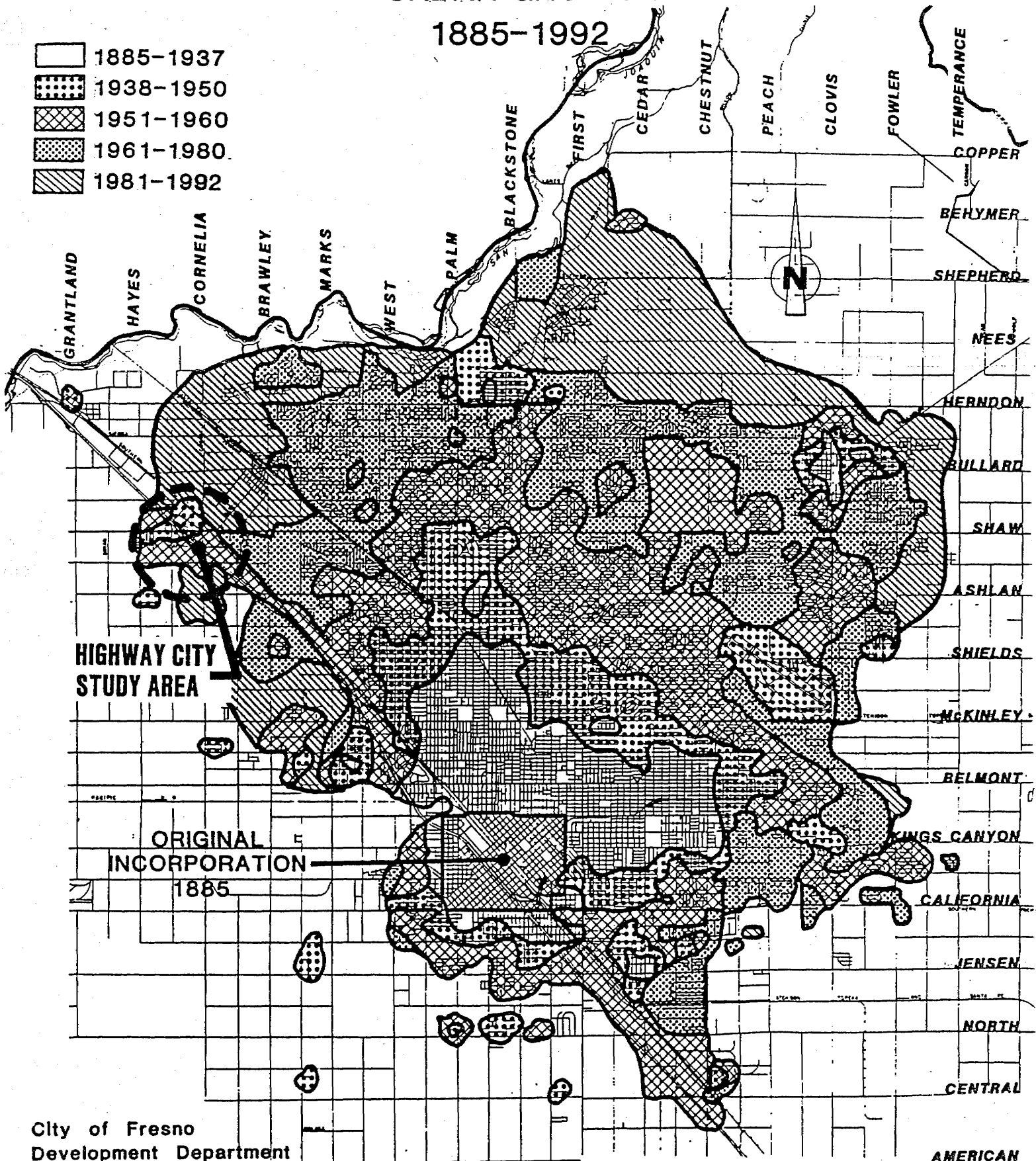
Since that time there have been intermittent efforts to reinitiate a planning effort to address the particular needs, issues and opportunities relevant to the Highway City Neighborhood. These efforts culminated in the City Council's initiation of a specific plan program on July 27, 1993, and the appointment of a citizens advisory committee. This committee has worked with Development Department staff to formulate a vision for the future of this neighborhood together with a set of goals, policies, and implementation measures designed to guide public and private actions necessary to realize this vision.

The preparation of this specific plan was inspired by the expression of a community desire to implement constructive and pro-active measures to address chronic issues and deficiencies confronting this neighborhood. The formulation of this plan's vision for the future was focused by a mission statement adopted by the Highway City Specific Plan Citizens Advisory Committee. In addition to this mission statement, the Committee also initially identified the problems, assets, issues and desires that were most important them as representatives of the residents, business proprietors and/or property owners of this neighborhood. These statements have been used to formulate a plan that is expected to provide the policies and measures necessary to secure a healthy, safe, functional and pleasing environment.



FIGURE 2

# URBAN GROWTH 1885-1992





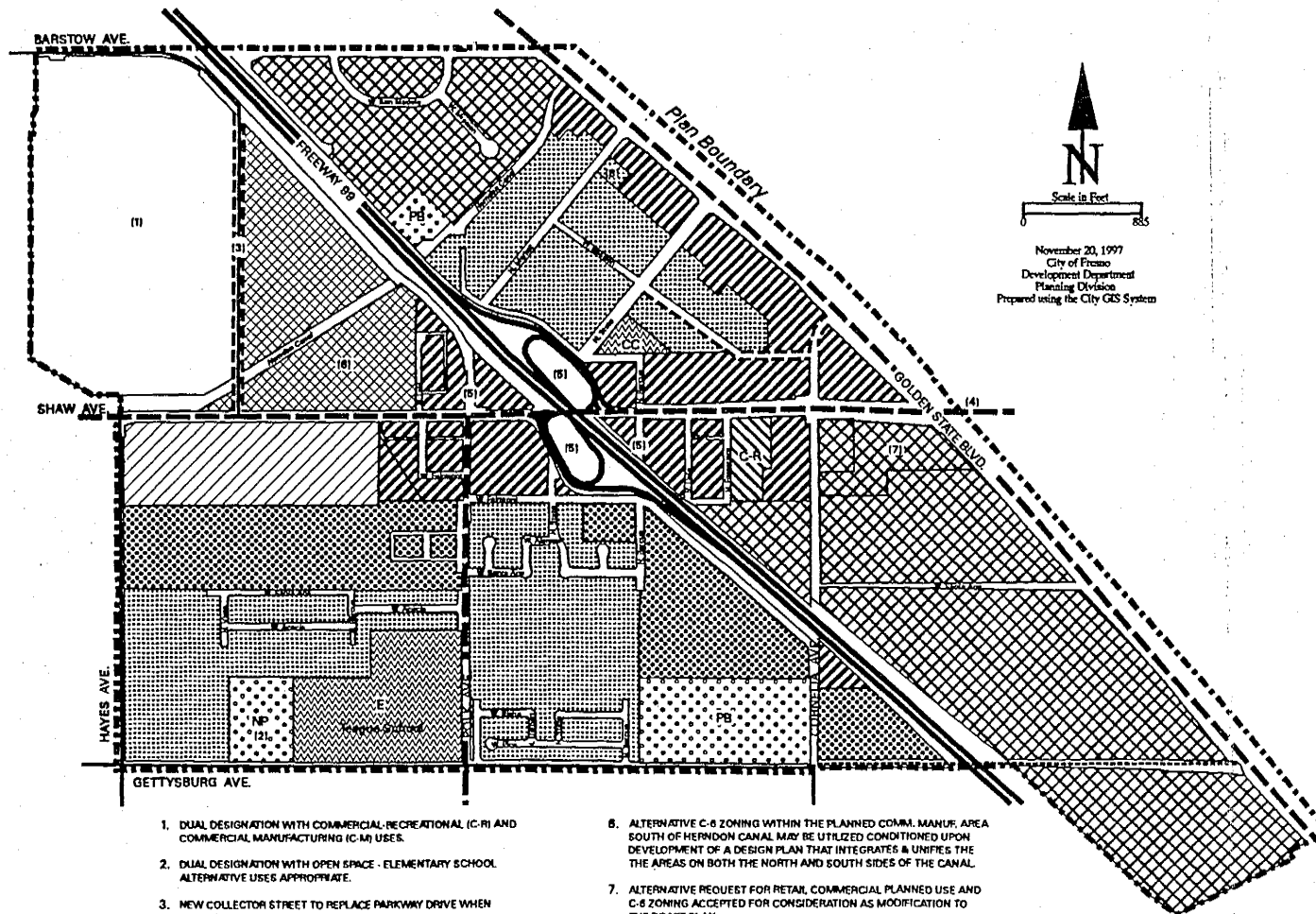




# HIGHWAY CITY NEIGHBORHOOD SPECIFIC PLAN

## Land Use and Circulation Plan Map

With Plan Modification No. M-HWC-97-001



November 20, 1997  
City of Fresno  
Development Department  
Planning Division  
Prepared using the City GIS System

### LEGEND

#### RESIDENTIAL

SINGLE-FAMILY  
(2.19-10.37 UNITS PER ACRE: R-1-B, R-1-C, R-1, R-1-C/PD, R-1/PD)

MULTIPLE-FAMILY  
(10.38-18.15 UNITS PER ACRE: R-2-A, R-2, R-P)\*

#### COMMERCIAL

OFFICE  
(R-P-L, R-P, R-P/PD, C-P, C-P/PD)\*

COMMERCIAL-RECREATIONAL  
(C-R)

RETAIL SERVICE  
(C-1, C-2, C-3, C-5, C-6, S-U)

#### PUBLIC FACILITIES

ELEMENTARY SCHOOL  
(AS APPROPRIATE)

COMMUNITY CENTER  
(AS APPROPRIATE)

#### OPEN SPACE

PONDING BASIN OR NEIGHBORHOOD PARK  
(O, AE-5 OR APPROPRIATE ALTERNATIVE)

#### INDUSTRIAL

COMMERCIAL MANUFACTURING  
(C-M)

LIGHT INDUSTRIAL  
(IM-1, M-1-P, S-L)

#### CIRCULATION

FREEWAY      EXISTING STREET  
 ARTERIAL      PROPOSED STREET  
 COLLECTOR      TRAIL

\* PURSUANT TO A CONDITIONAL USE PERMIT FOR A MIXED USE DEVELOPMENT, A MAXIMUM OF 35% OF THE PROJECT AREA MAY BE DEVELOPED WITHIN THE MULTIPLE-FAMILY PLAN DESIGNATION WITH NON-RESIDENTIAL USES PERMITTED BY THE R-P ZONE DISTRICT, AND WITHIN THE OFFICE PLAN DESIGNATION WITH RESIDENTIAL USES AS PERMITTED BY THE R-P AND C-P ZONE DISTRICTS.

NOTE: EXISTING AND POTENTIAL FUTURE PUBLIC RIGHTS-OF-WAY ARE SHOWN FOR INFORMATIONAL PURPOSES AND MAY BE DEDICATED OR VACATED IN ACCORDANCE WITH THE PROVISIONS OF THIS PLAN AND APPLICABLE DEVELOPMENT STANDARDS. WHERE RIGHTS-OF-WAY ARE VACATED THE LAND USE PLAN DESIGNATION BOUNDARY SHALL BE DETERMINED IN ACCORDANCE WITH SECTION 12.202.B OF THE FRESNO MUNICIPAL CODE.

1. DUAL DESIGNATION WITH COMMERCIAL-RECREATIONAL (C-R) AND COMMERCIAL MANUFACTURING (C-M) USES.

2. DUAL DESIGNATION WITH OPEN SPACE - ELEMENTARY SCHOOL ALTERNATIVE USES APPROPRIATE.

3. NEW COLLECTOR STREET TO REPLACE PARKWAY DRIVE WHEN SHAW/880 INTERCHANGE IS REDONE.

4. FUTURE GRADE SEPARATION.

5. FUTURE INTERCHANGE REDESIGN.

6. ALTERNATIVE C-6 ZONING WITHIN THE PLANNED COMM. MANUF. AREA SOUTH OF HERNDON CANAL MAY BE UTILIZED CONDITIONED UPON DEVELOPMENT OF A DESIGN PLAN THAT INTEGRATES & UNIFIES THE AREAS ON BOTH THE NORTH AND SOUTH SIDES OF THE CANAL.

7. ALTERNATIVE REQUEST FOR RETAIL, COMMERCIAL PLANNED USE AND C-6 ZONING ACCEPTED FOR CONSIDERATION AS MODIFICATION TO THE DRAFT PLAN.

8. ALTERNATIVE REQUEST FOR RETAIL COMMERCIAL PLANNED USE AND C-6 ZONING ACCEPTED FOR CONSIDERATION AS MODIFICATION TO THE DRAFT PLAN.



## **MISSION STATEMENT**

Preparation of the Highway City Neighborhood Specific Plan was inspired by the desire of the area's residents, property owners, and business proprietors to participate in the physical, economic and social improvement of their living environment. The following Mission Statement expresses the purpose of the Citizens Advisory Committee in working with the planning staff of the City of Fresno to formulate this specific plan.

We are concerned citizens made up of residents, property owners, and people from business and civic organizations that are working toward the improvement of the Highway City Community for the enjoyment of present and future citizens, as well as visitors to the area. Our purpose is to prepare a plan for Highway City that is:

- a vision for the future.
- builds upon the Community's assets.
- strengthens the economic base.
- improves the livability of our neighborhoods.
- avoids the imposition of any undue hardships upon both present and future citizens.
- retains and enriches the sense of community in our neighborhoods.

## **STATEMENT OF ISSUES, PROBLEMS AND OPPORTUNITIES**

The Highway City area developed incrementally over a period of several decades as a low and moderate income residential neighborhood with several highway oriented commercial service businesses. As an unincorporated community with modest economic and political stature, little attention was directed toward implementing an appropriate street circulation system, planning compatible land use relationships or providing appropriate urban services and improvements and upgrading the quality of its building stock. These deficiencies have suppressed financial reinvestment in existing developed properties and new development of vacant bypassed properties due to low real estate values and excessive development costs. Now that the neighborhood's locational advantages may generate the necessary economic incentive to attract development interests, it is imperative that a comprehensive strategy be devised to facilitate the neighborhood's revitalization, and to protect the best interests of its residents and property owners.

This specific plan focuses upon the implementation of strategies to constructively address the particular problems, issues and opportunities of the Highway City neighborhood including those most important to the people who live, work, and have had a long-time involvement in this community. The plan preparation process included the formulation of the Highway City Specific Plan Citizens Advisory Committee comprised of neighborhood representatives to solicit the observations and opinions of the people who will be most directly affected by the Plan's adoption and implementation. A considerable amount of time was spent by the Committee identifying

actions and standards that should be applied to their community in order to establish and maintain a satisfactory living environment.

Several "brain storming" sessions were conducted by the Citizens Advisory Committee to identify the neighborhood issues, assets, expectations, and remedial actions that are considered particularly relevant to this neighborhood. These items are summarized in the Plan Appendices.

## **DEMOGRAPHIC, SOCIO-ECONOMIC AND PHYSICAL CHARACTERISTICS**

### **Population Growth and Development Trends**

According to the U. S. Census population counts, the Highway City Area's population only grew from 1,455 people in 1980 to 1,498 people in 1990. This is an increase of only 43 people and an almost negligible growth rate of 0.3%. By comparison the Fresno Metropolitan Area's average annual growth during the same ten-year period was 02.9%. This strong Metropolitan Area growth rate was accommodated by a generally strong housing development industry and a significant increase in household sizes. Larger household sizes have become particularly noticeable within many of the older established neighborhoods. The Highway City Area's relative isolation from services and facilities and its comparatively low density of residential development has probably suppressed this tendency toward larger household sizes. However, this area's strategic location, its position directly in the path of advancing urban development and the anticipated extension of public facilities is expected to generate a substantial increase in urban development activity during the next ten years.

New development has occurred sporadically with the construction of a single-family residential subdivision in 1981-82, 57 multiple-family dwelling units in 1992-94, and 19 commercial / industrial buildings in 1987-88. A considerable amount of additional growth potential remains with a substantial amount of vacant or underdeveloped land in the western and southeastern portions of the plan area. In addition, it can be anticipated that many existing nonresidential properties along West Shaw Avenue and near the Freeway 99 interchange may be privately developed with more intensive commercial uses.

### **Demographic and Socio-Economic Characteristics**

The U. S. Census data indicates that the population characteristics of the Highway City Area are consistent with those often associated with a neighborhood that is economically distressed and generally less socially or politically assertive than other neighborhoods within a community. These characteristics include younger age, lower educational attainment, employment in unskilled or semi-skilled labor and service sectors, and lower household income than the surrounding region.

The Highway City Area population is relatively young and less affluent compared to the general population of the Fresno Metropolitan Area. A larger percentage of the Highway City Area



population (39.1%) is 17 years old or younger compared to the Metropolitan Area as a whole (31.7%). The 1990 Census reported that approximately 79% of the households indicated an income below the \$24,999 compared to approximately 50% of the Metropolitan Area population. The median annual income of Highway City Area households was \$13,221, which is approximately 53% of the \$24,923 median annual household income for the Metropolitan Area. The poverty level, as defined by the U.S. Office of Management and Budget, applicable the 1990 Census data was \$12,674 for a family of four. Approximately 44% of the Highway City Area residents lived below the poverty level in 1989 compared to 24% of the Metropolitan Area's population.

Consistent with the lower income level of the Highway City Area population, the 1990 Census also reported a lower level of educational attainment and a preponderance of employment in the labor and service categories. In comparison to 69% of the City of Fresno population, only 38.2% of the Highway City population over 24 years of age reported having attained an educational level equivalent to a high school graduate. Approximately 35% of the Highway City residents over 15 years of age reported being employed as machine operators, fabricators, and laborers and 23% reported being employed in service occupations. This compares to 12.2% and 13.1% respectively for the general population of the City of Fresno.

### Physical Characteristics

The housing stock within the Highway City Area may be characterized as predominantly aging single-family residences with a lower value than the average residence within the Metropolitan Area. In 1990 approximately 95% of the dwelling units were single-family detached, single-family attached or mobile home residences within this specific plan area. These types of dwelling units comprised only approximately 62% of the total housing stock within the Metropolitan Area. Since 1990, 57 additional multiple-family residences have been constructed and 12 single-family residences demolished changing the proportion of nonmultiple-family residences to 87%.

While nonmultiple-family residences comprise a high proportion of the existing housing inventory within the plan area, there is not a correspondingly high proportion of homeowner occupancy according to 1990 Census data. This data indicated that approximately 50% of the dwellings were occupied by home owners which is similar to the overall City of Fresno. Census data (derived from owner-occupied housing units only) also indicated that the value of the dwelling units are somewhat lower within the plan area, with a median value of \$50,400 compared to \$79,200 for the overall City. The median gross rent value of \$344 is also lower than the overall City median rent value of \$441.

In 1993, the City of Fresno conducted a survey of housing structural quality throughout the City including most of the Highway City planning area. This study was based upon a visual survey conducted from vehicles and did not include on-site or interior examinations. Structures were rated as standard (less than \$5,000 in repair costs), good (\$5,000 to \$9,999 in repair costs), fair

(\$10,000 to 35,000 in repair costs) and poor (greater than \$35,000 in repair costs). This survey classified the structures within the plan area as 29% standard, 12% good, 34.4% fair and 24.2% poor.

### Implications

Based upon 1990 Census data and the City-wide housing quality survey, the observation could reasonably be made that the housing is generally of lower value, needs modest to significant repair, and has been more attractive to rental investors than owner-occupant home buyers. These characteristics are often perceived to be indicative of areas that are less stable and lack a strong commitment to neighborhood identity and living environment.

However, the avid participation in neighborhood area planning and community development issues during the past several years contradicts any characterization of this community as being apathetic. There has been a strong expression of interest and commitment expressed by residents, property owners, and tenants to support the formulation and implementation of this Plan to revitalize and enhance the neighborhood's living environment.

### **FUNCTION OF SPECIFIC PLAN - RELATIONSHIP TO GENERAL AND COMMUNITY PLANS**

The preparation of a specific plan is authorized by State of California Planning and Zoning Law (Government Code Section 65450) and the City of Fresno's Local Planning and Procedures Ordinance (Article 6, Chapter 12, Fresno Municipal Code). State Law provides that the specific plan shall include a text and diagram that addresses land uses, the provision of public facilities, development standards and criteria, implementation measures and statement of relationship of the specific plan to the general plan. The Local Planning and Procedures Ordinance requires that any plan considered for adoption must contain a separate section specifying the goals, policies, implementation strategies (measures or actions) and other recommendations of the plan. The Local Planning and Procedures Ordinance further specifies the priority of plans to be first the pertinent specific plan, secondly the pertinent community plan and thirdly the general plan. Adoption of this specific plan by the City Council establishes this document as the prevailing plan (superseding the applicable community plan and general plan) with respect to "a decision or determination relating to the consistency of a zone district, density, land use, or land use intensity to a plan designation, or relating to the conformity of the location and nature of a public facility, street or other component of a plan." In those instances when the applicable specific plan or community plan does not cover a particular plan consistency question, the issue shall be governed by applicable provisions of the general plan.

The Fresno General Plan and applicable portions of the Fresno High-Roeding and Bullard (prior to 1986) Community Plans provide broad scale plans and policies for the Highway City Neighborhood as it relates to the surrounding urban area. Within the context of these broad scale plans and policies, this specific plan is intended to provide a more detailed and precise planning strategy explicitly designed to address this neighborhood's particular needs and priorities. The

provisions of this specific plan are presented through written statements of goals, policies, and implementation actions together with diagrams or other exhibits, and represent the prevailing plans and policies pertaining to this neighborhood. The accompanying narrative textual statements are provided for explanatory or informational purposes only and are not intended to be applied as criteria for determining plan consistency.

It is the purpose of this specific plan to formulate a comprehensive and action-oriented strategy to achieve the vision of the Mission Statement and address the particular neighborhood issues, problems, and priorities necessary to provide a healthy, functional and desirable living environment. This strategy is set forth through the goals, policies, and implementation measures that address residential, commercial and industrial land uses; transportation and circulation; public services; infrastructure; parks, recreation and open space; urban design; historic preservation and cultural resources.

## **PLAN CONCEPT**

The guiding principle for the Highway City Plan is that of a traditional neighborhood concept, characterized by a diverse but compatible arrangement of residential, commercial, industrial, and public uses that shall be reinforced. Based upon this concept, the plan specifies an adjustment of the planned land uses to maintain the character of and reinforce the stability of the established single-family residential areas, while accommodating appropriate and compatible opportunities for intensified urban development. This adjustment includes the reduction of medium-high density residential planned uses (primarily apartment dwellings) and the increase of medium density residential planned uses (primarily single-family dwellings). Furthermore, this traditional neighborhood concept does not advocate a dramatic transformation of the land use pattern into a single dominant activity such as a regional commercial center or industrial/office park.

The plan concept does, however, advocate appropriately located intensive urban development consistent with the plan's mission to secure an economically healthy, physically pleasing and socially integrated community. The historically dominating features of this neighborhood such as the State Route 99 freeway, Southern Pacific Railroad main track line, Golden State Boulevard, and Shaw Avenue will remain the basis for determining the size, shape and distribution of land uses; the arrangement of streets; and, the location of public improvements. Medium high density residential uses are planned for appropriate areas near major streets and intensive nonresidential uses. Commercial and office development is planned for expansion along the two major thoroughfares, Shaw Avenue and Golden State Boulevard. Industrial development is planned for expansion essentially within the areas identified by the 1984 Fresno General Plan.

The implementation of this plan concept will reinforce Highway City as a subordinate convenience-oriented service center serving neighborhood residents, visitors, commuters and inter-regional travelers.

## **SPECIFIC PLAN GOALS, POLICIES AND IMPLEMENTATION MEASURES**

## **RESIDENTIAL**

Intensive residential, commercial and light industrial uses were planned for the Highway City Neighborhood by the 1984 Fresno General Plan to promote development of a high-intensity residential and employment center that would take advantage of major regional transportation systems. However, the magnitude of intensive medium-high density residential use that was anticipated no longer appears appropriate considering the community's current demographic, socio-economic and commercial/industrial development characteristics. The Specific Plan presents a revised planning strategy that reduces the extent of planned multiple-family residential development along the Shaw Avenue corridor and expands the area of single-residential use. This strategy will promote a broader spectrum of residential opportunities including conventional single-family lot sizes, patio homes, clustered planned developments and multiple-family residential complexes.

The Plan's single-family residential land use designation provides for the retention of most of the existing single-family residential areas and allows a modest infill development potential, including planned unit developments with a maximum density of 10.38 dwelling units per acre. This designation includes the more isolated single-family residential area generally bound by the Herndon Canal, Golden State Boulevard, Freeway 99 and Shaw Avenue. Retention of the smaller residential segments of the neighborhood necessitates that particular attention be directed to reducing adverse impacts of adjacent activities while improving access to neighborhood facilities, such as the elementary school, neighborhood park and community center.

The Plan's residential component emphasizes implementation actions that will revitalize existing neighborhoods and stimulate compatible infill development or expansion that will create a unified, aesthetically pleasing, safe and economically stable living environment. These actions focus upon neighborhood organization and involvement, comprehensive application of community standards and mobilization of all available resources (private and public) that will serve a socially and economically diverse population.

## **GOAL**

1. Establish a clean, safe, and stable environment which provides for a variety of housing opportunities, and maintains and strengthens the pride and identity of the residential neighborhoods within the Highway City Community.

## Policy

1-1. Stabilize and improve the conditions and appearance of existing residential neighborhoods.

## Implementation Actions

1-1-1. Remove visual and physical blight through a proactive, "friendly" code enforcement (building code/property maintenance enforcement, including abandoned vehicles, illegal fences, etc.) program (with the review and participation of the Highway City Specific Plan Implementation Committee) that is responsive to residents and property owners and enforces codes in a fair and consistent manner.

1-1-2. Support the involvement of neighborhood residents in "Neighborhood Watch" programs and neighborhood cleanup activities as well as the identification of neighborhood maintenance problems and the prioritization of areas or problems to be addressed.

1-1-3. Develop a maintenance ordinance to be coordinated with public incentive programs to address the clean-up of houses, properties, vacant lots, vacant buildings, streets and graffiti.

## Policy

1-2. Support the revitalization of existing and planned, viable residential neighborhoods.

## Implementation Actions

1-2-1. Provide incentives, through innovative neighborhood revitalization programs that encourage resident and property owner participation in housing maintenance, rehabilitation, reconstruction, and infill of new or relocated houses.

1-2-2. Develop master development plan (considering the Conceptual Street Map, Appendix I) for the existing neighborhood areas to coordinate the location of infill structures, retention of sound/rehabable housing, reparcelization/subdivision of existing properties, widening or extension of existing streets, and the realignment or development of new streets, and related infrastructure improvements.

1-2-3. Promote infill structures that are compatible with the existing neighborhood.

1-2-4. Support the assembly, transfer, and disposition of land to provide more functional parcel sizes and buildable sites for existing and infill housing.

1-2-5. Provide incentives for relocation or re-entry of Highway City residents to locations

within viable neighborhood areas.

#### Policy

1-3. Promote a greater proportion of owner-occupied housing in the residential neighborhoods.

#### Implementation Actions

1-3-1. Set a target of fifty percent owner-occupancy in priority residential neighborhoods, such as the neighborhood north of Shaw Avenue and east of Freeway 99.

1-3-2. Provide financial incentives for the purchase, construction and rehabilitation of housing that will promote home ownership by low and moderate income households.

#### Policy

1-4. Encourage the involvement of all community agencies and resources in a comprehensive and coordinated service delivery approach to neighborhood revitalization.

#### Implementation Actions

1-4-1. Support and work with existing property development and management related organizations, institutions and agencies, such as the Fresno City And County Housing Authority, Building Industry Association, Board of Realtors, Apartment Association of Greater Fresno, financial institutions, non-profit corporations and other interested parties, to coordinate area programs. Encourage the formation of new organizations where necessary.

1-4-2. Develop an "Information Brochure" that promotes the Highway City Area and provides specific information to assist potential developers, as well as area residents and property owners.

1-4-3. Establish, as promptly as possible, the Highway City Area as a Neighborhood Revitalization Program Target Neighborhood.

1-4-4. Establish the Highway City Area as an eligible area for the Development Department "Inner City Fee Reduction Program".

#### Policy

1-5. Establish and maintain an orderly allocation of residential land uses with appropriate functional relationships and locations to meet immediate and long-term needs for an adequate supply of housing, and a healthy balance of lifestyles and community interests.

### Implementation Actions

1-5-1. Planned residential land uses shall be implemented in accordance with the plan designations shown in the Highway City Specific Plan land use map, the Fresno Municipal code, and all other applicable development standards except as modified or superseded by the written goals, policies and implementation actions of the Highway City Specific Plan.

1-5-2. Development entitlements and special permits must be found to be in compliance with applicable goals, policies and implementation actions of the Highway City Specific Plan in accordance with the Local Planning and Procedures Ordinance (Chapter 12, Article 6, of the Fresno Municipal Code). Development entitlements and special permits for the development of zoning inconsistent with the plan shall require approval by the Planning Commission or City Council (when appealed) with public notice provided pursuant to Fresno Municipal Code Section 12-401.

1-5-3. Pursuant to Title 24 of the California Administrative Code and the Noise Element of the General Plan, all new residences shall be protected from any source of noise greater than 60 dB CNEL--be it from aircraft, street traffic, railroads, or industrial uses such that interior noise levels attributable to exterior sources do not exceed 45dB CNEL and (to the extent feasible and compatible with other Plan Policies and Implementation Actions) outdoor activity areas do not exceed 60dB CNEL. Compliance shall be demonstrated through the submittal of an acoustical analysis by a qualified acoustical engineer demonstrating that the above standards will be met.

1-5-4. Permit density transfers through the conditional use permit process and as part of a unified project on one parcel or contiguous parcels. The residential density of part of the site may exceed the maximum density allowed by the plan designation provided that a portion of the site is developed at less than the maximum density permitted such that the entire project site density does not exceed the maximum density permitted under the applicable plan designation and that the density transfer will not reduce the desirability of surrounding areas for development of planned uses.

1-5-5. Residential planned developments may be appropriate for those sites that do not sufficiently meet the criteria for medium-high density residential use, but can utilize design flexibility to facilitate the desirable and compatible development of a difficult parcel without reducing the level of service provided by planned public facilities.

1-5-6. The following design guidelines shall be considered for application to all multiple-family residential development entitlements adjacent to land that is zoned or planned for single-family residential use. These measures are not prescriptive and may be modified where determined appropriate by the City of Fresno in order to best serve the health, safety, and welfare of the community. These measures may be waived where the adjacent

planned single-family residential land is developed with or approved for a nonresidential use.

- a. Outdoor recreational areas, game courts, swimming pools, and solid waste collection areas on properties zoned for multiple-family residential uses shall be oriented away from properties zoned or planned for single-family residential uses. Within an area one hundred feet wide and abutting property zoned or planned for single-family use, exterior area lighting for multiple-family residential parking, carports, garages, access drives, outdoor recreation areas, game courts, and swimming pools shall be shielded to prevent line of sight visibility of the light source from abutting property zoned or planned for single-family residential use.
- b. Parking areas, carports, garages, accessory structures, and access drives shall be separated from abutting properties zoned or planned for single-family residential use with a landscaped setback 15 feet wide in conjunction with a solid masonry wall 6 feet high on the property line.
- c. Multiple-family buildings greater than one story (20 feet) in height shall be prohibited within 75 feet of property zoned or planned for single-family residential use. Direct the orientation of second-story multiple-family windows away from adjacent single-family uses.

1-5-7. The cluster planned development criteria and standards of Section 12-306-N-21 of the Fresno Municipal Code and the following design considerations shall be applied to new (and, where feasible, to expanded) multiple-family and cluster single-family residential developments through the special permits issuance and appeals process specified in Sections 12-405 and 12-406 of the Fresno Municipal Code.

- a. Apply the Fresno Municipal Code requirements for usable open space.
- b. The size of the proposed dwelling units, number of bedrooms, anticipated number of occupants, and the site's proximity to public recreational facilities should be considered and active recreation facilities provided (such as garden areas, turfed play fields, hard surfaced game courts, recreation rooms, and swimming pools) as determined appropriate through the special permit process.
- c. Utilize design measures that promote attractive external appearances and appealing living environments by avoiding large scale, massive and repetitive "institutional" visual appearances, and providing a more varied, small scale appearance suggestive of single family residential development.

Include design measures that provide variations of the building footprints with indentations, projections and offsets; variations in the exterior walls using a variety



of materials and features such as balconies, bay windows, verandas and entryways; and varied roof forms with slopes, ridges and valleys suggestive of single-family residential structures.

Establish an architectural theme for each development including visually enhancing architectural features and building materials (which shall be applied throughout the development, particularly where visible to street frontages and adjacent properties). Design fences and walls along street frontages to be architecturally compatible, aesthetically pleasing and durable.

d. Apply the following design measures to new development as well as any additional measures identified by the Police Department and Development Department (appealable in accordance with the Fresno Municipal Code) which promote controlled access and community surveillance of all common areas and facilities:

- (1) Design pedestrian and vehicular entrances, walkways, parking areas, open spaces, common facilities, structures, and fencing to inhibit uncontrolled access by nonresidents and facilitate surveillance by residents, property managers and law enforcement or security personnel.
- (2) Provide fencing or walls of six (6) foot minimum height with gated pedestrian entrances (when walls or fences are not otherwise required by this Plan or the Fresno Municipal Code), in conjunction with the placement of structures to control pedestrian access.
- (3) Provide vehicular access gates for sites larger than one acre in size unless fully enclosed garage parking spaces are provided. Provide fully enclosed garages for the required covered parking spaces on sites of one acre or less in size, unless alternative design measures are approved to restrict access to parking areas by unauthorized nonresidents.

1-5-8. Medium-high density residential development, i.e., 10.37-18.15 units per acre, shall either have direct access to a major street or to a local street of sufficient capacity which does not pass through single-family neighborhoods prior to intersecting a major street. This policy shall not apply to housing units within planned development projects as defined by Section 12-306-N-21 of the Fresno Municipal Code.

1-5-9. New single-family residential lots shall not be allowed to front on a major street unless it can be satisfactorily demonstrated that no feasible alternative means of access can be provided to the property. Evaluation of alternative means of access shall include the consideration of frontage roads, backup treatment and substantial redesign of the subdivision proposal

1-5-10. Mixed use development is possible under the office land use designation and the medium-high and high density residential designations, using the R-P or C-P zone districts and the conditional use permit process. The office designation and R-P or C-P zoning allows up to 35 percent of a site to be developed with multiple-family residential uses. The medium-high density residential designation and R-P and C-P zoning allows up to 35 percent of a site to be developed with offices.

## **COMMERCIAL**

One of the most important characteristics of a healthy neighborhood is the presence of a pleasant, safe and convenient commercial area which serves the everyday needs of the nearby residents. The Plan's implementation actions are intended to formulate a strategy that takes advantage of regionally significant attributes while nurturing the local neighborhood environment. The implementation actions of the Plan's commercial component are complementary to the organizational, community standards and revitalization / development efforts presented by the residential component.

This strategy utilizes the neighborhood's assets of strategic location along major transportation routes, the presence of a significant historical feature and visitor attraction (Forestiere Underground Gardens), and the availability of vacant land to accommodate additional retail and entertainment commercial activities. The presence of West Shaw Avenue (one of the metropolitan area's most prominent commercial / office thoroughfare) and its access to Freeway 99 represents a significant opportunity to promote the expansion of appropriate businesses that are expected to capitalize upon the consumer and service needs of daily commuters, visitors and regional travelers. Efforts to preserve the Underground Gardens and reopen it to public visitors is expected to act as the stimulant for additional commercial recreation and entertainment activities. An inventory of developable property along Shaw Avenue and Golden State Boulevard presents a valuable opportunity for additional development which is supported and encouraged by the Plan's implementation actions.

The challenge presented to this Plan is that of facilitating commercial activities that serve daily commuters, tourists and local residents while establishing and maintaining traditional neighborhood characteristics. Implementation actions focus upon cooperative community-wide efforts to restore and maintain existing business establishments, remove unsightly conditions and provide opportunities for expansion.

## **GOAL**

2. Improve the overall quality, structure, diversity, and vitality of the Highway City businesses to further the community's prosperity and livability.

### Policy

2-1. Improve the condition and appearance of existing commercial areas.

### Implementation Actions

2-1-1. Remove visual and physical blight through a proactive, "friendly" code enforcement (building code/property maintenance enforcement, Dangerous Building Ordinance) program (with the review and participation of the Highway City Specific Plan Implementation Committee) that is responsive to business people and property owners and enforces codes in a fair and consistent manner.

2-1-2. Support the involvement of business people in "Neighborhood Watch" types of crime prevention and neighborhood cleanup programs, encouraging business people to participate in the identification of crime problems as well as neighborhood maintenance problems and the prioritization of areas or problems to be addressed.

2-1-3. Develop a maintenance ordinance to be coordinated with public incentive programs to address the clean-up of structures, properties, vacant lots, vacant buildings, streets, and graffiti.

2-1-4. Develop an ordinance to regulate vendor operations in commercial and residential areas.

2-1-5. Support the removal of obsolete, vacant, or abandoned commercial facilities, and removal or relocation of non-conforming residential structures within nonresidential zone districts.

- a. Short-range solutions should address techniques such as screening and landscaping of objectionable views, painting/boarding-up vacant buildings, etc.
- b. Long-range activities should address land assembly/land banking for future economic development opportunities.

### Policy

2-2. Reinforce existing retail, service and office businesses.

### Implementation Actions

2-2-1. Develop a commercial facade, rehabilitation, and expansion program (e.g. grants and low interest loans) to encourage the improvement of existing commercial facilities.

2-2-2. Support the expansion or relocation of existing businesses in Highway City.

2-2-3. Support existing businesses and commercial services that meet the needs of the residential neighborhood (i.e. grocery stores, drug stores, ice cream parlors, etc.).

2-2-4. Support small businesses and owner-occupied businesses.

### Policy

2-3. Promote the expansion of commercial services to cater to a broad range of users.

### Implementation Actions

2-3-1. Encourage the development of the Highway City Area as a prime location for commercial recreation uses. Focal points would include the Underground Gardens, waterparks oriented to the canal/freeway locations, etc.

2-3-2. Encourage the development of the Highway City Area as a prime location for highway-oriented businesses and community-wide commercial services.

2-3-3. Develop a new commercial development incentives program (grants and low interest loans).

2-3-4. Support the assembly, transfer, and disposition of land to provide buildable sites for new commercial development. Encourage the involvement of non-profit corporations and other interested parties.

2-3-5. Pursue applicable Federal, State, and local financial incentive programs.

a. Consider expansions of Federal and State Enterprise Zone Programs.

b. Consider expansion of the Inner City Fee Reduction Program to provide incentives for provision of commercial services.

### Policy

2-4. Establish and maintain an orderly allocation of commercial land uses with appropriate functional relationships and locations to meet immediate and long-term needs for an adequate supply of commercial services, and a healthy balance of lifestyles and community interests.

### Implementation Actions

2-4-1. Planned commercial land uses shown on the Highway City Neighborhood Specific Plan Land Use Plan Map shall be implemented in accordance with the Fresno Municipal Code, except as modified by the Highway City Neighborhood Specific Plan goals, policies and implementation actions, including the modification of the Uses Permitted and the Uses Permitted Subject to Conditional Use Permit within Commercial Zone Districts noted in Appendix II, which is included in this Plan by reference.

2-4-2. Development entitlements and special permits must be found to be in compliance

with applicable goals, policies and implementation actions of the Highway City Specific Plan in accordance with the Local Planning and Procedures Ordinance (Chapter 12, Article 6, of the Fresno Municipal Code). Development entitlements and special permits for the development of zoning inconsistent with the plan shall require approval by the Planning Commission or City Council (when appealed) with public notice provided pursuant to Fresno Municipal Code Section 12-401.

2-4-3. A comprehensive planning, architectural and landscape review shall be conducted for all office, commercial, and other non-residential development entitlements and special permits adjacent to land that is designated for single-family residential or commercial recreational uses to ensure design consistency and compatibility in scale, color, materials, design and landscaping.

Require the designation by the City's Parks, Recreation and Community Services Department of a unified landscape theme for all areas designated for commercial development.

The following advisory design measures shall be considered appropriate for application to these sites. These standards are not prescriptive and may be modified through the development entitlement process in order to best serve the community's health, safety and welfare, if the Director of the Development Department, the Planning Commission or the City Council finds that appropriate architectural design, screening, noise attenuating and operational measures have been provided to adequately protect adjoining residential property. These standards may also be waived where the adjacent land is developed with a nonresidential use or the adjacent land has approved nonresidential development entitlements (zoning, special permit):

a. Design buildings to present an attractive appearance on all sides, not just the front elevation. Avoid monolithic walls by implementing design features such as the extension of the roof treatment around the sides and back of the building, provision of pedestrian overhangs, and use of texture, relief and/or color will add interest to otherwise blank walls.

Incorporate front facades, pedestrian walkways and protective overhangs shall be incorporated into site plans and building designs respectively.

b. Where possible, locate loading and storage areas at the front of structures. In all cases, these areas shall be screened from view of adjoining property zoned or planned for residential or commercial recreational uses by a combination of landscape planting and a solid masonry wall. Locate all loading spaces not less than 150 feet from the boundary of any residential or commercial recreational historic properties; however, the proximity of loading areas may be reduced to not less than 40 feet from the boundary of such property if the Director of the Development Department adequate design and operational mitigation measures are

approved to protect adjacent residential uses or either the Planning Commission or the City Council finds that appropriate architectural design, screening, noise attenuating and operational measures have been provided to adequately protect adjoining residential and commercial recreational property. All storage is to be within an enclosed structure with no outdoor storage.

c. Design exterior trash pads and similar accessory site elements to be compatible with the architectural style of the main building utilizing complementary materials and colors.

d. Design roof-mounted and detached mechanical equipment for commercial and office uses to be screened from view and acoustically baffled to prevent the noise level rating for the equipment from exceeding 55 Ldn measured at the nearest property line.

e. Locate commercial or office buildings at least 50 feet from the property line of abutting properties zoned or planned for residential or commercial recreational uses, unless alternative measures are approved in accordance with the above provisions.

f. Provide a landscaped setback, at least 10 feet wide (or wider as required by the Fresno Municipal Code) and containing deciduous and evergreen trees, to be planted and maintained along the property line between all commercial or office uses and abutting properties zoned or planned for residential or commercial recreational uses and along abutting local streets provided, however, that this requirement may not be applied to those parcels of land which are one acre or less in size or to parcels larger than one acre subject to Development Director review and approval of landscape plans.

g. Apply a minimum 20-foot landscaped street setback to office development of over one-story in height.

h. Provide wall or berm separations as follows:

- 1) Construct a solid masonry wall, or earth berm, six feet in height, a combination of solid masonry wall and earth berm, or other acceptable and effective barrier, which provides a continuous barrier six feet in height on or along the property line that forms a common boundary separating commercial and office uses from properties zoned or planned for residential or commercial recreational uses (unless developed or approved for nonresidential use such as a church or public facility).

- (2) Construct a solid masonry wall three and one-half (3-1/2) feet in height, an earth berm three and one-half feet in height, or any combination

of solid masonry wall and earth berm which provides a continuous barrier three and one-half (3-1/2) feet in height on or along the setback line 20 feet from, and parallel with, the right-of-way line of abutting local streets, as determined appropriate through the special permit process.

(3) Landscape earth berms, which is to be maintained by the property owner(s), with grass or ground cover together with shrubs and trees, as specified by an approved landscape plan.

i. Within an area 100 feet wide abutting property zoned or planned for residential use, exterior area, shield lighting for parking areas, carports, garages, access drives and loading areas for commercial and office uses to prevent line of sight visibility of the light source from abutting property zoned or planned for residential or commercial recreational historic properties uses.

2-4-4. Signs shall be architecturally compatible with, and complementary to, the character of the development and land uses for which the signs advertise.

2-4-5. New retail commercial development shall be designed and located so as to minimize its impact as an attractive nuisance to any public or private school of elementary through high school grades.

2-4-6. Commercial areas shall be designed such that commercial traffic will not route through local residential streets or local streets adjacent to commercial recreational uses.

2-4-7. Mixed use development is possible under the office land use designation and the medium-high and high density residential designations, using the R-P or C-P zone districts and the conditional use permit process. The office designation and R-P or C-P zoning allows up to 35 percent of a site to be developed with multiple-family residential uses. The medium-high density residential designation and R-P and C-P zoning allows up to 35 percent of a site to be developed with offices.

2-4-8. Require the installation of Police Department call boxes in all new commercial developments five acres or larger (RCP/LU-C).

2-4-9. Consider the impacts upon adjacent properties when the existing use of a residential property is proposed to be changed to an office or commercial use consistent with the planned land use.

2-4-10. New commercial developments adjacent to an elevated freeway shall be required to have architecturally treated roofs and/or landscape screening.

2-4-11. Pursue the creation of small town commercial main street characteristics by establishing thematic design guidelines, site development standards and improvement

strategies that will:

- a. Insure architectural and design compatibility.
- b. Establish a unique character and commercial identity.
- c. Provide for development of a comfortable pedestrian environment while accommodating vehicle traffic and parking.
- d. Promote area-wide street improvements with enhanced landscaping and street furniture (signs, benches, et al)

## **INDUSTRIAL**

The Plan advocates the development and enhancement of compatible light industrial uses along the freeway / railroad corridor and to the northwest of the Shaw Avenue interchange in order to promote expanded employment opportunities and general economic revitalization. Although the extent of planned industrial development is reduced from that previously projected by the 1984 Fresno General Plan, it remains a major component of the plan concept for the Highway City Neighborhood and the northwest portion of the Fresno Metropolitan Area. The Plan also specifies the area to the northwest of West Shaw and North Lola Avenues as appropriate for commercial and light manufacturing use to support the development of an intensive retail commercial - business - employment center.

This Plan further specifies industrial design and development measures to protect the integrity of nearby residential and commercial areas, and promote a positive community image. Given the absence of imposing, unsightly heavy industrial uses that characterize many other Freeway 99 interchanges through the Fresno Metropolitan Area, the judicious application of development standards to new development can insure the transformation of the Highway City Neighborhood into the preeminent comprehensive mixed-use center along this corridor.

## **GOAL**

3. Protect, revitalize, and attract industrial uses which contribute to a quality urban environment and improve the economic viability of the Highway City Community.

## **POLICY**

- 3-1. Improve the condition and appearance of existing industrial areas.

### **Implementation Actions**

- 3-1-1. Remove visual and physical blight through proactive, "friendly" code enforcement (building code/property maintenance enforcement, Dangerous Building Ordinance)



program that is responsive to business people and property owners and enforces codes in a fair and consistent manner (refer to Commercial Implementation Action 2-1-1).

3-1-2. Support the involvement of business people in "Neighborhood Watch" types of crime prevention and neighborhood cleanup programs, encouraging business people to participate in the identification of crime problems as well as neighborhood maintenance problems and the prioritization of areas or problems to be addressed (refer to Commercial Implementation Action 2-1-2).

3-1-3. Develop a maintenance ordinance to be coordinated with public incentive programs to address the clean-up of structures, properties, vacant lots, vacant buildings, streets, and graffiti (refer to Commercial Implementation Action 2-1-3).

3-1-4. Support the removal of obsolete, vacant, or abandoned industrial facilities, and removal or relocation of non-conforming residential structures within non-residential zone districts.

a. Short-range solutions should address techniques such as screening and landscaping of objectionable views, painting/boarding-up vacant buildings, etc.

b. Long-range activities should address land assembly/land banking for future economic development opportunities.

### Policy

3-2. Reinforce existing compatible, light industrial development.  
Implementation Actions.

### Implementation Actions

3-2-1. Develop a building rehabilitation and expansion program (grants and low interest loans) to encourage the improvement of existing industrial facilities.

3-2-2. Support the expansion or relocation of existing businesses in Highway City.

3-2-3. Support small businesses and owner-occupied businesses.

3-2-4. Support the closure or realignment of local streets to improve loading, employee parking, and/or rail access.

3-2-5. Develop performance standards to control the external effects of light industrial uses (noise, vibrations, odors, and visual character), while allowing more flexibility for expansion, reuse and improved competitive position in the marketplace for Highway City businesses.

### Policy

3-3. Encourage the concentration of industrial activities in exclusive districts to enhance their identity and marketability.

### Implementation Actions

3-3-1. Provide improvements which attract light industrial development and facilitate the movement of industrial goods and equipment without impacting adjacent residential, commercial, and commercial-recreation uses.

3-3-2. Encourage the assembly of land to create developable industrial sites.

3-3-3. Encourage the formation of "incubator" industries.

3-3-4. Encourage the location of office/warehouse complexes along Golden State Blvd. and the proposed Cornelia-Golden State Boulevard diagonal street.

### Policy

3-4. Encourage mixed use developments, which include office, commercial, commercial-recreation, and environmentally compatible light industrial development.

### Implementation Actions

3-4-1. Designate appropriate mixed use sites which do not impact adjacent residential, commercial, and exclusive industrial districts.

3-4-2. Provide incentives to mixed use developments which promote the economic health and improve the image and marketability of Highway City area:

a. Contribute to the employment needs of Highway City.

b. Provide a unique mixture of uses.

c. Project is of sufficient size and market impact to serve as a catalyst for further investments and improvement in the livability of the Highway City area.

d. Projects which support tourism and incorporate commercial-recreation uses and other amenities.

### Policy

3-5. Establish and maintain an orderly allocation of industrial land uses with appropriate

functional relationships and locations to meet immediate and long-term needs for an adequate supply of industrial services, and a healthy balance of lifestyles and community interests.

#### Implementation Actions

3-5-1. Planned industrial land uses shown on the Highway City Neighborhood Specific Plan Land Use Plan Map shall be implemented in accordance with the Fresno Municipal Code, except as modified by the Highway City Neighborhood Specific Plan goals, policies and implementation actions, including the modification of the Uses Permitted and the Uses Permitted Subject to Conditional Use Permit within Industrial Zone Districts as noted in Appendix II, which is included in this Plan by reference.

3-5-2. A dual designation of Public Use - Elementary School (depicted on Land Use Plan Map) & Commercial Manufacturing (noted in Land Use Plan footnote) shall be applied to the approximately 13-acre area at the northeast corner of West Shaw Avenue and the North Hayes Avenue alignment with the industrial use allowed subject to the determination that the school site is not needed, or that an alternative school site is appropriate, or that the school site can not reasonably be acquired.

3-5-3. Development entitlements and special permits must be found to be in compliance with applicable **goals**, policies, procedures, and service standards in accordance with the Local Planning and Procedures Ordinance (Chapter 12, Article 6, of the Fresno Municipal Code). Development entitlements and special permits for the development of zoning inconsistent with the plan shall require approval by the Planning Commission or City Council (when appealed) with public notice provided pursuant to Fresno Municipal Code Section 12-401.

3-5-4. Industrial areas shall be designed such that industrial truck and vehicular traffic will not route through local residential streets or local streets adjacent to commercial recreational areas.

3-5-5. The following are advisory development standards for interface areas between properties zoned or planned for industrial manufacturing uses and properties zoned or planned for residential or commercial recreational areas (except as may be modified by the Development Department in accordance with Plan policy):

- a. Where properties zoned or planned for industrial manufacturing uses abut properties zoned or planned for residential or commercial recreational uses, provide a distance between the building line for any dwelling or commercial recreational property line and the building line for any industrial manufacturing building of one hundred twenty-five feet, measured perpendicularly between building lines.

(1) The separation may include any combination of the following:

(a). Setbacks, yards, landscaped buffers, parking areas, access drives, carports, and garages that comply with provisions of the zoning ordinance for the industrial manufacturing district, or the residential district, or both.

(b) A dedicated public street, public utilities easement, or a private road.

(c) At a minimum, provide at least seventy-five feet from the property line of the abutting properties zoned or planned for residential or commercial recreational uses to the industrial manufacturing building to be constructed.

(d) The planting and maintenance of any additional space necessary to provide a total separation distance not less than one hundred twenty-five feet is the obligation of the owner of property zoned or planned for residential or commercial recreational uses, or the owner of property zoned or planned for industrial manufacturing use, whichever is developed later.

b. On properties zoned for industrial manufacturing use, provide a landscaped setback 20 feet wide containing deciduous and evergreen trees, planted and maintained along the property line, between these properties zoned or planned for industrial manufacturing uses and any abutting properties zoned or planned for residential or commercial recreational uses, and along the property line abutting local streets.

c. The following wall and berm treatment is recommended for industrial manufacturing uses:

(1) Construct a solid masonry wall six feet in height, an earth berm six feet in height, or any combination of solid masonry wall and earth berm that provides a continuous barrier six feet in height on, or along, the property line between properties zoned or planned for industrial manufacturing uses and properties zoned or planned for residential or commercial recreational uses.

(2) Construct a solid masonry wall three and one-half feet in height, an earth berm three and one-half feet in height, or any combination of solid masonry wall and earth berm, that provides a continuous barrier three and one-half feet in height on, or along the setback line, twenty feet from, and parallel with, the right-of-way line of abutting local streets.

(3) Landscape earth berms with grass or ground cover together with shrubs and trees (maintained by the property owner) as specified by an

approved landscaped plan.

d. Locate loading docks, loading areas, and loading doors on the side of industrial manufacturing building that faces toward adjacent property planned or zoned for residential or commercial recreational uses.

e. Screen from view and acoustically baffle roof-mounted and detached mechanical equipment to prevent the noise level rating for the equipment from exceeding 55 Ldn, measured at the nearest property line.

f. Within the area seventy-five feet wide and abutting property zoned or planned for residential or commercial recreational uses, shield exterior area lighting for industrial manufacturing buildings, parking areas, carports, garages, access drives, loading areas, and loading docks to prevent line of sight visibility of the light source from abutting property zoned or planned for residential or commercial recreational uses.

3-5-6. Prohibit the development of new residential uses in areas designated for industrial development and pursue a long-term strategy to convert nonconforming residential properties to industrial use.

3-5-7. Establish a landscape maintenance district for industrial areas in the Highway City Specific Plan Area.

## **CIRCULATION**

The presence of metropolitan and regional transportation facilities extending through this area will continue to exert a dominant influence upon the shape and character of the Highway City neighborhood. The Southern Pacific Railroad main line track, Freeway 99, Golden State Boulevard and W. Shaw Avenue will continue to function near their design capacity during the next twenty years. In response to this intensive transportation activity, the Plan presents measures to reduce the potentially detrimental affects that noise, appearance, disruption and safety risk may impose upon a neighborhood environment. In addition, it is the intention of this Plan to establish circulation policies and implementation actions that formulate a strategy to develop a local circulation and access system crucial to a healthy and thriving neighborhood, while maintaining the integrity of the regionally significant transportation system.

## **GOAL**

4. Provide a balanced, effective, and comprehensive circulation system to accommodate growth and enhance the vitality and livability of the Highway City Community.

### Policy

4-1. Provide circulation facility improvements that support the orderly movement of people and goods

Implementation Actions

4-1-1. Maintain a level of service "D" (moderate congestion at peak traffic periods) as the acceptable level of traffic congestion on public streets, through implementation of a three-part mitigation program:

- a. Adjacent right-of-way dedication.
- b. Access improvements.
- c. Area-wide impact fees.

4-1-2. Provide additional right-of-way and pavement width to accommodate turn lanes at intersections in accordance with Department of Public Works standards.

4-1-3. Full median breaks on arterials may be provided only at quarter, half, one mile intersections, to be developed with left turn lanes at each break.

4-1-4. Space and synchronize traffic signals to minimize vehicular delay, particularly on Shaw Avenue.

4-1-5. Support the development of the grade separation at the Shaw Avenue and Southern Pacific Railroad intersection on a priority basis:

- a. Identify and pursue financing strategies for the grade separation.
- b. Develop design alternatives which will provide a balance between circulation needs, treat the intersection as an important gateway for Highway City and areas to the west, and provide necessary access and visibility to adjacent properties and businesses.

Equal consideration in the design process shall be given to either an overpass (over the SPRR), or an underpass.

Motel Drive should be maintained as a through street, even with the potential development of a Golden State Blvd. / Cornelia diagonal street as shown on the Proposed Circulation Plan.

4-1-6. Support the redesign and improvement of the Freeway 99 and Shaw Avenue access ramps on a priority basis:

- a. Encourage the selection of design alternatives that will provide the most efficient access to the freeway, while minimizing hardships to adjacent, developed properties.
- b. Identify and pursue financing strategies involving all local, state, and federal funding alternatives.

### Policy

4-2. Establish and maintain an orderly, comprehensive street system with appropriate functional relationships and street alignments to meet immediate and long-term needs while protecting planned land uses.

### Implementation Actions

4-2-1. The public street circulation system shall be implemented in accordance with the plan designations shown in the Highway City Specific Plan Circulation Map, the Fresno Municipal Code, as classified in the following, and as modified in the Highway City Specific Plan:

<u>Freeway</u>	Multi-lane divided roadways servicing through traffic, with no access to abutting property and no at-grade intersections.
<u>Arterials</u>	Four to six-lane divided roadways, with limited access to abutting properties, and with the primary purpose of moving traffic in and out of the metropolitan area.
<u>Collectors</u>	Two to four-lane undivided roadways, with the primary purpose of connecting local streets with arterials and providing access to abutting properties.
<u>Locals</u>	Two to three-lane roadways designed to provide direct access to properties while discouraging through traffic between major streets.

4-2-2. Design major street alignments and transportation improvements to adequately distribute traffic while minimizing excessive noise impacts upon adjacent uses.

4-2-3. Where two classified streets (i.e., arterial and collector) form a "T" intersection, a local street shall not form the fourth leg of the intersection unless required to provide access to large-scale developments.

4-2-4. Design local street systems to minimize through traffic movements and avoid excessive street lengths to discourage speeding.

4-2-5. Re-evaluate and consider the declassification and repeal of the Official Plan Line for the Santa Ana-Cornelia Collector (between Polk Avenue and Freeway 99).

4-2-6. Establish integrated local street systems within larger-scale areas (40 acres or greater in size) planned for medium density residential uses consistent with the following design objectives:

- a. Provide access to as many boundary major streets as possible in a manner that maintains land use and traffic compatibility, discourages through traffic, and avoids excessive traffic volumes (more than 600 vehicle trips per day) and speeds (greater than 25 miles per hour).
- b. Design local street alignments to facilitate pedestrian access to schools and parks.

#### Policy

4-3. Enhance the Highway City streetscapes, and create a positive community image as a livable, walkable area for residents, businesses, and visitors alike.

#### Implementation Actions

4-3-1. Promote safe, aesthetically-pleasing neighborhoods by utilizing sidewalks with park strips (of sufficient width to accommodate street trees) along both sides of local streets (except cul-de-sacs). Alternative sidewalk patterns without park strips may be considered subject to the design and implementation of an acceptable street landscape plan. Strive to reach a consensus with property owners and residents in designing street improvements within established residential areas.

4-3-2. Establish a "gateway" program to identify, design, and build gateway improvements which serve the Highway City area from local, regional, and state transportation systems.

4-3-3. Assure the provision and maintenance of landscaping on both sides of, and in the median island of arterial streets, and on both sides of collector and local streets (including the mouths of local streets where they intersect with major streets).

- a. Provide a 20 foot landscaped setback along Shaw Avenue west of Polk Avenue.
- b. Provide a 20 foot landscaped setback along Shaw Avenue east of Polk Avenue. Due to existing development conditions, the Development Department Director may allow, on a case-by case basis, the depth of the setback to be reduced to, but not less than 10 feet.



Installation of street trees (spaced at approximately 20 feet, center-to-center) is encouraged, particularly adjacent to properties where the landscaped setback has been reduced.

The Underground Gardens Property, due to its Historic Property status, and the nature of its existing landscaping, is exempt from this requirement.

c. Provide at least a 10 foot landscaped setback along all major streets in the Highway City area, including planned industrial areas.

d. Preserve existing trees (particularly on the south side of Gettysburg east of Polk) along street rights-of-way where possible.

#### Policy

4-4. Support public transportation through the design and development of an orderly, comprehensive street system and appropriate functional relationships with existing and planned land uses.

#### Implementation Actions

4-4-1. Require bus turnouts along major streets where appropriate.

4-4-2. Require new development to install indented curbs for bus turnouts, bus shelters, and other transit-related public improvements, where appropriate.

4-4-3. Develop park-and-ride lots at appropriate locations to support public transit and carpooling.

4-4-4. Develop bus transfer stations to focus transit services within the Highway City area.

4-4-5. Develop express bus service to link Highway City with other major employment/activity centers in Metropolitan Fresno.

#### Policy

4-5. Support the use of bicycles as an alternative mode of transportation for general access into and within the Highway City Area.

#### Implementation Actions

4-4-1. Provide sweeping and other necessary maintenance to clear bikeways of dirt, glass, gravel, and other debris.

4-4-2. Develop a program to make bikeways a safe and pleasurable component of the circulation system:

- a. Install safe drainage grates along designated bike routes;
- b. Provide adequate lighting for bicycle routes and bicycle rack areas;
- c. Incorporate bicycle locking racks at transportation facilities such as transit transfer stations, park-and-ride lots, public and quasi-public facilities (which provide at least 20 parking spaces). Encourage the inclusion of bicycle locking facilities in large multiple-family developments.

## **PARKS, RECREATION AND OPEN SPACE**

The recreation and open space opportunities within the Highway City Neighborhood are provided by Teague Elementary School in the southwest quadrant and the Highway City Community Center in the northeast quadrant. These facilities are inadequate to meet the needs of a thriving neighborhood. A storm water drainage ponding basin site exists in the southeast quadrant, which may provide additional open space and recreational opportunity when fully constructed in the future. Street landscaping along the principal thoroughfares is meager and does not provide an attractive environment for business patrons or area residents.

The Plan advocates the provision of recreational and aesthetic features through a combination of public improvements and the application of development standards to private development projects. Alternative neighborhood park sites are identified by the plan in order to accommodate development of property while allowing flexibility in acquiring and improving the park over a period of years as development occurs. Although the preferred location is adjacent to the existing elementary school which would allow maximum use of this open space resource.

### **GOAL**

5. Provide a comprehensive parks, recreation, and open space system that enhances the vitality and livability of the Highway City Community.

#### Policy

5-1. Establish and maintain an orderly, comprehensive public park system with appropriate functional relationships and locations to meet immediate and long-term needs of the Highway City area.

#### Implementation Actions

5-1-1. The public park system shall be classified as follows, to be developed in accordance with the standards specified in the City's Master Plan of Parks, Facilities, Recreation and Community Services:

Mini Parks (Pocket Parks) - Small (generally less than two acres) parks located near higher density development or in already built-up areas where adequate open space and recreational opportunities are not available.

School Grounds/Playfields - School sites comprise a large inventory of recreational open space areas providing recreational space for organized activities such as soccer, youth baseball, tennis, exercise, and gym areas.

Neighborhood Parks - Semi-active parks five to ten acres in an area designed to serve residents living within a one mile radius of the site or between 10,000 and 15,000 residents.

Community Parks - These parks service an area within a two to four mile radius of the site and serve a population of between 50,000 and 80,000 residents. They have lighted sport fields and specialized equipment not found in neighborhood parks. The community park is the nucleus of the park system, where members of the community congregate for area-wide functions or programs. At the heart of the park is the community center of 25,000 to 30,000 square feet, which provide at least the following facilities and services:

Gymnasium (with showers and lockers), Multi-purpose room, Meeting rooms, Senior activity center, Administrative offices, Snack bar and kitchen facilities.

Ponding Basins - The Fresno Metropolitan Flood Control District provides many open space opportunities through the public use of recharge facilities that the FMFCD maintains as open play fields.

5-1-2. Expand the Community Center services for the Highway City area. Explore the potentials for upgrading and expansion of the existing Highway City Community Center on State Street.

5-1-3. Establish a joint use Neighborhood Park and Playground facility with the Central Unified School District at the Teague School Site.

5-1-4. Establish a Play Field facility with the Fresno Metropolitan Flood Control District at the ponding basin at the northwest corner of Gettysburg and Cornelia.

5-1-5. A dual designation of Medium Density Residential (depicted on the Land Use Plan Map) and Open Space - Neighborhood Park (noted in Land Use Plan footnote) shall be applied to the approximately 4.5-acre area at the southwest corner of North Polk Avenue.

and the one-quarter mile point between West Shaw Avenue and the Gettysburg alignment with the neighborhood park use appropriate subject to the determination that the alternative site along the west side of the Teague Elementary School campus can not be utilized to accommodate neighborhood park activities.

#### Policy

5-2. Establish and maintain an open space network that maximizes and links the Highway City area's recreational and open space resources.

#### Implementation Actions

5-2-1. Implement the goals, policies, and standards of the City's Master Trails Plan and Multi-Purpose Trails Manual.

5-2-2. Provide a comprehensive design for multi-use trails to link key open space resources and commercial recreation sites in the Highway City area, which include, but are not limited to:

- a. Fresno Colony Canal and other irrigation canals.
- b. Southern Pacific Railroad right-of-way.
- c. Gettysburg alignment.
- d. Existing and planned parks, playgrounds, and community centers.
- e. Existing and proposed commercial recreation sites:

Underground Gardens, potential major commercial recreation (i.e. "Blackbeards" type) sites at north of Shaw between the Freeway and Hayes.

5-2-3. Pursue the implementation of the master planned trails system as a requirement of property development, and pursue establishment of a trails development fee and cost reimbursement program.

5-2-4. Develop the multi-purpose trails design in a manner based upon the segment designed at the southwest corner of Gettysburg and Polk.

5-2-5. Limit driveway crossings of multi-purpose trails to not more than two per block (660-foot length) except where it is determined that there is no other feasible alternative.

5-2-6. Require that all proposed water features either be connected with other planned

open space or commercial recreation features or the nearest major street by a public trail (or landscaped pedestrian route along a local street).

5-2-7. Work with the State Department of Transportation and other applicable agencies to ensure that remnant parcels, berms, and underutilized land resources are landscaped to act as buffers and improve the visual appearance of the area.

## **PUBLIC SERVICES AND INFRASTRUCTURE**

Because early development occurred as a semi-rural unincorporated neighborhood within the County, urban development standards were not applied and public improvements were not constructed. These improvements including permanent street pavement, sidewalks, curbs and gutters, sanitary sewer, water supply and storm water drainage remain incomplete throughout the neighborhood. This condition deters reinvestment in existing properties and effectively prevents development of remnant parcels which do not justify the excessive cost of providing public improvements. To address this deficiency the Plan presents a strategy that utilizes a combination of public and private efforts to complete the basic public improvements

### **Goal**

6. Provide an effective, comprehensive infrastructure system, including public services facilities, which contribute to a quality urban environment, accommodate growth, and enhance the vitality and livability of the Highway City Neighborhood.

### **Policy**

6-1. The City of Fresno and other public agencies that are responsible for provision of the streets, sewer, water, and storm drainage components of the area's infrastructure system shall maintain, complete, and improve the public infrastructure systems to meet immediate and long-term needs of the area.

### **Implementation Actions**

6-1-1. Develop a master development plan (considering the Conceptual Circulation Plan in Appendix I) for the existing residential neighborhood areas and business districts to coordinate the location of infill structures, retention of sound/rehabable housing or business structures, reparcelization/subdivision of existing properties, widening or extension of existing streets, and the realignment of development of new streets, and related infrastructure improvements.

6-1-2. Finance the upgrading of city infrastructure systems through a variety of sources including improvement districts, user fees, community development Block Grants, 20% Housing Set-Aside funds, or other eligible funds. A priority will be placed upon

lessening the financial burden upon existing residents and businesses.

6-1-3. City of Fresno shall take a leadership role in pursuit of any and all financing for the improvement of the area's infrastructure.

6-1-4. Integrate preparation of the master plan with planning done by Caltrans, the Fresno Metropolitan Flood Control District and public utility companies.

6-1-5. Place a high priority on the completion of drainage and flood control systems, and cooperate with Fresno Metropolitan Flood Control District to finance and construct the necessary facilities.

6-1-6. Provide for the coordination of all infrastructure work with municipal and private utility companies and other agencies to minimize the disturbance of street improvements.

6-1-7. Promote the undergrounding of overhead utilities through the formation of improvement districts and the provision of financial incentives to encourage property owners to participate in converting to an underground system.

#### Policy

6-2. The City of Fresno will take a leadership role in providing, improving, and attracting public service facilities which contribute to a quality urban environment for the Highway City and adjacent areas.

#### Implementation Actions

6-2-1. In recognition of the central location of Highway City with respect to Freeway 99, Shaw Avenue, and proposed urban areas to the west, potential locations for branch libraries, postal facilities, police dressing stations, fire stations, etc., should be considered for Highway City locations.

### **HISTORIC PRESERVATION, CULTURAL RESOURCES AND ENTERTAINMENT**

The presence of the historic Forestiere Underground Gardens provides the neighborhood with a potentially valuable asset if restored and protected as a cultural and sight-seeing attraction. This feature is expected to serve as a foundation around which neighborhood retail commercial, travel oriented service commercial and complementary recreational / entertainment attractions can be developed. \* Added narrative

#### **GOAL**

7. Conserve, revitalize, support and provide cultural and entertainment resources for the enjoyment and benefit of Highway City citizens and visitors.

## Policy

7-1. Maintain and improve public and private cultural and entertainment facilities in the area.

## Implementation Actions

7-1-1. Promote and support the improvement of the Underground Gardens facility as provided in the Underground Gardens Special Issue Element of the Highway City Specific Plan.

7-1-2. Coordinate with Cal Trans, the Convention and Visitors Bureau, and other agencies and interested parties to determine the feasibility of locating a Tourist Information Center and/or Motorist Rest Area, in proximity to Freeway 99 and other existing or planned culture and entertainment facilities (i.e., Underground Gardens, potential water-oriented recreation facility, etc.).

7-1-3. Coordinate with Cal Trans, the Convention and Visitors Bureau, Southern Pacific Railroad, the Chamber of Commerce, and other agencies and interested parties to determine the needs, design alternatives, and funding strategies for development of special entryway treatments (special landscaping, signage, entryway structures, etc.).

7-1-4. Provide financial, processing, or development incentives to development projects that allocate a minimum of one (1) percent or more of a project cost for cultural and entertainment uses. In conjunction with the Highway City Specific Plan Implementation Committee, formulate a "bonus development entitlement" (bonus densities, floor area increases, etc.) program to be provided to developers/business operators for their contributions to the improvement of cultural and entertainment uses in the Highway City area.

7-1-5. Produce and promote literature, audio visual presentations and special events in conjunction with other agencies that identify, enhance, and protect the cultural and entertainment assets of the area.

## Policy

7-2. Utilize the assistance of local, state and federal agencies and private organizations to promote the preservation, restoration and improvement of the Underground Gardens and the surrounding area as a catalyst for the development of tourism and tourist - related businesses; and, where feasible and appropriate, seek qualifying funds and resources from government and private sources to achieve this purpose.

## Implementation Actions

7-2-1. Contact and work with the State Office of Historic Preservation, National Trust of Historical Preservation, Fresno City and County Historical Society, the Fresno Historical Preservation Commission, the Landmarks Preservation Council, and similar government and private organizations in seeking funds and resources to preserve, restore and improve the Underground Gardens. \*

7-2-2. Seek and obtain the assistance of the Fresno Convention and Visitors Bureau, the Fresno Chamber of Commerce and similar organizations to implement programs and provide incentives that increase and enhance tourism and tourist related businesses. \*

7-2-3. Pursue and support the creation of an Historical Corridor and Tourist District that includes the Underground Gardens. \*

7-2-4. Utilize and liberally interpret local, state and federal codes, regulations and policies, including the provisions of the City of Fresno General Plan concerning historical resources, with flexibility and "friendly" enforcement to avoid hampering the restoration, repair, operation and improvement of the Underground Gardens.

7-2-5. Where feasible and appropriate seek available funding and resources for constructing, repairing, improving, and maintaining streets, alleys, sewer system, storm drains, curbs, gutters, sidewalks, street lights, street and median island landscaping and similar improvements on the streets and alleys surrounding the Underground Gardens.

7-2-6. Where feasible and appropriate seek available funds and resources to preserve, restore, promote, repair and improve the Underground Gardens.

7-2-7. Where feasible and appropriate seek available funds and resources to preserve, restore, promote, repair and improve other historically significant properties within the Specific Plan Area.

### Policy

7-3. Develop, plan and construct public and private improvements, structures and uses to eliminate, restrict, and mitigate their adverse effects or impacts upon the aesthetic, structural integrity or public enjoyment of the Underground Gardens.

### Implementation Actions

7-3-1. Establish reasonable landscape set backs on public and private properties to eliminate, restrict and mitigate the effects of construction, structures, uses and improvements (e.g., vibration, drainage, noise, water seepage, ground disturbances, lighting, storage, traffic, refuse, odors and similar effects) that may adversely affect or impact the aesthetic, structural integrity or public enjoyment of the Underground Gardens.



7-3-2. Prioritize street and landscape improvements, maintenance and repairs for the streets, sidewalks, curbs, gutters, storm drains, lights, etc., on the streets and alleys surrounding the Underground Gardens.

7-3-3. Evaluate and study the feasibility of alternate through truck and heavy equipment routes using Golden State Boulevard via the Ashlan and Herndon exits rather than the Shaw Avenue exits off Freeway 99.

7-3-4. Plan and construct public improvements, uses and structures (e.g., widening streets, bus bays, new streets, easements, etc.,) to avoid the encroachment and destruction of the Underground Gardens, and eliminate, restrict and mitigate their adverse effects or impacts (e.g., vibration, drainage, noise, water seepage, ground disturbances, lighting, storage, traffic, refuse, odors and similar effects) upon the Underground Gardens.

7-3-5. Contact and cooperate with local, state and federal agencies, from government and private sources to encourage the development of a rest stop, tourist information center, tourist related businesses, commuter parking and park and recreation facilities that would service the tourists and commuters traveling on Freeway 99 and Highway 168 (Shaw Ave).

Considering the prominence of the Forestiere Underground Gardens and its potential role as the focal point of a thriving neighborhood core a specific strategy has been formulated to promote and protect the integrity of this resource.

The Forestiere Underground Gardens ("Underground Gardens") is a registered California State Historical Landmark which is also listed on the National Register of Historical Places and is recognized by the Fresno City and County Historical Society. The Underground Gardens consist of Baldasare Forestiere's underground home and gardens, underground ballroom, and numerous underground rooms, passageways, courtyards and grottos. Using hand tools, Baldasare Forestiere created the Underground Gardens over a forty-year period commencing in 1906. The Underground Gardens have been recognized for its architectural, engineering, horticultural and artistic achievements.

The Underground Gardens have been operated as an historical museum with thousands of tourists visiting them annually. The Underground Gardens' ballroom has also been used for various functions and events, and could serve as a catalyst for fundraising by nonprofit and charitable organizations.

At one time the Underground Gardens covered in excess of ten acres. However, as a result of indifferent and hostile land use policies and development, only approximately four acres remain of the original excavations. Several of the underground structures are also located on or near adjoining public and private properties and improvements subjecting them to vibration, water seepage, ground disturbances, noise, drainage, and similar adverse impacts which negatively affect the structural integrity, aesthetic environment and public enjoyment of the Underground.

Gardens. Appropriate measures are therefore needed to preserve and restore the Underground Gardens and reduce, restrict and mitigate the adverse effects and impacts by present and future public and private land uses, structures and improvements.

The Underground Gardens is a historical and cultural asset of Highway City which provides a unique opportunity and basis upon which to further develop tourism and tourist-related businesses in Highway City. The Underground Gardens by virtue of its historical recognition also permits Highway City to qualify for private and public resources and funds to pay for street and community improvements and repairs.

In recognition of the benefits that Highway City derives from the Underground Gardens, in order to further the development of tourism and tourist related businesses and to assist in the efforts being made to preserve, restore and promote the Underground Gardens, the following goals, policies and implementation actions are being adopted.

#### Policy

7-4. Preserve and promote the Forestiere Underground Gardens, a California State Historical Landmark, and encourage the development of tourism and tourist-related businesses.

#### Implementation Actions

7-4-1. Strongly encourage the location of tourism and tourist related business on the properties adjacent and adjoining the Forestiere Underground Gardens.

7-4-2. Cooperate with local, state, and federal agencies and seek funding from government and private agencies to encourage the development and location of a rest stop, commuter parking and park and recreation facilities that would service the families and non-truck vehicles traveling on Freeway 99 and Highway 168 (Shaw Avenue).

7-4-3. Strongly encourage the development of a tourist information center on land adjoining, adjacent or near the Forestiere Underground Gardens and near the family rest stop.

7-4-4. Obtain the assistance of the Fresno Convention and Visitors Bureau and the Fresno Chamber of Commerce to implement measures and programs that increase and enhance tourism and tourist-related businesses on properties adjoining, adjacent and near the Forestiere Underground Gardens.

7-5-5. Allocate qualifying City of Fresno, state and federal funds for the promotion, restoration, repair and improvement of the Underground Gardens.

7-4-6. Utilize and interpret local, state, and federal codes, regulations and policies with

flexibility and friendly enforcement to assist the restoration, repair, operation and improvement of the Forestiere Underground Gardens.

7-4-7. Prohibit the construction of structures and uses of real property on property adjacent or adjoining the Forestiere Underground Gardens that may adversely affect or impact the aesthetic, structural integrity or public enjoyment of the Forestiere Underground Gardens.

7-4-8. Prohibit the construction of structures and uses of real property on property adjacent or adjoining the Forestiere Underground Gardens that may adversely affect or impact the development of tourism and tourist-related businesses.

7-4-9. Mitigate the effects of uses on properties adjacent, adjoining or near the Forestiere Underground Gardens that create noise, vibration, odors or other adverse impacts, which may distract or interfere with the enjoyment of the aesthetic environment of the Forestiere Underground Gardens.

7-4-10. Require a landscape buffer on properties contiguous to the Forestiere Underground Gardens.

7-4-11. Repair, resurface, construct curbs, gutters and sidewalks, and maintain public streets and alleys on properties adjoining, adjacent and near the Forestiere Underground Gardens.

7-4-12. Establish an improvements and maintenance program and budget for the streets and alleys on properties adjacent, adjoining and near the Forestiere Underground Gardens.

7-4-13. Prioritize improvements, repairs and maintenance to address the streets and alleys on properties adjoining, adjacent and near the Forestiere Underground Gardens.

7-4-14. Create a landscaping plan for the streets surrounding the Forestiere Underground Gardens.

7-4-15. Develop and prioritize landscape improvement programs for all major streets (median islands and buffer strips) on properties adjacent, adjoining and near the Forestiere Underground Gardens.

7-4-16. Evaluate and study the feasibility of alternate through truck and heavy equipment routes using Golden State Boulevard rather than the Shaw Avenue exits off Freeway 99.

## **IMPLEMENTATION**

Realization of the Plan's purpose of initiating and sustaining a comprehensive community

revitalization and improvement program necessitates consistent effort by local residents and business proprietors, local governmental agencies and community oriented organizations, and private enterprise. Adoption of this implementation program as a component of this Plan provides a legislatively endorsed commitment by the City of Fresno to actively support the efforts required to achieve this purpose.

## **GOAL**

8. Ensure that the implementation of the Highway City Specific Plan proceeds in a vigorous, timely, and orderly manner.

### Policy

8-1. Establish an on-going citizen advisory role in the plan implementation process to ensure that the ideas and hopes of the Highway City Specific Plan remain an active concern of the City of Fresno.

### Implementation Actions

8-1-1. Within 30 days after the adoption of the Highway City Specific Plan, a committee shall be formed and called the Highway City Specific Plan Implementation Committee (the "Committee"). The Committee shall be appointed pursuant to the planning guidelines of the Local Planning and Procedures Ordinance. Members, in good standing, of the Highway City Specific Plan Advisory Committee shall be considered for appointment to the proposed Implementation Committee.

8-1-2. The Highway City Specific Plan Implementation Committee shall review and monitor the implementation of the Highway City Specific Plan. The Committee shall also make recommendations to city staff, the Planning Commission, and City Council, and any other city commission, or advisory body regarding the implementation of the Highway City Specific Plan. More specifically, the Committee shall do the following:

a. On or before December 1 of each year, the Committee shall present to the City Council a report which contains a performance evaluation of the Plan. If the Committee concludes that amendments to the plan are needed to better address community issues and concerns stated in the plan, the Committee should submit the proposed amendments to the City Council so that they can be considered for initiation by the City Council.

b. On or before April 1 of each year, the Committee shall make recommendations to the City Council on the priority of the plan implementation measures that should be pursued. These recommendations can be considered for funding as part of the city's annual budget review process.

- c. The Committee shall be permitted to review and make recommendations on plan amendments, development entitlements, and site plan review applications in and adjacent to the Highway City Specific Plan Area

#### Policy

8-2. Support a coordinated public and private organizational structure for the aggressive and proactive implementation of the Highway City Specific Plan.

#### Implementation Actions

8-2-1. Facilitate the creation of a nonprofit entity or entities to promote, coordinate, and facilitate public/private development partnerships, either alone, or in joint ventures.

8-2-2. Support merchants, business people, and organizations that are willing to invest time and resources in the implementation processes that benefit the overall well-being of the Highway City area.

8-2-3. Research, identify and establish new resources for raising capital or utilizing noncapital assets to provide for plan implementation.

8-2-4. Initiate a zoning implementation program to amend the zone district classification of properties that are vacant or are developed consistent with the planned use of the Highway City Neighborhood Specific Plan's Land Use Plan Map but which are not presently zoned consistent with the planned use.

MODIFICATIONS AND ADDITIONS OF PLAN NARRATIVE TEXT,  
POLICIES, AND IMPLEMENTATION ACTIONS INCLUDED  
IN RESPONSE TO ISSUES AND CONCERNS IDENTIFIED  
BY THE ENVIRONMENTAL ASSESSMENT AND PUBLIC  
REVIEW AND COMMENT PROCESSES

Modification of narrative or implementation actions under "Circulation" section as follows:

4-6-1. c. Prioritize Shaw Avenue/Freeway 99 interchange improvements on the State Transportation Improvement Plan funding allocations list compiled by the Council of Fresno County Governments.

Modification of narrative and implementation actions under "Historic Preservation, Cultural Resources and Entertainment" section as follows:

The presence of the historic Forestiere Underground Gardens provides the neighborhood with a potentially valuable asset if restored and protected as a cultural and sight-seeing attraction. This feature is expected to serve as a foundation around which neighborhood retail commercial, travel oriented service commercial and complementary recreational/entertainment attractions can be developed.

The plan area also contains many other structures which were constructed 50 or more years ago. Most of these developed areas are predominately single-family residential neighborhoods which are to be maintained and strengthened through adoption and implementation of the plan's policies and actions. However, there are several small residential enclaves that are planned for more intensive multiple-family residential, office and commercial uses necessary to generate a more economically diverse and vibrant community.

An historical resource survey of these areas has disclosed the existence of an adobe structure, potentially eligible for the National Register, in the southwest quadrant of the plan area.

Plan policies and actions have been formulated to appropriately address the mitigation of impacts that new development may have on this adobe structure, as well as any other structure or historically valuable feature, which may be identified in the future.

In accordance with these plan provisions, it is expected that future development of these properties will be contingent upon the preservation or documentation of these historical structures.

7-2-1 Contact and work with the State Office of Historic Preservation, National Trust of Historical Preservation, Fresno City and County Historical Society, and Fresno Historical Preservation Commission, the Landmarks Preservation Council, and similar government and private organizations in seeking funds and resources; in entering into preservation agreements; and, in pursuing all other appropriate means to preserve, restore and improve the Underground Gardens and other qualified historically significant properties and improvements (such as adobe structures) within the Specific Plan.

7-2-3 Pursue and support the creation of an Historical Corridor and Tourist District that includes the Underground Gardens and other qualified historically significant properties and improvements.

7-2-7 Where feasible and appropriate seek available funds and resources to preserve, restore, promote, repair and improve other qualified historically significant properties within the Specific Plan area.

7-2-8. Require that prior to the approval any site disturbance, construction or demolition affecting the Brewer Adobe, located at 5901 West Shaw Avenue, full recordation of the property will be completed, using large format photographs consistent with Historic American Building Survey/National Park Service recommendations.



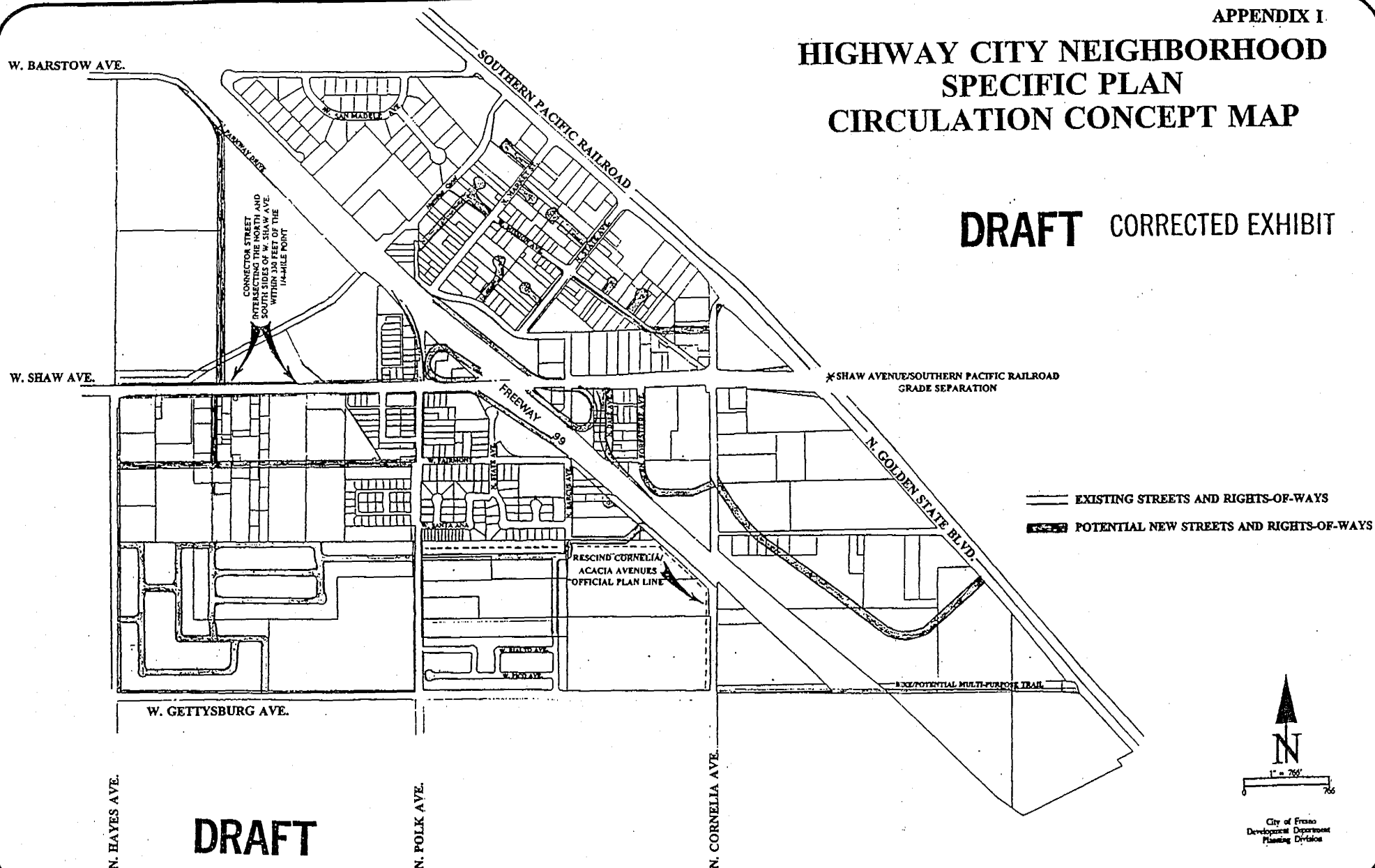


# APPENDICES



# HIGHWAY CITY NEIGHBORHOOD SPECIFIC PLAN CIRCULATION CONCEPT MAP

**DRAFT** CORRECTED EXHIBIT





sions of either the R-P District, Section 12-215.5-K or the C-1 District, Section 12-217.5-K, at the option of the owner or developer, with the Director's concurrence.

3. For permitted institutional uses, the provisions of Section 12-215.5-K-7-c shall apply.
4. For permitted residential uses, the provisions of the "R-1-A" District, Section 12-207.5-K-1, 2, 3 and 4 and the "R-2" District, Section 12-212.5-K, shall apply.

#### L. LOADING SPACE

For nonresidential uses, the provisions of Section 12-306-L shall apply. (Added Ord. 5748, 1960; Am. Ord. 6504, 1964; Am. Ord. 6677, 1965; Am. Ord. 67-70, 1967; Am. Ord. 68-46, 1968; Am. Ord. 70-60, 1971; Am. Ord. 73-48, § 1, eff. 4-29-73; Am. Ord. 75-42, § 1, eff. 6-2-75; Am. Ord. 79-26, § 1, eff. 3-9-79; Am. Ord. 85-99, § 1, eff. 8-16-85; Am. Ord. 88-38, § 3, eff. 4-8-88; Am. Ord. 8-134, § 6, eff. 12-1-89; Am. Ord. 90-108, § 3, eff. 11-9-90; Am. Ord. 91-27, § 4, eff. 5-3-91; Am. Ord. 91-46, § 4, eff. 6-7-91; Am. Ord. 91-125, §§ 21, 22, eff. 12-20-91).

SECTION 12-216.6. SITE PLAN REVIEW. Before any building (or structure) is erected on any lot in this district, a site plan shall have been submitted to and approved by the director pursuant to the provisions of Section 12-406. (Added Ord. 5748, 1960; Am. Ord. 68-59, 1968).

SECTION 12-217. "C-1" NEIGHBORHOOD SHOPPING CENTER DISTRICT. The "C-1" District is intended to serve as planned unified shopping centers. The stores are intended to fit into the residential pattern of development and create no architectural or traffic conflicts. The following regulations are intended to protect the residential environment and shall apply to all uses in the "C-1" Neighborhood Shopping Center District. (Added Ord. 5748, 1960).

#### SECTION 12-217.1. USES PERMITTED.

- A. The uses enumerated in Section 12-217.1-B shall be permitted in the "C-1" District, ~~plus such other uses as the Director may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare as listed in Section 12-408-E.~~ All uses shall be subject to the property development standards in Section 12-217.5, and Site Plan Review, Section 12-406.

- B. 1. Bakery goods, retail sales only
2. Bakery, retail
3. Banks and Savings and Loan Associations
4. Barbershop
5. Beauty shop
6. Bicycle shop
7. Book stores

~~7.5 Cafe dancing~~

8. Cafeterias

9. Cleaning and dyeing shop (retail only—dry cleaning clothes in enclosed machines, using noninflammable cleaning compounds)
10. Clothing stores
11. Confectionery
12. Dairy products
13. Delicatessen
14. Drugstore
15. Dry goods
16. Florist shop
17. Fruit and vegetable stores
18. Gift shops
19. Grocery stores
20. Hardware stores
21. Hobby shop (retail)
22. Ice cream
23. Jewelry stores
24. Laundry and dry cleaning pick-up agencies for work to be done elsewhere
25. Laundry, self-service *only when not visible from Shaw Ave.*
- ~~26. Liquor products (packages)~~
27. Lunchrooms
28. Meat markets
29. Music and dance instruction
30. Music stores
31. Newspaper stands
32. Offices:
  - a. Business
  - b. Medical
  - c. Professional
33. Photographic supplies
34. Plant nurseries
35. Radio and television sales and service
36. Reducing salon
- 36.5 Conversion of an existing commercial use to residential use in a residential building where such use is specifically authorized in an applicable specific plan and pursuant to the provisions of the applicable specific plan.

For purposes of this section, "Residential building" means a building originally planned for, built, occupied and used for residential purposes.

38. Shoe repair shops
39. Shoe stores
40. Signs, subject to the provisions of Section 12-217.5-K
41. Soft drink fountains
42. Sporting goods
43. Stamp and coin broker
44. Super drugstore
45. Supermarket
46. Temporary or permanent telephone booths
47. Tobacco products
48. Variety stores. (Added Ord. 5748, 1960; Am. Ord. 6888, 1966; Am. Ord. 68-59, 1968; Am. Ord. 68-154, 1968; Am. Ord. 70-79, 1970; Am. Ord. 71-43, 1971; Am. Ord. 73-128, § 1, eff. 9-30-73; Am. Ord. 74-65, § 1, eff. 8-26-74; Am. Ord. 76-84, § 1, eff. 9-26-76; Am. Ord. 78-3, § 1, eff. 2-3-78; Am. Ord. 88-123, § 2, eff. 10-28-88; Am. Ord. 90-110, § 19, eff. 11-9-90; Am. Ord. 92-100, § 3, eff. 1-8-93).

#### SECTION 12-217.2. REPEALED.

Editor's note—Ord. 68-58, 1968, amended this Code by repealing former § 12-217.2 derived from Ord. 5748, 1960, and Ord. 6121, 1962.

#### SECTION 12-217.3. USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT.

- A. The uses enumerated in Section 12-217.3-B shall be permitted subject to a Conditional Use Permit as provided for in Section 12-304.
- B. Uses permitted subject to Conditional Use Permit.
  - \*1. Any conversion of a residential building to a permitted nonresidential use involving any change in the exterior appearance of said building.
  2. Automatic car wash, when located within a planned unified shopping center having area not less than five acres, subject to the provisions of Section 12-306-N-39.
  3. Automobile service station, subject to the provisions of Section 12-306-N-32.
  4. Electrical distribution substation.
  5. Furniture store, having gross floor area of less than 15,000 square feet.
  6. Ice and food products dispensing machines.
  7. Microwave relay structures.
  8. Public parking lot or structure, subject to the provisions of Sections 12-217.5 and 12-306-I.

9. Cocktail lounge in conjunction with and subordinate to a restaurant, subject to the provisions of Sections 12-306-N-28 and 12-323.
10. Slot car racing shop.
11. Subdivision signs, off-site, if proposed as specified in Section 12-207.5-K-4-e.
12. Water pump stations, subject to the provisions of Subsection 46 of Section 12-306-N.
13. Any alcohol use, as defined in Section 12-105-A.12.6, subject to the provisions of Section 12-323. (Added Ord. 5748, 1960; Am. Ord. 6419, 1964; Am. Ord. 67-86, 1967; Am. Ord. 68-58, 1968; Am. Ord. 77-47, § 1, eff. 6-10-77; Am. Ord. 79-22, § 1, eff. 3-9-79; Am. Ord. 80-16, § 1, eff. 5-6-80; Am. Ord. 80-27, § 1, eff. 4-11-80; Am. Ord. 8540, § 2, eff. 4-19-85; Am. Ord. 91-64, § 13, eff. 7-12-91; Am. Ord. 91-125, § 23, eff. 12-20-91; Am. Ord. 94-42, § 2, eff. 7-8-94).

#### SECTION 12-217.4. USES EXPRESSLY PROHIBITED.

- A. The uses enumerated in Section 12-217.4-B are expressly prohibited in the "C-1" District.
- B.
  1. New residential uses. Existing residential uses shall be subject to the provisions of Section 12-317, nonconforming buildings and uses.
  2. Any combination of residential and non-residential uses at the same time, on a lot, or in any structure thereon.
  3. Advertising structures.
  4. Bars, cocktail lounges, and the like, except as permitted in Section 12-217.3-B-7.
  5. Industrial uses.
  6. Places providing exhibition dancing and entertainment, drive-ins, and theaters.
  7. Trailer parks. (Added Ord. 5748, 1960; Am. Ord. 68-59, 1968; Am. Ord. 77-47, § 2, eff. 6-10-77; Am. Ord. 88-123, § 3, eff. 10-28-88).

SECTION 12-217.5. PROPERTY DEVELOPMENT STANDARDS. The following property development standards shall apply to all land and structures in the "C-1" District:

Am. Ord. 68-46, 1968; Am. Ord. 72-118, 1972; Am. Ord. 76-16, § 1, eff. 3-21-76; Am. Ord. 88-38, § 4, eff. 4-8-88; Am. Ord. 91-5, § 1, eff. 2-8-91; Am. Ord. 91-121, § 1, eff. 12-13-91; Am. Ord. 91-125, §§ 24, 25, 12-20-91).

**SECTION 12-217.6. SITE PLAN REVIEW.** Before any building (or structure) is erected on any lot in this District, a site plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 12-406. (Added Ord. 5748, 1960; Am. Ord. 68-59, 1968; Am. Ord. 72-118, 1972).

**SECTION 12-218. "C-2" COMMUNITY SHOPPING CENTER DISTRICT.** The "C-2" District is intended to serve as a planned unified shopping center for a community. (Added Ord. 5748, 1960).

**SECTION 12-218.1. USES PERMITTED.**

- A. The uses enumerated in Section 12-218.1-B shall be permitted in "C-2" District, ~~plus such other uses as the Director may deem to be similar and not more obnoxious or detrimental to the public health, safety and welfare as listed in Section 12-408-E.~~ All uses shall be subject to the property development standards in Section 12-218.5 and Site Plan Review, Section 12-406.

- B. 1. Those uses permitted in the "C-1" District, Section 12-217.1, *as amended within this plan.*  
 2. Appliance sales (Household)  
 3. Banks  
 4. Beauty colleges, subject to the provisions of Section 12-306-1-2  
 5. Bicycle shops  
 6. Bowling alleys  
 7. Building and loan offices  
 8. Carnival-promotional  
 9. Department stores  
 10. Furniture stores  
 11. Garden supplies  
 12. Health foods  
 13. Hobby shops  
 14. Jewelry stores  
 15. Millinery  
 16. Notions  
 17. Offices:  
     a. Administrative  
     b. General  
 18. Pet shops  
 19. Post offices  
 20. Radio and television sales and service  
 21. Restaurants  
 22. Signs, subject to provisions of Section 12-218.5-K  
 23. Stationery stores  
 24. Super drugstores  
 25. Supermarkets  
 26. Toy stores  
 27. Tropical fish raising  
 28. Used merchandise sales, subject to the provisions of Section 12-306-N-41. (Added Ord. 5748, 1960; Am. Ord. 6291, 1963; Am. Ord. 6779, 1966; Am. Ord. 68-59, 1968; Am. Ord. 80-136, § 2, eff. 10-17-80; Am. Ord. 87-71, § 1, eff. 7-17-80; Am. Ord. 90-110, § 20, eff. 11-9-90).

**SECTION 12-218.2. REPEALED.**

Editor's note—Ord. 68-58, 1968, amended this Code by repealing former § 12-218.2, derived from Ord. 5748, 1960; and Ords. 6121, 1962; 6419, 1964.

### SECTION 12-218.3. USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT.

- A. The uses enumerated in Section 12-218.3-B shall be permitted subject to a Conditional Use Permit as provided for in Sections 12-405 and 12-406.
- B. Uses permitted subject to Conditional Use Permit.
- \*1. Any conversion of a residential building to a permitted nonresidential use involving any change in the exterior appearance of said building.
  - 2. Automobile accessory parts (new) retail sales.
  - 3. Automobile service station, subject to the provisions of Section 12-360-N-32.
  - ~~4. Bars and cocktail lounges, subject to the provisions of Section 12-323.~~
  - 5. Electrical distribution substation.
  - 5.1. Family Restaurant, Game and Entertainment Center, subject to provisions of Article 5 of Chapter 6, Article 13 of Chapter 9, and Section 12-306-N.
  - \*6. Ice and food products dispensing machines.
  - \*7. Microwave relay stations.
  - 7.1. Motion picture theaters as defined in Section 12-105-M.10.
  - \*8. Pool and billiards parlor in conjunction with a restaurant, subject to the provisions of subsection 12-306-N-31.
  - \*9. Public parking lot or structure, subject to the provisions of Sections 12-218.5 and 2-306-I.
  - 10. Self-service car wash (not including mechanical car washes).
  - 11. Small animal veterinary hospitals and clinics, within a completely enclosed building, with no boarding except as is incidental to medical care, subject to provisions of Sections 12-306-I and 12-306-N.
  - 12. Subdivisions signs—Off-site, if proposed as specified in Section 12-207.5-K-4-e.
  - <sup>New</sup> 12.2. Tire, battery, and accessory retail sales and service store.
  - \*13. Thrift Shops, subject to the provisions of Section 12-306-N-36.
  - ~~14. Video game arcades, subject to the provisions of Section 12-306-N-35.~~
  - \*15. Water pump stations, subject to the provisions of Subsection 46 of Section 12-306-N.
  - 16. Any alcohol use, as defined in Section 12-105-A.12.6, subject to the provisions of Section 12-323. (Added Ord. 5748, 1960; Am. Ord. 6240, 1963; Am. Ord. 6291, 1963; Added Ord. 6586, 1965; Am. Ord. 6646, 1965; Am. Ord. 68-58, 1968; Am. Ord. 69-37, 1969; Am. Ord. 76-100, § 1, eff. 11-7-76; Am. Ord. 79-104, § 1, eff. 7-13-79; Am. Ord. 80-16, § 2, eff. 5-6-80; Am. Ord. 82-49, § 2, eff. 5-28-82; Am. Ord. 82-90, §§ 1,

2, eff. 10-1-82; Am. Ord. 83-35, § 3, eff. 4-22-83; Am. Ord. 91-64, § 14, eff. 7-12-91; Am. Ord. 91-125, § 26, eff. 12-20-91; Am. Ord. 92-56, § 1, eff. 8-28-92; Am. Ord. 94-17, § 1, eff. 4-29-94; Am. Ord. 94-42, § 3, eff. 7-8-94).

### SECTION 12-218.4. USES EXPRESSLY PROHIBITED.

- A. The uses enumerated in Section 12-218.4-B are expressly prohibited in the "C-2" District.
- B.
- 1. New residential uses. Existing residential uses shall be subject to the provisions of Section 12-317, nonconforming buildings and uses.
  - 2. Any combination of residential and nonresidential uses at the same time on a lot, or in any structure thereon.
  - 3. Advertising structures.
  - 4. Industrial uses.
  - 5. Trailer parks. (Added Ord. 5748, 1960; Am. Ord. 6859, 1968).

SECTION 12-218.5. PROPERTY DEVELOPMENT STANDARDS. The following property development standards shall apply to all land and structures in the "C-2" District:

#### A. LOT AREA

No requirement. However, the provisions of Section 12-218.5-M, shall apply.

#### B. LOT DIMENSIONS

No requirements.



SECTION 12-221. "C-5" GENERAL COMMERCIAL DISTRICT. The "C-5" District is intended to serve as sites for the many lighter uses in the commercial classifications which are located in existing built-up areas too far scattered to perform the function of a compact neighborhood or community shopping center. (Added Ord. 5748, 1960).

#### SECTION 12-221.1. USES PERMITTED.

A. The following uses shall be permitted in the "C-5" District, ~~plus such other uses as the Director may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare, as listed in Section 12-408.2.~~ All uses shall be subject to the Property Development Standards, Section 12-221.5 and Site Plan Review, Section 12-406.

- B. 1. Reserved
2. Ambulance service
  3. Antique shop
  4. Appliance sales
  5. Artist studio
  6. Automobile service station, subject to the provisions of Section 12-306-N-32
  7. Bakery, retail
  8. Banks.
  9. Barbershop.
  10. Beauty shop.
  11. Bicycle shop.
  12. Bookstore, ~~adult, subject to the provisions of Section 12-306-N-36 of this Code.~~
  13. Building and loan offices.
  14. Cleaning and dyeing shop, retail (drycleaning clothes allowed only in enclosed machine using nonflammable cleaning compounds).
  15. Communications equipment building.
  16. Confectionery.
  17. Dancing schools.
  18. Delicatessen.
  19. Drugstore.
  20. Florist.
  21. Furniture store.
  22. Garden supplies.
  23. Greenhouse.
  24. Groceries.
  25. Hardware store.

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26. Health foods.
27. Hobby shop.
28. Ice storage (10 tons' capacity maximum).
29. Laboratories:
  - a. Biological.
  - b. Dental.
  - c. Medical.
  - d. Optometrical.
30. Laundry and dry cleaning pick-up agencies for work to be done elsewhere.
31. Laundry, self-service *only when not visible from Shaw Ave.*
32. Libraries.
- ~~33. Liquor products (packaged).~~
34. Model home display.
35. Music and dance instruction.
36. Newspaper stands.
37. Offices:
  - a. Administrative.
  - b. Business.
  - c. General.
  - d. Medical.
  - e. Professional.
38. Pet shop.
39. Photographic studios.
40. Photographic supplies.
41. Plant nursery.
42. Post office.
43. Radio and television broadcasting.
- ~~44. Reading rooms.~~
45. Rental of party supplies, sickroom supplies, and health machines.
- 45.5. Conversion of an existing commercial use to residential use in a residential building where such use is specifically authorized in an applicable specific plan and pursuant to the provisions of the applicable specific plan.  
For purposes of this section, "Residential building" means a building originally planned for, built, occupied and used for residential purposes.
46. Restaurant (serving wine or beer with meals only).

~~47. Retail poultry and rabbit sales.~~

48. Shoe repair shop.

49. Signs subject to the provisions of Section 12-221.5-K.

50. Silkscreen processing.

51. Sporting goods.

~~52. Storage garage.~~

53. Tobacco products.

54. Electric distribution substation.

55. Variety store.

56. Water pump stations. (Added Ord. 5748, 1960; Am. Ord. 5963, 1961; Am. Ord. 6437, 1964; Am. Ord. 6674, 1965; Am. Ord. 7143, 1971; Am. Ord. 7447, § 1, eff. 6-17-74; Am. Ord. 80-16, § 4, eff. 5-6-80; Am. Ord. 84-54, § 3, eff. 4-24-84; Am. Ord. 90-110, § 23, eff. 11-9-90; Am. Ord. 90-129, § 7, eff. 12-14-90; Am. Ord. 92-100, § 4, eff. 1-8-93).

## SECTION 12-221.2. REPEALED.

Editor's note—Ord. 68-58, § 1968, amended this Code by repealing former § 12-221.2 derived from Ord. 5748, 1960, Ord. 6240, 1963, and Ord. 6806, 1966.

## SECTION 12-221.3. USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT.

A. The use enumerated in Section 12-221.3-B shall be permitted subject to a Conditional Use Permit as provided for in Section 12-304.

B. Uses permitted subject to Conditional Use Permit.

1. Automobile muffler shop, when located within a completely enclosed building.

2. Automobile rental and leasing, without drivers.

3. Buildings over two stories or thirty-five feet in height.

\*4. Caretaker's residence.

\*5. Churches.

5.1. Drug manufacturer (beyond that which would be consistent with the definition of "drugstore" as provided in FMC 12-105-D-14 or "pharmacy" as provided in FMC 12-105-P-10 and Business and Professions Code Section 4035), subject to the provisions of Section 12-306-N-48.

6. Furniture or automobile upholstery shop when located within a completely enclosed building.

\*7. Ice and food products dispensing machines.

8. Light truck rental.

\*9. Lodges, clubs, and fraternal organizations.

10. Mortuaries.

\*11. One single-family dwelling unit used in combination with permitted nonresidential uses.

\*12. Public parking lots or structures.

13. Restaurant with bar or cocktail lounge, subject to the provisions of Section 12-323.

\*14. Small animal veterinary hospitals and clinics, within completely enclosed building, with no boarding except as incidental to medical care, subject to provisions of Sections 12-306-I and 12-306-N.

\*14.1. Secondhand store, subject to paragraphs a. through d. of subsection 36 of Section 12-306-N.

~~15. Residential support facilities, subject to compliance with subsection 12-306-N-49.~~~~15.1. Storage of hot lunch wagons.~~

16. <sup>New</sup> Tire, battery, and accessory parts retail sales and service store <sup>only</sup> when located with completely enclosed bldg. or behind solid masonry wall.

\*17. Thrift, shops, subject to the provisions of Section 12-206-N.

18. Adult Day Care Facilities, subject to compliance with subsection 12-306-N-43.

19. Any alcohol use, as defined in Section 12-105-A.12.6, subject to the provisions of Section 12-323. (Added Ord. 5748, 1960; Am. Ord. 6458, 1964; Am. Ord. 6628, 1965; Am. Ord. 6847, 1966; Am. Ord. 65-58, 1968; Am. Ord. 69-114, 1970; Am. Ord. 70-38, 1970; Am. Ord. 74-93, § 1, eff. 10-20-74; Am. Ord. 79-50, § 5, eff. 4-27-79; Am. Ord. 80-17, § 1, eff. 3-21-80; Am. Ord. 81-63, § 1, eff. 7-3-81; Am. Ord. 82-90, § 3, eff. 10-1-82; Am. Ord. 83-9, § 1, eff. 2-11-83; Am. Ord. 84-54, § 4, eff. 4-24-84; Am. Ord. 87-175, § 1, eff. 1-22-88; Am. Ord. 89-124, § 1, eff. 11-10-89; Am. Ord. 90-53, §§ 38, 39, eff. 7-13-90; Am. Ord. 92-26, § 1, eff. 5-22-92; Am. Ord. 94-42, § 6, eff. 7-8-94).

## SECTION 12-221.4. USES EXPRESSLY PROHIBITED.

A. The uses enumerated in Section 12-221.4-B are expressly prohibited in the "C-5" District.

B. 1. New residential uses other than those listed as permitted uses. Existing residential uses other than those listed as permitted uses shall be subject to provisions of Section 12-317, nonconforming buildings and uses.

2. Any combination of residential uses other than those listed as permitted and nonresidential uses at the same time.

3. Industrial uses other than those listed in Sections 12-221.1 and 12-221.3. (Added Ord. 5748, 1960; Am. Ord. 68-59, 1968; Am. Ord. 92-26, § 2, eff. 5-22-92).

SECTION 12-221.5. PROPERTY DEVELOPMENT STANDARDS. The following property development standards shall apply to all land structures in the "C-5" District:

2. For exceptions, the provisions of the "C-P" District, Section 12-216.5-D-2, shall apply.

#### E. YARDS

1. Where a "C-5" District is adjacent to any property zoned or planned for residential use, the requirements of the "C-1" District, Section 12-217.5-E, shall apply.
2. Where a "C-5" District adjoins a major street, a yard of no less than ten feet shall be provided, landscaped and maintained adjacent to the major street in accordance with paragraph (j) of subsection 12-306-N-24.

#### F. SPACE BETWEEN BUILDINGS

No requirements.

#### G. LOT COVERAGE

No requirements.

#### H. WALLS

The provisions of the "C-6" District, Section 12-222.5-H, shall apply.

#### I. OFF-STREET PARKING

The provisions of the "C-6" District, Section 12-222.5-I, shall apply.

#### J. ACCESS

The provisions of the "C-6" District, Section 12-222.5-J, shall apply.

#### K. OUTDOOR ADVERTISING

The provisions of the "C-1" District, Section 12-217.5-K, shall apply.

#### L. LOADING SPACES

The provisions of Section 12-306-L shall apply. (Added Ord. 5748, 1960; Am. Ord. 6677, 1965; Am. Ord. 88-38, § 8, eff. 4-8-88; Am. Ord. 91-125, § 30, eff. 12-20-91).

SECTION 12-221.6. SITE PLAN REVIEW. Before any building or structure is erected on any lot in this District, a Site Plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 12-406. (Added Ord. 79-195, § 1, eff. 1-18-80).

SECTION 12-222. "C-6" HEAVY COMMERCIAL DISTRICT. The "C-6" District is intended to serve as sites for the many heavier uses in the Commercial classifications which are located in existing built-up areas too far scattered to perform the functions of the community or regional compact shopping centers. (Added Ord. 5748, 1960).

SECTION 12-222.1. USES PERMITTED. The following uses shall be permitted in the "C-6" District, ~~plus such other uses as the Director may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare, as listed in Section 12-408-E.~~ All uses shall be subject to the Property Development Standards in Section 12-222.5.

1. Those uses listed as permitted in the "C-5" District, Section 12-221.1, *as amended within this plan.*
2. Ambulances.
3. Animal hospitals (no kennels except for animals under treatment).
4. Automobile parts sales (new).
5. Automobile rental and leasing, without drivers.
6. Automobile re-upholstery *when located within a completely enclosed building.*
7. Automobile sales with incidental repairs and service (any repairs and service within a completely enclosed building), including the sale of trucks not to exceed three tons factory rating.

~~8. Bars and cocktail lounges.~~

~~9. Bath (Turkish, etc.).~~

10. Beauty college, subject to the provisions of Section 12-306-I-2.
11. Boat sales.
12. Bookstore, ~~adult~~, subject to the provisions of Section 12-306-N-30 of this Code.
13. Bowling alleys.
14. Business colleges.
15. Carnival—Promotional.
16. Confectionery (with incidental manufacturing).
17. Diaper service.
18. Drive-in restaurant.
19. Electrical supply.\*1
20. Equipment rental, except heavy construction equipment. \*1
21. Feed and fuel, when located within a completely enclosed building or solid masonry wall.
22. Frozen food locker.
23. Furniture upholstery (retail custom work).
24. Gymnasiums.
- ~~25. House trailer sales and rentals.~~
26. Ice and food products dispensing machines.
27. Laboratories;
- a. Testing.
28. Machinery sales, except heavy construction machinery. \*1
29. Mattress shop.
30. Meeting halls.
31. Miniature golf course.
32. Monument and tombstones sales (retail only).
33. Pottery sales, when located within a completely enclosed building or solid masonry wall.
34. Print shop, lithographing, publishing, blueprinting.
35. Reducing salons.
- ~~36. Repair garage.~~
37. Restaurant.
- ~~38. Retail poultry and rabbit sales (with incidental slaughtering and dressing).~~
39. Secondhand store, when located within a completely enclosed building.

40. Sign painting, *only when located within a completely enclosed building.*
41. Signs, subject to the provisions of Sections 12-222.5-K and 12-306-K.
42. Skating rinks.
43. Super drugstore.
44. Supermarkets.
45. Swimming pools.
46. Taxidermist.
47. Tinsmith.
48. <sup>New</sup> Tire, battery, and accessory parts retail sales and service store.
49. <sup>New</sup> Tire sales (retail only). *only when located within a completely enclosed building.*
50. Tropical fish raising.
51. Veterinarian. (Added Ord. 5748, 1960; Am. Ord. 6419, 1964; Am. Ord. 6479, 1965; Am. Ord. 6779, 1966; Am. Ord. 70-38-1970; Am. Ord. 79-103, § 1, eff. 7-13-79; Am. Ord. 80-136, § 4, eff. 10-17-80; Am. Ord. 84-54, § 5, eff. 4-24-84; Am. Ord. 90-110, § 24, eff. 11-9-90; Am. Ord. 90-129, § 8, eff. 12-14-90).

## SECTION 12-222.2. REPEALED.

Editor's note—Ord. 68-58, 1968, repealed § 12-222.2. Said section had been derived from Ord. 5748, 1960; Ord. 6393, 1964; Ord. 6419, 1964; and Ord. 6930, 1967.

## SECTION 12-222.3. USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT.

- A. The uses enumerated in Section 12-222.3-B shall be permitted subject to a Conditional Use Permit as provided for in Section 12-304.
- B. Uses permitted subject to Conditional Use Permit.
1. Auction house.
  - \*2. Auditorium.
  - 2.5. Banquet hall.
  - ~~\*3. Body and fender shops, when located within completely enclosed buildings.~~
  4. Buildings over two stories or thirty-five feet in height.
  5. Bus terminals.
  - \*6. Caretaker's residence.
  - \*7. Churches.
  - ~~8. Damaged Automobile Storage Yard, subject to the provisions of Section 12-105-B and Section 12-306-N-1.5.~~
  - \*9. Drive-in movies.

- \*10. Go. living ranges.
- \*11. Hotels.
- \*12. Lodges, clubs and fraternal organizations.
- \*13. Mechanical car wash.
- \*14. Microwave relay structure.
- \*15. Mortuary or funeral parlor.
- \*16. Motels.
- ~~\*17. Motion picture theater, adult, subject to the provisions of Section 12-306-N-30 of this Code.~~
18. Motion picture theaters.
19. Motorcycle shops.
20. Natatorium.
- \*21. One single-family dwelling unit used in combination with permitted nonresidential uses.
- \*22. Pitch and putt golf course.
- \*23. Plumbing supplies (when located within a completely enclosed building or solid masonry walls). X
- ~~\*24. Pool and billiard parlors.~~
- \*25. Public parking lot and structures.
26. Recreational slide.
- \*27. Sports arenas.
- ~~\*28. Self-service wholesaling which shall mean the sale of merchandise for use or resale to individuals or institutions on a single item or case basis as opposed to the multiple case lot common to wholesale distribution. Merchandise shall be selected and transported by the customer. Gross floor area shall be limited to ten thousand square feet.~~
- ~~29. Tire recapping, retreading and rebuilding (with the provision that all tires shall be sold on the premises at retail only and direct to the ultimate consumer; there be no more than four molds used in conjunction with the operation; all activity including storage be maintained completely within an enclosed building).~~
30. Adult Day Care Facilities, subject to compliance with subsection 12-306-N-43.
- ~~31. Residential Support Facilities, subject to compliance with subsection 12-306-N-43.~~
32. Any alcohol use, as defined in Section 12-105-A.12.6, subject to the provisions of Section 12-323. (Added Ord. 5748, 1960; Am. Ord. 6163, 1962; Am. Ord. 67-130, 1968; Am. Ord. 68-58, 1968; Am. Ord. 68-81, 1968; Am. Ord. 69-120, 1970; Am. Ord. 70-37, 1970; Am. Ord. 79-25, § 2, eff. 3-9-79; Am. Ord. 79-50, § 6, eff. 4-27-79; Am. Ord. 79-103, §

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2, eff. 7-13-79; Am. Ord. 80-17, § 2, eff. 3-21-80; Am. Ord. 82-64, § 1, eff. 7-23-82; Am. Ord. 84-54, § 6, eff. 4-24-84; Am. Ord. 86-70, § 5, eff. 6-6-86; Am. Ord. 90-53, §§ 40, 41, eff. 7-13-90; Am. Ord. 94-42, § 7, eff. 7-8-94).

SECTION 12-222.4. USES EXPRESSLY PROHIBITED. The following uses are expressly prohibited in the "C-6" District:

- A. New residential uses other than those listed as permitted uses. Existing residential uses other than those listed as permitted uses shall be subject to provisions of Section 12-317, Nonconforming Buildings and Uses.
- B. Any combination of residential uses other than those listed as permitted and nonresidential uses.
- C. Industrial uses.
- D. A recreational slide within any existing required off-street parking area.
- E. Advertising structures. (Added Ord. 5748, 1960; Am. Ord. 68-81, 1968; Rep. and Added Ord. 88-76, § 1, eff. 7-1-88; Added Ord. 90-129, § 9, eff. 12-14-90).

SECTION 12-222.5. PROPERTY DEVELOPMENT STANDARDS. The following property development standards shall apply to all land and structures in the "C-6" District:

#### A. LOT AREA

No requirement.

#### B. LOT DIMENSIONS

1. Width. No requirement.
2. Depth. Each lot shall have a minimum depth of one hundred fifty (150) feet.

#### C. POPULATION DENSITY

None, however, for existing residential uses, the provisions of Section 12-222.4-A, shall apply.

#### D. BUILDING HEIGHT

1. No building or structure erected in this District shall have a height greater than two stories, not to exceed thirty-five feet; provided, that buildings over two stories or thirty-five feet in height may be erected subject to securing of a Conditional Use Permit as set forth in Section 12-406.
2. For exceptions, the provisions of the "C-P" District, Section 12-216.5-D-2, shall apply. (Subsec. Am. Ord. 68-59, 1968).

#### E. YARDS

1. Where a "C-6" District is adjacent to any property zoned or planned for residential use, the requirements of the "C-1" District, Section 12-217.5-E, shall apply.

4-8-88; Am. Ord. 90-129, § 10, eff. 12-14-90; Am. Ord. 91-125, § 31, eff. 12-20-91).

SECTION 12-222.6. SITE PLAN REVIEW. Before any building or structure is erected on any lot in this District, a Site Plan shall have been submitted to and approved by the Director, pursuant to the provisions of Section 12-406. Added Ord. 79-195, § 2, eff. 1-18-80).

SECTION 12-223. "CR" COMMERCIAL RECREATION DISTRICT. The "C-R" Commercial Recreation District is intended to group commercial-recreation uses into a planned, integrated center, including related service and commercial uses. (Added Ord. 5748, 1960).

SECTION 12-223.1. USES PERMITTED. The following uses shall be permitted in the "C-R" District, ~~plus such other uses as the Director may deem to be similar and not more obnoxious or detrimental to the public health, safety and welfare, as listed in Section 12-406-E.~~ All uses shall be subject to the Property Development Standards in Section 12-223.5.

#### A. RECREATIONAL USES

1. Bowling alleys
2. Churches
3. Clubs and lodges
4. Driving ranges
5. Fairgrounds
6. Fishing and fly casting ponds
7. General commercial amusements
8. Miniature golf courses
9. Pitch-and-putt courses
10. Pool and billiards
11. Skating rinks
12. Sports arena
13. Stadium
14. Swim parks, natatoriums.
15. Tennis courts.

#### B. RELATED COMMERCIAL USES including but not limited to the following:

~~1. Darts~~

2. Barbershops and beauty shops.

~~3. Baths, Turkish and the like.~~

4. Bicycle shops.

5. Model swimming pools (enclosed within a building or adequately protected by fencing).
  6. Off-street parking lot or structure.
  7. Restaurants.
  8. Sporting goods stores.
  9. Temporary or permanent telephone booths.
  10. Public parking lot or structure.
- C. SIGNS. (Added Ord. 5748, 1960; Am. Ord. 79-27, § 1, eff. 3-9-79; Am. Ord. 90-110, § 25, eff. 11-9-90).

#### SECTION 12-223.2. REPEALED.

Editor's note—Ord. 68-58, 1968, repealed § 12-223.2, which had been derived from Ord. 5748, 1960.

#### SECTION 12-223.3. USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT.

A. The uses enumerated in Section 12-223.3-B shall be permitted subject to a Conditional Use Permit as provided for in Section 12-304.

B. Uses permitted subject to Conditional Use Permit.

1. Banquet halls.
2. Electrical distribution substation.
- \*3. Microwave relay stations.
4. Riding stables and academies.
- \*5. Water pump stations, subject to the provisions of Subsection 46 of Section 12-306-N.
6. Any alcohol use, as defined in Section 12-105-A.12.6, subject to the provisions of Section 12-323. (Added Ord. 5748, 1960; Am. Ord. 68-58 1968; Am. Ord. 86-70, § 6, eff. 6-6-86; Am. Ord. 91-64, § 17, eff. 7-12-91; Am. Ord. 94-42, § 8, eff. 7-8-94).

SECTION 12-223.4. USES EXPRESSLY PROHIBITED. The following uses are expressly prohibited in the "C-R" District: All uses listed in Section 12-218.4 of the "C-2" District are prohibited. (Added Ord. 5748, 1960).

SECTION 12-223.5. PROPERTY DEVELOPMENT STANDARDS. The property development standards of the "C-2" District, Section 12-218.5, shall apply to all land and structures in the "C-R" District. In order to carry out the purposes of Section 12-223 of this District, the minimum amount of land that may be zoned for

"C-R" purposes in any one location shall be four (4) acres. There shall be no maximum. (Added Ord. 5748, 1960).

SECTION 12-223.6. OTHER CONDITIONS TO USE. The requirements of the "C-1" District, Section 12-217.6, shall apply. (Added Ord. 5748, 1960).

SECTION 12-224. "C-M" COMMERCIAL AND LIGHT MANUFACTURING DISTRICT. 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 further, to provide a close relationship between warehousing, distribution and retail sales. (Added Ord. 5748, 1960).

SECTION 12-224.1. USES PERMITTED. The following uses shall be permitted in the "C-M" District, ~~plus such other uses as the Director may deem to be similar and not more obnoxious or detrimental to the public health, safety and welfare, as listed in Section 12-400 F.~~ All uses shall be subject to the Property Development Standards in Section 12-224.5.

#### A. RETAIL STORES

1. Automobile sales with incidental repair and service (any repair and service shall be conducted within a completely enclosed building), ~~including truck sales, and excluding auto body repair & painting~~
2. Automobile parts sales (new)
3. Automobile service stations
4. Bakery, retail
5. Building materials, new \*|
6. Department stores
7. Electrical supply \*|
8. Equipment sales
9. Farm equipment sales with incidental repairs and service
10. Home furnishings
11. Ice storage (such storage house shall be limited to ten (10) ton capacity each).
12. Leather goods and luggage
13. Motorcycle shop
14. Music, musical instruments, records
- ~~15. Pawn shops~~
16. Plumbing supply \*|
17. Radio-television sales and service
18. Second-hand goods sale (all goods (except vehicles) displayed, sold and stored within an entirely enclosed building).
19. Sporting goods
20. <sup>NW</sup>Fire sales—retail only when located within a completely enclosed building

21. Toys

~~22. Truck service station~~

23. Variety stores

#### B. SERVICES

1. Automobile repairs (conducted within a completely enclosed building)
2. Automobile reupholstery *only when located within a completely enclosed building*
3. Auction houses *only when located within a completely enclosed building*
- ~~4. Bars and Cocktail Lounges~~
- ~~5. Baths (Turkish, etc.)~~
6. Blueprinting and photocopying
- ~~7. Body and fender shop~~
8. Employment agencies
9. Equipment rental \*|
10. Farm equipment service \*|
11. Financial institutions
12. Libraries
13. Newspaper publishing
14. Offices:
  - a. Administrative
  - b. Business
  - c. General
  - d. Medical
  - e. Professional
15. Picture framing
16. Printing shop, lithographing, publishing
- ~~17. Reading rooms~~
18. Taxidermist

#### C. RELATED USES

1. Banks
2. Caretaker's residences
3. Commercial uses that are incidental to and directly related to and serving the permitted industrial uses
4. Delicatessens
5. Frozen food lockers
6. Grocery stores
7. Ice and food product dispensing machines

8. Restaurants, *restaurants with bars/cocktail lounges.*
9. Signs, subject to the provisions of Sections 12-224.5-K and 12-306-K.
10. ~~Wholesale meat cutting and packing provided there shall be no slaughtering, fat rendering, sausage making, or smoke curing (Subsec. Am. Ord. 6502, 1964).~~

~~D. MANUFACTURING~~

1. Automotive
  - a. Painting
  - b. Reconditioning
  - c. Tire recapping, retreading and rebuilding (with the provision that all tires shall be sold on the premises at retail only and direct to the ultimate consumer).
  - d. Trucks repairing and overhauling
  - e. Upholstering
2. Boat building and repairs
3. Book binding
4. Bottling plants
5. Ceramic products using only previously pulverized clay and fired in kilns only using electricity or gas
6. Jewelry manufacturing
7. Machinery and shop (no punch presses over twenty (20) tons or drop hammers)
  - a. Cabinet or carpenter shops.
  - b. Custom furniture shops.
  - c. Furniture upholstery shops, custom retail work.
  - d. Machine shops.
  - e. Welding shops.
8. Manufacturing compounding, processing, packaging, or treatment of products such as:
  - a. Bakery goods
  - b. Candy
  - c. Cosmetics
  - d. Dairy products
  - e. Drugs, subject to the provisions of Section 12-306-N-48.
  - f. Food products (excluding fish and meat products, sauerkraut, wine, vinegar, yeast and the rendering of fats and oils) if connected with an adequate sewer system.
  - g. Fruits and vegetables (packing only)
  - h. ~~Honey extraction~~

II-12

1. ~~Perfume~~
- j. Toiletries
9. Manufacturing and maintenance of electric or neon signs
10. Novelties
11. Retail lumber yards (including incidental millwork but not including planing mill)
12. Rubber and metal stamps
13. Storage yards
  - a. Contractor's storage yards
  - b. Feed and fuel yards
  - c. Machinery rentals
  - d. Motion picture studio storage yards
  - e. Transit storage
  - f. Petroleum bulk plants
14. Wholesaling and warehousing
- E. PROCESSING
  1. Blue printing and photocopying
  2. Carpet and rug cleaning plants
  3. Cleaning dyeing plants
  4. Creamery
  5. Laundries
  6. Laboratories
- F. FABRICATION
  1. ~~Assembly of small electrical and electronic equipment~~
- G. PUBLIC UTILITY SERVICE YARDS (WITH INCIDENTAL BUILDINGS). \*|
- H. OFF-STREET PARKING.
- I. AGRICULTURAL USES, *permitted with conditional use permit with livestock uses prohibited.*
- J. ELECTRICAL DISTRIBUTION SUBSTATION.
- K. COMMUNICATIONS EQUIPMENT BUILDINGS.
- L. TEMPORARY OR PERMANENT TELEPHONE BOOTHS.
- M. WATER PUMP STATIONS. (Added Ord. 5748, 1960; Am. Ord. 6419, 1964; Am. Ord. 6502, 1964; Am. Ord. 90-110, § 26, eff. 11-9-90; Am. Ord. 90-129, § 11, eff. 12-14-90; Am. Ord. 92-26, § 3, eff. 5-22-92).

## SECTION 12-224.2. REPEALED.

Editor's note—Section 12-224.2 was added to the code by Ord. No. 5748, 1960, was amended by Ord. No. 67-119 of 1967 and repealed by Ord. No. 68-58 of 1968.



ERRATA PAGES  
INITIATION OF HIGHWAY CITY NEIGHBORHOOD SPECIFIC PLAN  
JUNE 6, 1995

HISTORIC PRESERVATION, CULTURAL RESOURCES  
AND ENTERTAINMENT

Plan Text Page 40.

Implementation Action

7-2-7. Where feasible and appropriate seek available funds and resources to preserve, restore, promote, repair and improve other **qualified** historically significant properties within the Specific Plan area.

APPENDIX II  
HIGHWAY CITY SPECIFIC PLAN  
USES PERMITTED BY ZONE DISTRICTS

Appendices Pages II-1 through II-21

"C-5"      General Commercial District uses shall be permitted as set forth with Section 12-221.1 "Uses Permitted" and Section 12-221.3 "Uses Permitted Subject to Conditional Use Permit" with the following additions and deletions:

Sect. 12-221.1

B.45    Rental of party supplies, sickroom supplies, and health machines, only when located within a completely enclosed building or behind a solid masonry wall.

"C-6"      Heavy Commercial District uses shall be permitted as set forth with Section 12-222.1 "Uses Permitted" and Section 12-222.3 "Uses Permitted Subject to Conditional Use Permit" with the following additions and deletions:

Sect. 12-222.1

A.7    ~~Automobile sales with incidental repairs and service (any repairs and service within a completely enclosed building), including the sale of trucks not to exceed three tons factory rating.~~

Sect. 12-222.3

B.1    Auction House, only when located within a completely enclosed building.

"C-M"

Commercial and Light Manufacturing uses shall be permitted as set forth with Section 12-224.1 "Uses Permitted" and Section 12-224.3 "Uses Permitted Subject to Conditional Use Permit" with the following additions and deletions:

Sect. 12-224.1

- A.1 ~~Automobile sales with incidental repair and service (any repair and service shall be conducted within a completely enclosed building), including truck sales.~~
- A.8 ~~Equipment sales.~~
- A.9 ~~Farm equipment sales with incidental repairs and service.~~

"M-1" Light Manufacturing District uses shall be permitted as set forth with Section 12-226.1 "Uses Permitted" and Section 12-226.3 "Uses Permitted Subject to Conditional Use Permit" with the following additions and deletions:

Sect. 12-226.1

- B.10 Electrical supply, only when (1) not visible from Shaw Avenue and (2) located within a completely enclosed building or behind a solid masonry wall.
- E.1 ~~Rubber, fabrication of products made from finished rubber.~~

- pollution-free
- business park environments
- buffer zones - wrecking yards

#### Public Service Facilities

- branch library
- post office
- Herndon-Barstow school

#### Infrastructure

- better streets, curbs & gutters, sidewalks, street lights
- flood control
- utility easements (use of land above right-of-way)
- traffic controls, signals & signs - Shaw & Barcus, Cornelia & Mission
- speed bumps
- railroad grade separation
- freeway on/off ramps - sound walls & safety screens
- street frontage improvements
- no parking areas - hotels/trucks, Shaw Avenue
- bikepaths, pedestrian paths, jogging paths, and nature trails
- assessment districts

#### Parks and Open Space

- neighborhood parks - including ponding basins, passive & active, pocket parks and children's play areas
- greenbelts & buffers - Freeway 99, canal
- median island landscaping - Shaw Avenue frontages

#### Urban Design and Signage

- entryway feature - Underground Gardens, freeway travelers and tourist attractions and accommodations
- eliminate billboards and overly large, poorly maintained signs
- decorative fencing and landscaped frontages

## APPENDIX III

### NEIGHBORHOOD ISSUES, ASSETS, EXPECTATIONS AND REMEDIAL ACTIONS

#### Neighborhood Revitalization

- financial assistance
- organize neighborhood association(s)
- target neighborhoods
- code enforcement (friendly) - vacant/abandoned buildings, graffiti, abandoned cars
- community involvement and education - support self-help cleanup programs
- strong tax base
- stabilize neighborhoods
- mixture or range of income groups and housing types
- clean up yards and public areas - alleys, public streets, highways, railroads and canals
- better security for community center
- redesign parcelization/lot lines - cul-de-sacs, public access, odd-shaped/inefficient sizes
- plan implementation process/implementation committee

#### Improved Housing

- rehabilitation
- paint/fix-up
- infill housing (in existing neighborhoods)
- new housing construction - single family residential
- affordable/financial assistance

#### Commercial Services

- neighborhood retail commercial - grocery, drug store, ice cream
- restaurant (no 24 hour operations)
- factory outlets
- professional offices
- farmers market
- small businesses - hotels, low-impact businesses
- commercial recreation - Underground Gardens & related development, water park (oriented to canal/"Blackbeard" type)

#### Industrial

- provide jobs
- cleaner/odor-free
- quieter



concern and one (1) parking space for each sales person permanently employed.

3. The provisions of the General Conditions, Section 12-306-I, shall apply.

#### J. ACCESS

1. There shall be vehicular access from a dedicated and improved street or alley to off-street parking and loading facilities on the property requiring off-street parking and loading. The design of said access to withstand industrial usage shall be approved by the Department of Public Works.
2. The Director shall specify the location and number of ingress and egress points by conditions established at the time of review of required site plan.

#### K. OUTDOOR ADVERTISING

The provisions of Section 12-217.5-K shall apply except that the copy of on-site signs for industrial uses may also specify the type of product manufactured, processed or fabricated, or the service rendered and hours of operation. Advertising structures are subject to the provisions of Section 12-306-K. The provisions of Article 10 of Chapter 13 shall apply to free-standing, on-premises signs or advertising structures adjacent to free-ways.

#### L. LOADING SPACES

The provisions of Section 12-306-L shall apply. (Added Ord. 5748, 1960; Am. Ord. 5858, 1961; Am. Ord. 6406, 1964; Am. Ord. 6603, 1965, Am. Ord. 6677, 1965, Am. Ord. 88-38, § 11, eff. 4-8-88; Am. Ord. 90-129, § 18, eff. 12-14-90; Am. Ord. 91-125, § 34, eff. 12-20-91).

SECTION 12-226.6. SITE PLAN REVIEW. Before any building or structure is erected on any lot in this district, a site plan shall have been submitted to and approved by the Director pursuant to the provisions of Section 12-406. (Added Ord. 75-8, § 3, eff. 2-10-75).

SECTION 12-226.10. "S-L" STORAGE/LIMITED, MINI STORAGE FACILITY DISTRICT. The "S-L" Storage/Limited, Mini Storage Facility District is intended to provide for the development of a storage facility designed and used for

#### NOTE

- \*1 Only when (1) not visible from Shaw Avenue and (2) located within a completely enclosed building of behind a solid masonry wall.

the purpose of renting and leasing individual storage space for storing personal property, stock in trade and materials and equipment, automobiles and recreation vehicles. The storage facility, subject to Section 12-226.14-N, is intended to fit into the surrounding development pattern and create no architectural or traffic conflicts. (Added Ord. 91-102, § 1, eff. 9-20-91).

SECTION 12-226.11. USES PERMITTED SUBJECT TO A CONDITIONAL USE PERMIT. The following uses shall be permitted in the "S-L" District, subject to a conditional use permit and procedures as set forth in Section 12-226.13, plus such other uses as the Director may deem to be similar and not more obnoxious or detrimental to the public health, safety and welfare, as listed in Section 12-408-E. All uses shall be subject to the Property Development Standards in Section 12-226.14.

- A. Storage of goods, entirely within a building, associated with household uses such as furniture, appliances, camping gear, clothing, tools and other personal property.
- B. Storage of goods, entirely within a building, associated with general office uses such as stock in trade, display furniture, files, equipment, office supplies.
- C. Caretaker's residence.
- D. Retail sale of items appurtenant to the on-site rental of storage spaces.
- E. Lien sale of stored goods as authorized by California Business and Professions Code, Chapter 10, Division 8, Section 21700 et. seq.
- F. Storage of goods, entirely within a building, associated with industrial uses such as tools, parts, previously prepared metals, equipment, and machinery.
- ~~G. Storage of automobiles, boats and recreational vehicles.~~
- H. Rental of ~~trucks, trailers and~~ dollies. (Added Ord. 91-102, § 2, eff. 9-20-91).

SECTION 12-226.12. USES EXPRESSLY PROHIBITED. The following uses are expressly prohibited in the "S-L" District.

#### A. COMMERCIAL USES

1. Servicing or repairs of motor vehicles, boats, trailers, lawn mowers, appliances, furniture or similar equipment.

#### B. INDUSTRIAL USES

1. Operation of power tools, spray painting equipment, compressors, welding equipment or other similar equipment.
2. Any use that is noxious or offensive because of odors, dust, noise, fumes or vibrations.
- C. Outside or outdoor storage when not totally enclosed and visually obscured from sight from outside the facility.
  1. Outdoor storage of partially dismantled, wrecked or inoperable vehicles.

#### D. RESIDENTIAL USES (except for caretaker's residence)



## 22. Truck service station

## C. MANUFACTURING

## 1. Aircraft, modification, storage, repair and maintenance \*|

~~2. Automotive~~~~a. Painting~~~~b. Automotive reconditioning~~~~c. Truck repairing and overhauling~~

## d. Upholstering

## 3. Boat building and repairs \*|

## 4. Book binding

## 5. Bottling plants

6. Ceramic products using only previously pulverized clay and fired in kiln using only electricity or gas *storage areas to be screened from public view*

## 7. Garment manufacturing

8. Machinery and shop (no punch presses over twenty (20) tons or drop hammers) *Within enclosed building or screened from public view*

## a. Blacksmith shops

## b. Cabinet or carpenter shops

## c. Electric motor rebuilding

## d. Machine shops

## e. Sheet metal shops

## f. Welding shops.

~~g. Manufacturing, compounding, assembly or treatment of articles or merchandise from previously prepared materials.~~

## 9. Manufacturing, compounding, processing, packaging, or treatment of such products as:

## a. Bakery goods

## b. Candy

~~c. Cosmetics~~d. Dairy products *with C.O.P.*

## e. Drugs, subject to the provisions of Section 12-306-N-48.

## f. Food products (excluding fish and meat products, sauerkraut, wine, vinegar, yeast and the rendering of fats and oils) if connected with an adequate sewer system.

## g. Fruits and vegetables (packing only)

## h. Honey extraction plant

~~i. Perfume~~~~j. Toiletries~~

## 10. Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared materials:

*with C.O.P.*  
a. Canvas

## b. Cellophane

## c. Cloth

## d. Cork

## e. Felt

## f. Fiber

## g. Fur

## h. Glass

## i. Leather

## j. Paper (no milling)

## k. Precious or semi-precious stones or metals

## l. Plaster

## m. Plastics

## n. Shells

## o. Textiles

## p. Tobacco

## q. Wood

## r. Yarns



## I. OFF-STREET PARKING

The provisions of the "M-1" District, Section 12-226.5-I-1 and 2, shall apply.

## J. ACCESS

The provisions of the "M-1" District, Section 12-226.5-J-1 and 2, shall apply.

## K. OUTDOOR ADVERTISING

The provisions of Section 12-217.5-K and 12-306-K shall apply for the industrial uses permitted by Sections 12-225.1 and 12-225.3, except that the copy of on-site signs may also specify the type of product manufactured, processed or fabricated, or the service rendered and hours of operation. For multiple-tenant, single-story, M-1-P office park developments, the sign provisions of the R-P district, Section 12-215.5-K, shall apply.

## L. LOADING SPACES

The provisions of Section 12-306-L shall apply.

## M. SIZE OF NEW DISTRICT

In order to carry out the purposes expressed in Section 12-225 of this section, the minimum amount of land that may be zoned for "M-1-P" purposes in any one location shall be at least forty (40) acres in area. (Added Ord. 6748, 1960; Am. Ord. 6406, 1964; Am. Ord. 6677, 1965; Am. Ord. 79-23, § 3, eff. 3-9-79; Am. Ord. 88-38, § 10, eff. 4-8-88; Am. Ord. 90-129, § 15, eff. 12-14-90; Am. Ord. 91-125, § 33, eff. 12-20-91).

SECTION 12-225.6. SITE PLAN REVIEW. Before any building or structure is erected on any lot in this district, a site plan shall have been submitted to and approved by the Director pursuant to the provisions of Section 12-406. (Added Ord. 75-8, § 2, eff. 2-10-75).

SECTION 12-226. "M-1" LIGHT MANUFACTURING DISTRICT. The "M-1" Light Manufacturing District is intended to provide for the development of industrial uses which include fabrication, manufacturing, assembly or processing of materials that are in already processed form and which do not in their maintenance, assembly, manufacture or plant operation create smoke, gas, odor, dust, sound, vibration, soot or lighting to any degree which might be obnoxious or

offensive to persons residing in or conducting business in either this or any other district. (Added Ord. 5748, 1960).

SECTION 12-226.1. USES PERMITTED. The following uses shall be permitted in the "M-1" District, ~~plus such other uses as the Director may deem to be similar and not more obnoxious or detrimental to the public health, safety and welfare, as listed in Section 12-408-E.~~ All uses shall be subject to the Property Development Standards in Section 12-226.5.

A. All uses permitted in the "M-1-P" District, Section 12-225.

## B. RELATED USES

1. Reserved

~~2. Animal hospitals and shelters~~

~~3. Automobile repairs (conducted within a completely enclosed building)~~

4. Automobile reupholstery *only within an enclosed building*

~~5. Automobile service stations~~

6. Banks

7. Caretakers' residences

8. Commercial uses that are incidental to and directly related to and serving the permitted industrial uses

9. Delicatessens

10. Electrical supply

11. Equipment rental or sale \*

12. Farm equipment sales and service \*

13. Frozen food lockers

14. Grocery stores

~~15. Kennels~~

16. Ice and cold storage plants

17. Ice and food products dispensing machines

18. Newspaper publishing

19. Offices:

a. Administrative

b. Business

c. General

d. Medical

e. Professional

20. Restaurants

21. Signs *screened from public view*

that the Director determines that the proposed use will not be incompatible with uses in the surrounding residential districts.

4. Drive-in theater.
5. Ice and cold storage plants.
6. Mortuaries.
7. Punch presses.
8. Super service station. (Added Ord. 5748, 1960; Am. Ord. 68-58, 1968; Am. Ord. 73-47, § 1, eff. 4-29-73; Am. Ord. 85-121, § 13, eff. 9-13-85).

SECTION 12-225.4. USES EXPRESSLY PROHIBITED. The following uses are expressly prohibited in the "M-1-P" District:

#### A. RESIDENTIAL USES

1. For existing residential uses, the existing residence may be used for residential purposes but may not be converted to more intensive residential uses, nor may it be converted for residential and non-residential uses at the same time other than for the use of a caretaker in connection with an industrial use. Such residential uses shall be subject to the provisions of Section 12-317, nonconforming buildings and uses.

2. New residential uses.

#### B. INDUSTRIAL PLANTS

1. Abrasives
2. Bone black plants
3. Carbon black and lamp black plant
4. Chemical plant (heavy or industrial)
5. Charcoal manufacturing plant
6. Coal and coke plant
- 6.5. Coal or oil shale fueled generating plants
7. Detergents, soaps and by-products using animal fat
8. Fertilizers of all types
9. Gas manufacturing plant
10. Glue and sizing manufacturing plant
11. Graphite manufacturing plant
12. Gypsum and other forms of plaster base manufacturing
13. Insulation manufacturing plant (flammable types)
14. Match manufacturing plant
15. Metals extraction and smelting plant
16. Metal ingots, pigs, casting or rolling mill
17. Paper pulp and cellulose manufacturing plant

18. Paraffin manufacturing plant
19. Petroleum and petroleum products plant
20. Portland and similar cement manufacturing plant
21. Serum, toxin and virus manufacturing plant
22. Vinegar processing or refining
23. Volatile or poisonous gas storage or processing
24. Wood preserving by creosoting or other pressure impregnation of wood by preservatives.
25. Wood and lumber kilns for industrial kiln drying
26. Wineries or wine making.

#### C. ADVERTISING STRUCTURES

(Added Ord. 5748, 1960; Am. Ord. 6859, 1968; Am. Ord. 90-74, § 9, eff. 8-24-90; Added Ord. No. 90-129, § 14, eff. 12-14-90).

SECTION 12-225.5. PROPERTY DEVELOPMENT STANDARDS. The following property development standards shall apply to all land and structures in the "M-1-P" District:

#### A. LOT AREA

No requirement.

#### B. LOT DIMENSIONS

Each dimension is minimum only.

##### 1. Width

Each lot shall have a minimum width of one hundred and fifty (150) feet.

##### 2. Depth

Each lot shall have a minimum depth of two hundred (200) feet.

6. Bottling plants, except those liquids that are offensive or obnoxious by reason of odor or are hazardous.

~~7. Garment manufacturing.~~

~~8. Manufacture and maintenance of electrical and neon signs.~~

~~9. Novelties and holiday paraphernalia.~~

10. Textiles.

~~11. Rubber and metal stamps.~~

~~12. Furniture upholstery.~~

~~13. Candy.~~

~~14. Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared materials:~~

~~a. Canvas;~~

~~b. Cellophane;~~

~~c. Cloth;~~

~~d. Cork;~~

~~e. Felt;~~

~~f. Fiber;~~

~~g. Fur;~~

~~h. Glass;~~

~~i. Leather;~~

~~j. Paper (no milling);~~

~~k. Precious or semi-precious stones or metals;~~

~~l. Plaster;~~

~~m. Plastic;~~

~~n. Shell;~~

~~o. Textiles;~~

~~p. Tobacco;~~

~~q. Wood;~~

~~r. Yarns.~~

~~15. Fabrication of products made from finished rubber.~~

## B. SERVICES

~~1. Aircraft storage, repair and maintenance;~~

2. Banks and financial institutions;

3. Blueprinting and photocopying;

4. Business and research offices related to the administration and operation of the permitted industrial uses;

~~5. Newspaper publishing.~~

6. Offices, business and professional;

7. Off-street parking;

~~8. Printing, lithographing, publishing;~~

9. Radio and television broadcasting;

10. Restaurants;

11. Warehousing directly related to the permitted manufacturing or service use.

## ~~C. PROCESSING~~

~~1. Carpet and rug cleaning;~~

~~2. Cleaning and dyeing;~~

~~3. Laundry.~~

(Added Ord. 5748, 1960; Am. Ord. 77-81, § 1, eff. 8-26-77; Am. Ord. 90-110, § 27, eff. 11-9-90; Am. Ord. 92-26, § 3, eff. 5-22-92; Am. Ord. 94-55, § 1, eff. 8-26-94).

## SECTION 12-225.2. REPEALED.

Editor's note—Ord. 68-58, 1968, amended this Code by repealing former § 12-225.2 derived from Ord. 5748, 1960, and Ord. 6810, 1966.

## SECTION 12-225.3. USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT.

A. The uses enumerated in Section 12-225.3-B shall be permitted subject to a Conditional Use Permit as provided for in Section 12-304.

B. Uses permitted subject to Conditional Use Permit.

\*1. Agricultural uses permitted with conditional use permit with livestock uses prohibited.

~~2. Animal hospital and shelter.~~

3. Commercial uses that are incidental and directly related to and serving the personnel of the permitted industrial uses, providing

SECTION 12-225. "M-1-P" INDUSTRIAL PARK MANUFACTURING DISTRICT. The "M-1-P" Industrial Park Manufacturing District is intended to provide appropriate physical environment for the establishment of industry, and light manufacturing and services which include manufacturing, assembling, fabricating, processing, compounding and sale of materials that are wholly or partially manufactured or processed. The operation of plants within this District shall not create smoke, gas, odor, dust, sound, vibration, soot or lighting to any

degree which might be obnoxious or offensive to persons residing in or conducting business in either this or any other district. (Added Ord. 5748, 1960).

SECTION 12-225.1. USES PERMITTED. The following uses shall be permitted in the "M-1-P" District, ~~plus such other uses as the Director may deem to be similar and not more obnoxious or detrimental to the public health, safety, and welfare, as listed in Section 12-403-E.~~ All uses shall be subject to the Property Development Standards in Section 12-225.5:

#### A. MANUFACTURING ~~X~~

##### 1. Electronics:

- a. Electrical and related parts;
- b. Electrical appliances;
- c. Electrical devices;
- d. Motors;
- e. Radio, television and phonograph.

##### 2. Instruments:

- a. Electronic;
- b. Medical and dental tools;
- c. Precision;
- d. Timing and measuring.

##### 3. Office and Related Machinery:

- a. Audio machinery;
- b. Computers—Electrical;
- c. Computers—Manual;
- d. Visual machinery.

##### ~~4. Pharmaceuticals:~~

- ~~a. Cosmetics;~~
- b. Drugs, subject to the provisions of Section 12-306-N-48;
- ~~c. Perfumes;~~
- ~~d. Soap;~~
- ~~e. Toiletries;~~

##### ~~5. Laboratories:~~

- ~~a. Chemical;~~
- ~~b. Dental;~~
- ~~c. Electrical;~~
- ~~d. Optical;~~
- ~~e. Mechanical;~~
- ~~f. Medical;~~

16. Rubber reclaiming or processing
17. Salt works
18. Soap works
19. Smelting works
20. Sulphuric acid processing or bottling
21. Tar or asphaltic roofing processing
22. Vinegar processing or refining
23. Volatile or poisonous gas storage or processing
24. Wood preserving by creosoting or other pressure impregnation of wood by preservatives
25. Wood and lumber kilns for industrial kiln-drying

**D. TRAILER PARKS****E. ADVERTISING STRUCTURES**

(Added Ord. 5748, 1960; Am. Ord. 68-59, 1968; Am. Ord. 83-107, § 1, eff. 9-16-83; Am. Ord. 90-74, § 8, eff. 8-24-90; Am. Ord. 90-129, § 12, eff. 12-14-90).

**SECTION 12-224.5. PROPERTY DEVELOPMENT STANDARDS.** The following property development standards shall apply to all land and structures in the "C-M" District:

**A. LOT AREA**

No requirements.

**B. LOT DIMENSIONS**

Each dimension is minimum only.

**1. Width**

Each lot shall have a minimum width of seventy-five (75) feet.

**2. Depth**

Each lot shall have a minimum depth of one hundred twenty (120) feet.

**C. POPULATION DENSITY**

None. However, for existing residential uses, the provisions of Section 12-224.4-A, shall apply.

**D. BUILDING HEIGHT**

1. No building or structure erected in this District shall have a height greater than seventy-five (75) feet.
2. Exceptions: Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, roof signs, flagpoles, chimneys, smokestacks, silos, water tanks or wireless masts or similar structures may be erected above the height limits herein prescribed; provided that the same

may be safely erected and maintained at such height in view of the surrounding conditions and circumstances. No roof structure, or any space above the height limits shall be allowed to provide additional floor space.

**E. YARDS**

The provisions of the "M-1" District, Section 12-225.5-E-1, 2 and 3, shall apply.

**F. SPACE BETWEEN BUILDINGS**

No requirements.

**G. LOT COVERAGE**

No requirements.

**H. FENCES, HEDGES AND WALLS**

The provisions of the "M-1" District, Section 12-226.5-H shall apply.

**I. OFF-STREET PARKING**

1. Except for buildings or structures erected in the Central Business District Core Area the following off-street parking requirements shall apply:
  - a. For uses listed in Section 12-224.1-A, B and C, the provisions of Section 12-222.5-I, "C-6" District, shall apply.
  - b. For all other uses the provisions of the "M-1" District, Section 12-226.5-I, shall apply.

**J. ACCESS**

The provisions of the "M-1" District, Section 12-226.5-J-1 and 2, shall apply.

**K. OUTDOOR ADVERTISING**

The provisions of the "C-1" District, Section 12-217.5-K, and of Section 12-306-K shall apply except that the copy of on-site signs for industrial uses may also specify the type of product manufactured, processed or fabricated, or the service rendered and hours of operation.

**L. LOADING SPACES**

The provisions of Section 12-306-L shall apply. (Added Ord. 57-48, 1960; Am. Ord. 58-53, 1961; Am. Ord. 64-06, 1964; Am. Ord. 66-77, 1965; Am. Ord. 90-129, § 13, eff. 12-14-90; Am. Ord. 91-125, § 32, eff. 12-20-91; Am. Ord. 94-33, § 2, eff. 6-4-94).

**SECTION 12-224.6. SITE PLAN REVIEW.** Before any building or structure is erected on any lot in this district, a site plan shall have been submitted to and approved by the Director pursuant to the provisions of Section 12-224.6.

## SECTION 12-224.3. USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT.

A. The uses enumerated in Section 12-224.3-B shall be permitted subject to a Conditional Use Permit as provided for in Section 12-304.

B. Uses permitted subject to Conditional Use Permit.

~~1. Animal hospital and shelter~~

2. Commercial blood banks

3. Electric motor rebuilding ~~X~~

~~4. Kennels~~

5. Microwave relay structures

6. Mortuaries

7. Motels, Hotels

~~8. Rubber, fabrication of products made from finished rubber.~~

9. Any alcohol use, as defined in Section 12-105-A.12.6, subject to the provisions of Section 12-323. (Added Ord. 5748, 1960; Am. Ord. 68-58, 1968; Am. Ord. 83-107, § 2, 9-16-83; Am. Ord. 94-42, § 9, eff. 7-8-94).

SECTION 12-224.4. USES EXPRESSLY PROHIBITED. The following uses are expressly prohibited in the "C-M" District:

## A. RESIDENTIAL USES

1. New residential uses other than for the use of a caretaker in connection with an industrial use.
2. For existing residential uses, the existing residence may be used for residential purposes but may not be converted to more intensive residential uses, nor may it be converted for residential and nonresidential uses at the same time. Such residential uses shall be subject to the provisions of Section 12-317, nonconforming buildings and uses.

## B. INDUSTRIAL PLANTS

1. Abrasives
2. Bone black plant
3. Carbon black and lamp black plant
4. Charcoal manufacturing plant
5. Chemical plant (heavy or industrial)
6. Coal and coke plant
- 6.5. Coal or oil shale fueled generating plants
7. Detergents, soaps and by-products using animal fat
8. Fertilizers of all types

9. Gas manufacturing plant

10. Glue and sizing manufacturing plant

11. Graphite manufacturing plant

12. Gypsum and other forms of plaster base manufacturing

13. Insulation manufacturing plant (flammable types)

14. Match manufacturing plant

15. Metal ingots, pigs, casting or rolling mill

16. Metals extraction and smelting plant

17. Paper pulp and cellulose manufacturing plant

18. Paraffin manufacturing plant

19. Portland and similar cement manufacturing plant

20. Serum, toxin and virus manufacturing laboratory

21. Sugar and starch manufacturing plant

22. Tannery plant

23. Turpentine manufacturing plant

24. Wax and wax products manufacturing plant

25. Wool pulling or scouring plant

## C. PROCESSING

1. Animal by-products processing
2. Carbon black and lamp black refining
3. Chemical (heavy or industrial)
4. Coal and coke processing
5. Detergents and soap processing
6. Dog and cat food processing
7. Fertilizers of all types
8. Fish and fish by-product processing or canning
9. Fruit by-products
10. Grain milling and sacking
11. Paper milling
12. Petroleum and petroleum products processing or refining
13. Potash works
14. Printing ink processing
15. Radium or uranium extraction

BILL NO. B-3

INTRODUCED BY COUNCILMEMBER Mathys  
SECONDED BY COUNCILMEMBER Steitz

ORDINANCE NO. 98-3

AN ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO ADOPTING THE HIGHWAY CITY NEIGHBORHOOD SPECIFIC PLAN AS AN AMENDMENT OF THE 1984 FRESNO GENERAL PLAN AND AN AMENDMENT OF THE 1975 BULLARD COMMUNITY PLAN AND THE 1977 FRESNO-HIGH ROEDING COMMUNITY PLAN

WHEREAS, the Council of the City of Fresno on October 2, 1975, adopted the old Bullard Community Plan, on December 1, 1977, adopted the Fresno High-Roeding Community Plan and on November 20, 1984, adopted the Fresno General Plan; and,

WHEREAS, specific plans are essential to the refinement of the community plans; and,

WHEREAS, the Highway City Neighborhood Specific Plan has been prepared pursuant to the Local Planning and Procedures Ordinance (LPPO) and was formulated by staff with the help of a citizens advisory committee and with substantial public input and was initiated by the Council on June 6, 1995, all in conformance with applicable provisions of City Charter, the LPPO and guidelines promulgated under it; and,

WHEREAS, the Fresno City Planning Commission, at its regular meeting of December 17, 1997, adopted Resolution No. 11063 recommending adoption of the Highway City Neighborhood Specific Plan, including modifications; and,

WHEREAS, the Council of the City of Fresno, on January 6, 1998, held a duly noticed public hearing to consider the draft Highway City Neighborhood Specific Plan and Environmental Assessment No. EA-95-065, and at the public hearing considered all information contained in the draft Specific Plan and Environmental Assessment, and all written and oral evidence and testimony related thereto; and,

Adopted 1/6/98  
Approved 1/6/98  
Effective 2/6/98

98-3





WHEREAS, the Council of the City of Fresno has determined that based upon the information, analyses, and mitigation measures identified through the preparation of the Specific Plan, proposed modifications to the Specific Plan, Environmental Assessment No. EA-95-065, and public comment and testimony that there is no substantial evidence in the record that the project may have a significant effect on the environment, resulting in the filing of a Finding of No Significant Impact (FONSI); and,

WHEREAS, the Highway City Neighborhood area has been the subject of several planning studies, including a preliminary blight report, that examined the community's physical, economic, social and demographic conditions indicating that the community is characterized by low real estate values, aging and under maintained residential and commercial structures, low and moderate income residents, and conflicting land development patterns; and,

WHEREAS, the Highway City Neighborhood area has a considerable number of properties which front on major streets, such as West Shaw Avenue and North Golden State Boulevard, and are located in close proximity to major transportation facilities, such as Freeway 99 or the mainline railroad tracks of the Southern Pacific/Union Pacific Railroad, but are also located adjacent to established residential neighborhoods or the historically important Forestiere Gardens property; and,

WHEREAS, the Highway City Neighborhood Specific Plan area contains a substantial number of properties that are currently zoned or planned for general commercial or light manufacturing development providing for a wide range of uses and activities that include the sales, repair, rental and storage of automobiles, trucks, equipment, construction supplies and used



household or commercial appliances, and other strip commercial uses such as bars, billiard rooms and night clubs; and,

WHEREAS, the Highway City Neighborhood Specific Plan presently contains a substantial amount of existing general commercial and light manufacturing development that is not located within a unified commercial center or industrial park that would provide the appropriate design and operational standards necessary to reduce or avoid the adverse characteristics associated with the undue concentration of these uses; and,

WHEREAS, these general commercial and light manufacturing uses are not generally located or planned to be located in close proximity to residential neighborhoods or other sensitive properties, in the developing areas of the City of Fresno, particularly in those portions of the Fresno Metropolitan Area that are subject to an updated community or specific plan adopted subsequent the 1984 Fresno General Plan; and,

WHEREAS, the Highway City Neighborhood Specific Plan, as recommended for adoption by the Citizens Advisory Committee, considers the Highway City Neighborhood to be particularly vulnerable to the development or operation of general commercial and light manufacturing uses at locations that would not provide adequate opportunity to implement site design remediation measures necessary to promote compatibility with nearby residential or historically valuable and sensitive properties;



WHEREAS, on January 6, 1998, the Council of the City of Fresno held a public hearing to consider the Highway City Neighborhood Specific Plan and determined based upon the testimony and information presented, that the adoption of the proposed Highway City Neighborhood Specific Plan is in the best interest of the City of Fresno; and,

WHEREAS, the Charter of the City of Fresno permits the ordinance adopting the Highway City Neighborhood Specific Plan to be adopted by the Council on the day of its introduction.

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

SECTION 1. The Council of the City of Fresno finds based upon its own independent analysis that there is no substantial evidence in the record that adoption of the Highway City Neighborhood Specific Plan may have a significant effect on the environment and hereby adopts the Finding of No Significant Impact (FONSI) filed as the result of the preparation of Environmental Assessment No. EA-95-065.

SECTION 2. Severability. If this action, or any part thereof, is held to be unconstitutional or in violation of the law, it will not affect prior actions to approve the 1984 Fresno General Plan Update, the 1975 Bullard Community Plan, the 1997 Fresno High-Roeding Community Plan and amendments thereto, or those portions of the Highway City Neighborhood Specific Plan not found to be unconstitutional or in violation of the law.



SECTION 3. The Council of the City of Fresno hereby adopts the Highway City Neighborhood Specific Plan, consisting of maps and written statements of goals, policies and implementation measures, included in Exhibit A, with the modification of the provisions stated on errata pages number one and two to allow "automobile sales with incidental repairs and service..." with the approval of a conditional use permit for that portion of the Specific Plan Area generally bound on the south by the Herndon Canal, on the east by North Parkway Drive/Freeway 99, on the north by West Barstow Avenue, and on the west by the common property line between properties described as Assessor's Parcel Map Numbers 508-030-06 and 508-030-01 and 02.

SECTION 4. Effective Date. 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 CERTIFICATION

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 6<sup>Th</sup> day of January 1998, by the following vote:

Ayes:           Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys

Noes:           None

Absent:          None

Abstained:     None

Dated this 6<sup>Th</sup> day of January 1998.

REBECCA E. KLISCH  
City Clerk

By Rebecca E. Klisch  
Deputy

APPROVED AS TO FORM:

HILDA CANTU MONTROY  
City Attorney

By [Signature]  
Deputy



EXHIBIT M (Revised)

ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO

BILL NO. B-4

INTRODUCED BY COUNCILMEMBER Mathys  
SECONDED BY COUNCILMEMBER Steitz

ORDINANCE NO. 98-4

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
FRESNO, CALIFORNIA, MODIFYING THE HIGHWAY  
CITY NEIGHBORHOOD SPECIFIC PLAN AS A  
FURTHER REFINEMENT OF THE 1984 CITY OF  
FRESNO GENERAL PLAN UPDATE AND THE  
1975 BULLARD COMMUNITY PLAN

WHEREAS, the Council of the City of Fresno on October 2, 1975, adopted the  
Bullard Community Plan, and on December 22, 1981 certified City of Fresno  
Environmental Impact No. 10079 for amendments to the Bullard Community Plan and  
adopted said amendments to the Bullard Community Plan; and

WHEREAS, the Council of the City of Fresno subsequently proposed  
amendments to the Bullard Community Plan through adoption of the 1984 City of  
Fresno General Plan Update and on November 20, 1984 certified City of Fresno  
Environmental Impact Report No. 10085 for said General Plan Update and on that date  
adopted the 1984 City of Fresno General Plan Update; and

WHEREAS, specific plans are essential to the refinement of community plans  
and the General Plan, in order to accomplish defined goals and objectives, and to  
implement certain policies toward achievement of those goals and objectives, within  
specified areas targeted for improvement; and,

*Adopted* 1/6/98  
*Approved* 1/6/98  
*Effective* 2/6/98

98-4



WHEREAS, the Highway City Neighborhood Specific Plan has been prepared pursuant to the Local Planning and Procedures Ordinance (LPPO) and was formulated by staff with the help of a citizens advisory committee and with substantial input from responsible and trustee agencies and from the public, and was initiated by the Council on June 6, 1995, all in conformance with applicable provisions of State Planning Law, the LPPO and guidelines promulgated under it; and,

WHEREAS, Plan Modification Application No. M-HWC-97-001 proposes to fulfill Specific Plan policies advocating for commercial recreational development in the Highway City area, by modifying the Highway City Neighborhood Specific Plan as follows: (1) by adding 35± acres to said Specific Plan area west of the Hayes Avenue alignment, between West Barstow Avenue and the Herndon Canal, extending westward to the North Contessa Avenue alignment; (2) by assigning a dual land use designation for Commercial Recreational (C-M) and/or Commercial Manufacturing (C-M) to 85± total acres located between West Barstow Avenue and the Herndon Canal east of the North Contessa Avenue alignment; and (3) by amending policies in the Highway City Neighborhood Specific Plan, to allow Director Classification uses on this 85± acres; and

WHEREAS, the City of Fresno conducted an environmental assessment for the draft Highway City Neighborhood Specific Plan, Plan Modification Application



No. M-HWC-97-001, and related development applications (Rezoning Application No. R-97-020, Conditional Use Permit Application No. C-97-254); and

WHEREAS, the City of Fresno published an Initial Study Finding of No Significant Impact under the National Environmental Policy Act and proposed a Negative Declaration under the California Environmental Quality Act; and

WHEREAS, notices of these environmental findings and the proposed Specific Plan, Plan Modification, and related applications were published in a newspaper of general circulation and mailed to all property owners within three hundred fifty feet (350') of the proposed project; and

WHEREAS, no appeals were received by the City of Fresno within the noticed appeal periods for Environmental Assessment No. EA-95-065, Plan Modification No. M-HWC-97-001, or related applications; and

WHEREAS, the Fresno City Planning Commission, at its regular, duly noticed meeting of December 17, 1997, conducted a public hearing to receive testimony, deliberated the information presented, and then adopted Resolution No. 11063 recommending adoption of the Highway City Neighborhood Specific Plan with modifications including this Plan Modification application; and,





WHEREAS, the Fresno City Planning Commission, at its regular meeting of December 17, 1997 and after receiving public testimony and deliberating the information received, adopted Resolution No. 11064 recommending that the City Council approve a Negative Declaration for Environmental Assessment No. EA-95-065 and that the City Council adopt Plan Modification No. M-HWC-97-001; and

WHEREAS, the Council of the City of Fresno, on January 6, 1998, held a duly noticed public hearing to consider the draft Highway City Neighborhood Specific Plan and Environmental Assessment No. EA-95-065; and at said public hearing, considered all information contained in the draft Specific Plan, Plan Modification Application, and Environmental Assessment for these and related projects, and all written and oral evidence and testimony related thereto; and,

WHEREAS, the Council of the City of Fresno has determined that, based upon the information, analyses, and mitigation measures identified through the preparation of the Highway City Neighborhood Specific Plan, proposed modifications to the Specific Plan including Plan Modification No. M-HWC-97-001, Environmental Assessment No. EA-95-065, and public comment and testimony that there is no substantial evidence in the record that the project may have a significant effect on the environment, resulting in the filing of a Finding of No Significant Impact for the



Ordinance No. \_\_\_\_\_  
Draft Highway City Neighborhood Specific Plan  
Plan Modification No. M-HWC-97-001  
Page 5

Specific Plan, prepared pursuant to the National Environmental Policy Act, and a Negative Declaration for the Plan Modification and related applications prepared pursuant to the California Environmental Quality Act; and,

WHEREAS, on January 6, 1997, the Council of the City of Fresno determined, based upon the testimony and information presented, that the adoption of the proposed Plan Modification No. M-HWC-97-001 to modify the Highway City Neighborhood Specific Plan is in the best interest of the City of Fresno;

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

SECTION 1. The Council of the City of Fresno finds, based upon its own independent analysis, that there is no substantial evidence in the record that adoption of the Highway City Neighborhood Specific Plan with Plan Modification No. M-HWC-97-001 incorporated therein would have a significant adverse effect on the environment, and hereby affirms the Fresno City Manager's Finding of No Significant Impact and adopts the Negative Declaration filed as the result of Environmental Assessment No. EA-95-065.



Ordinance No. \_\_\_\_\_  
Draft Highway City Neighborhood Specific Plan  
Plan Modification No. M-HWC-97-001  
Page 6

SECTION 2. The Council of the City of Fresno hereby adopts the Highway City Neighborhood Specific Plan, consisting of an annotated land use and circulation maps, included as Attachment A hereto.

SECTION 3. Severability. If this action, or any part thereof, is held to be unconstitutional or in violation of the law, it will not affect prior actions to approve the draft Highway City Neighborhood Specific Plan, 1984 General Plan Update, or 1975 Bullard Community Plan and amendments thereto.

SECTION 4. Effective Date. This Ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage.

*Attachment A:* Annotated Land Use and Circulation Map for the Highway City Neighborhood Specific Plan



On motion of Councilmember Bredefeld, seconded by President Mathys, duly carried, RESOLVED, the appeal by the Woodward Park Homeowners Association denied and the finding of a mitigated negative declaration for Environmental Assessment No. R-97-27 hereby approved; the above entitled Bill No. B-2 adopted as Ordinance No. 98-2; and the developer directed to return with a site plan, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

Brief discussion ensued on the three conditions not supported by the developer with Mr. Yovino responding to questions, whereupon it was clarified staff's recommendation was approved with all conditions.

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**RECESS - 5:47 P.M. - 6:00 P.M.** Councilmembers Bredefeld and Perea arrived later in the meeting.

(6:00 P.M.) HEARING TO CONSIDER AND ADOPT THE DRAFT	)
HIGHWAY CITY NEIGHBORHOOD SPECIFIC PLAN AND RELATED	)
ENTITLEMENTS	)
1. AFFIRM THE FINDING OF NO SIGNIFICANT IMPACT AND	)
APPROVE A NEGATIVE DECLARATION FOR ENVIRONMENTAL ASSESS-	)
MENT NO. EA-95-065	)
2. <b>RESOLUTION NO. 98-19</b> - AMENDING THE 1975 BULLARD	)
COMMUNITY PLAN AND 1984 FRESNO GENERAL PLAN	)
3. <b>BILL NO. B-3 - ORDINANCE NO. 98-3</b> - ADOPTING THE	)
HIGHWAY CITY NEIGHBORHOOD SPECIFIC PLAN	)
4. CONSIDER ADOPTION OF THE FOLLOWING MATTERS RELATED	)
TO DEVELOPMENT OF A RECREATIONAL WATER PARK AND FAMILY	)
ENTERTAINMENT CENTER IN THE HIGHWAY CITY AREA:	)
a. APPROVE A NEGATIVE DECLARATION FOR ENVIRONMENTAL	)
ASSESSMENT NO. EA-95-065	)
b. <b>BILL NO. B-4 - ORDINANCE NO. 98-4</b> - APPROVING PLAN	)
MODIFICATION APPLICATION NO. M-HWC-97-001 MODIFYING THE	)
DRAFT HIGHWAY CITY NEIGHBORHOOD SPECIFIC PLAN	)
c. <b>BILL NO. B-5 - ORDINANCE NO. 98-5</b> - APPROVING REZONING	)
APPLICATION NO. R-97-020, ASSIGNING C-R/UGM COMMERCIAL	)
RECREATIONAL URBAN GROWTH MANAGEMENT AREA ZONING TO	)
45+ ACRES AND C-M/UGM COMMERCIAL MANUFACTURING URBAN	)
GROWTH MANAGEMENT AREA ZONING TO 40+ ACRES	)
d. <b>RESOLUTION NO. 98-20</b> - GRANTING TEMPORARY CAPACITY	)
IN THE CORNELIA TRUNK SEWER TO SERVE DEVELOPMENT OF	)
CONDITIONAL USE PERMIT APPLICATION NO. C-97-254	)





President Mathys announced the time had arrived to consider the issue and opened the hearing.

Planning Manager Yovino reviewed the staff report stating at issue was the culmination of 4+ years of work by a citizens advisory committee and staff; acknowledged and thanked all involved for their time, work and efforts; advised the plan was supported by area residents, property owners, staff, the committee, the Planning Commission and the County Board of Supervisors; advised in addition to the plan itself there was a plan modification at the west end of the project area which would include construction of a water theme park; (8 - 0) noted revised resolutions and ordinances had been submitted with technical adjustments and explained; and concluded stating this was a traditional neighborhood plan with unique features and a mixture of compatible uses.

Angelica Torres, Chair, Highway City Citizens Advisory Committee, 5165 N. State; and Joni Johnson, Fresno Neighborhood Alliance, spoke in support of the plan.

Councilmember Quintero commended all involved and upon question, Mr. Yovino stated area concerns were addressed in the plan.

Richard Erlich, representing The 1979 Erlich Real Estate Trust, briefly reviewed his proposal for development of a water park and family entertainment center stating it would be a state-of-the-art water project and would contribute greatly to the working population by employing approximately 300 during construction and 800-1,000 during summer operational hours. Councilmembers Bredefeld and Perea arrived at 6:14 p.m.

Upon call, no one else wished to be heard and President Mathys closed the hearing.

Brief discussion ensued with Council commending the committee and staff for their work and efforts, and Mr. Erlich for his investment in Fresno.

On motion of President Mathys, seconded by Councilmember Steitz, duly carried, RESOLVED, (1) relative to the Draft Highway City Neighborhood Specific Plan: Council concurs in the Finding of No Significant Impact (FONSI) prepared for Environmental Assessment No. EA-95-065 and the Negative Declaration for EA-95-065 hereby approved; the above entitled Resolution No. 98-19 amending the 1975 Bullard Community Plan, 1977 Fresno High-Roeding Community Plan and the Fresno General Plan in order to maintain consistency between the Highway City Specific Plan, said community plans and the Fresno General Plan adopted; and the above entitled Bill No. B-3 approving the Highway City Neighborhood Specific Plan with the recommended modifications presented as environmental remediation measures, and the dual or alternative land use designations noted on the Land Use and Circulation Plan Map adopted as Ordinance No. 98-3; and (2) relating to development of a recreation water park and family entertainment center in the Highway City Area: the Negative Declaration for Environmental Assessment No. EA-95-065 hereby approved; the above entitled Bill No. B-4 adopted as Ordinance No. 98-4; the above entitled Bill No. B-5 adopted as Ordinance No. 98-5; and the above entitled Resolution No. 98-20 adopted, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None



Mr. Yovino commended and gave special thanks to staff members Darrell Unruh and Sandy Brock for their work.

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PASSING OF CONGRESSMAN SONNY BONO - VICE PRESIDENT BRIGGS )


Vice President Briggs noted the passing of congressman and entertainer Sonny Bono and President Mathys called for a moment of silence in his memory.

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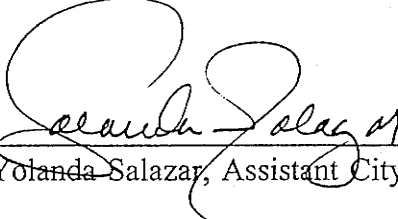
ADJOURNMENT )

There being no further business to bring before the Council, the hour of 6:22 p.m. having arrived and hearing no objections, President Mathys declared the meeting adjourned.

DATED this 13th day of January, 1998.

  
Chris Mathys, President

ATTEST:

  
Yolanda Salazar, Assistant City Clerk



ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO  
PROPOSED AND INITIATED BY \_\_\_\_\_  
MOVED BY Bredefeld SECONDED BY Mathys

BILL NO. B-2

ORDINANCE NO. 98-2

AN ORDINANCE AMENDING THE OFFICIAL ZONE MAP OF THE CITY OF FRESNO HERETOFORE ADOPTED BY ARTICLES 1 TO 4.5 INCLUSIVE, CHAPTER 12, OF THE FRESNO MUNICIPAL CODE, BEING THE ZONING ORDINANCE OF THE CITY OF FRESNO

WHEREAS, pursuant to the provisions of Article 4, Chapter 12, of the Fresno Municipal Code, the Director of the Development Department of the City of Fresno found the proposed rezoning in conformance with adopted plans and policies of the City and recommended to the Council of the City of Fresno an amendment to the Zoning Ordinance which changes the real property described hereinbelow from one zone to another.

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

SECTION 1. Based upon the testimony and information presented at the hearing and based upon the Council's own independent review and consideration of the environmental documentation provided, the adoption of the proposed rezoning is in the best interests of the City of Fresno. The Council finds that with the implementation of the mitigation measures defined within the Initial Study for Environmental Assessment No. R-97-27, there is no substantial evidence in the record that the rezoning may have a significant effect on the environment, and the mitigated negative declaration prepared for this project is hereby approved. The above mitigation measures shall be incorporated in the project, implemented and monitored as specified in the monitoring checklist for Environmental Assessment No. R-97-27. The Initial Study for Environmental Assessment No. R-97-27 and monitoring checklist are incorporated into this ordinance and compliance therewith is made a condition of this rezoning.

Adopted 1/6/98  
Approved 1/6/98  
Effective See Sect 5

98-2



SECTION 2. The zone district of the real property described hereinbelow, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno is reclassified from the AE-5/UGM to the C-1/UGM/cz zone district:

That portion of Lot 124 of the Amended Plat of Perrin Colony No. 2, recorded in Volume 4, Page 68 of Plats, Fresno County Records, lying South of a line parallel with and 830 feet South of the North line of Lot 213 of said Perrin Colony No. 2.

EXCEPTING THEREFROM the East 434 feet of said Lot 124.

ALSO EXCEPTING THEREFROM that portion thereof deeded to the City of Fresno for Public Street purposes by deed recorded April 5, 1989 as Document No. 89036079, Fresno County Records.

ALSO EXCEPTING THEREFROM that portion thereof deeded to the City of Fresno for Public Street purposes by deed recorded February 13, 1992 as Document 92017661, Fresno County Records.

SECTION 3. The zone district of the real property described hereinbelow, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno is reclassified from the AE-5/UGM to the C-R/UGM/cz zone district:

The West One Half of Lots 85 and 86 and the East 434 feet of Lots 123 and 124 of the Amended Plat of Perrin Colony No. 2, recorded in Volume 4, Page 68 of Plats, Fresno County Records.

EXCEPTING THEREFROM the North 269 feet of said Lots 85 and 123, the East 170 feet of the West One Half of said Lots 85 and 86 and that portion of the West 219.26 feet of the East 389.26 feet of the West One Half of said Lot 86 lying South of a line parallel with and 1,090 feet South of the North Line of said Lot 85.

ALSO EXCEPTING THEREFROM that portion thereof deeded to the City of Fresno for Public Street purposes by deed recorded April 5, 1989 as Document No. 89036079, Fresno County Records.

ALSO EXCEPTING THEREFROM that portion thereof deeded to the City of Fresno for Public Street purposes by deed recorded February 11, 1992 as Document No. 92016354, Fresno County Records.





ALSO EXCEPTING THEREFROM that portion thereof deeded to the City of Fresno for Public Street purposes by deed recorded February 13, 1992 as Document No. 92017661, Fresno County Records.

SECTION 4. This ordinance shall be conditioned upon the record owners of the property described in Sections 2 and 3 executing and causing to be recorded a covenant running with the land guaranteeing the following conditions on the subject property:

1. The developer shall make improvements as required by the Fresno Metropolitan Flood Control District (FMFCD) to provide adequate capacity to serve this project. The FMFCD will require mitigation of the impacts generated by an anticipated increase in runoff--in excess of that created by medium density residential development.
2. Prior to the submittal of a special permit on any portion of the subject property, the developer shall meet with members of the neighborhood to the north of the site (Tract Nos. 2976 and 3656) and shall submit a conceptual site plan for the entire 55 acre property (as shown on Exhibit A) to the City Council.
3. The improvement of East Niles Avenue along the north boundary of the C-R zoned property, shall be completed upon development of the C-R zoned property or upon development of the single-family subdivision proposed to the north of Niles Avenue, whichever occurs first.
4. All proposed uses on the C-R zoned portion of the site shall be subject to review by the Development Director for compatibility with surrounding properties.
5. An athletic club proposed on the C-R zoned property shall be limited to 4,000 single memberships, 3,500 family memberships; and, 800 executive memberships. Memberships shall be for no less than one month.
6. The hours of operation for the athletic club will be limited to 5:00 a.m. to midnight; excluding holidays.
7. All athletic club activities, with the exception of the banquet facility, will be open only to members and their authorized guests.
8. There will be no celebrity sporting events or exhibitions, invitational tournaments, or league participation open to non-members or the general public at the athletic club.
9. Use and lighting of outdoor tennis courts at the athletic club shall be limited to hours of 7:00 a.m. to 10:00 p.m.



10. The minimum building setback adjacent to the northerly property line of the C-R zoned property shall be 50 feet.
11. The City of Fresno, Development Department, reserves the right to review the need for additional parking after the first, second, and fifth year of operation of the athletic club; and if, at any time, it receives a complaint relative to an overflow of parking due to excess demand.
12. No car wash, cocktail lounge (if not subordinate to a restaurant), bar, or liquor store shall be allowed on the subject property.
13. There shall be a 30-foot landscaped setback along East Nees Avenue.
14. There shall be a 30-foot landscaped setback along North First Street starting at the intersection with East Nees Avenue; with a gradual transition to a 50-foot landscaped setback north of Muncie Avenue.

SECTION 5. This ordinance shall become effective and in full force and effect at

12:01 a.m. on the thirty-first day after its passage and upon compliance with the requirements of the Fresno Municipal Code Sections 12-403-K and L.

