

ORDINANCE NO. 1001 -C.S.

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 857-C.S., RELATING TO PLANNED DEVELOPMENT ZONE, P-D(34). (SANDERS, PELLEGRINI AND HANSEN - BLOCK 12853).

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF ORDINANCE NO. 857-C.S. Section 2 of Ordinance No. 857-C.S. is hereby amended to read as follows:

SECTION 2. USES. The following uses shall be permitted in said P-D(34), P-D(35) and P-D(36) Zones which are hereinafter set forth after their designation subject to securing approval of the Secretary of the Planning Commission if the plans for construction conform in principle to the approved plans, or by the Planning Commission if any changes not conforming in principle to the approved plans are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code:

P-D(34) Uses:

(A) Said use is as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to issuance of a building permit:

(1) 194 bed "Type L - Long Term Facility" medical institution primarily for admission of chronic mentally ill or mentally disordered or other incompetent persons who are provided medical care, nursing service and intensive supervision.

P-D(35) Uses:

(A) Said uses are as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit:

(1) A 5,813 square foot single-story building to be used as a Boy Scout Service Center. Said building to provide space for the following uses: executive offices, field staff offices, storage rooms, meeting room, kitchen facilities, lobby, lounge and rest rooms.

(2) 76 car parking spaces.

P-D(36) Uses:

(A) Said uses are as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit:

(1) A total of 116 apartment units.

(2) 174 parking spaces.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of January, 1970, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

Ord. No. 1001-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 12th day of January, 1970, Councilman Robinson, moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Robinson, Simon, Smith,
Vice Mayor Mitchell

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

APPROVED William R. Mitchell
~~W. T. CHYNOWETH, City Clerk~~
WILLIAM R. MITCHELL
Vice Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 11, 1970

ORDINANCE NO. 1002 -C.S.

AN ORDINANCE AMENDING SECTION MAP 19-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(LAKEWOOD MEMORIAL PARK ENDOWMENT FUND)

WHEREAS, a verified application for an amendment to Section 19-3-9 of the Zoning Map was filed by the Board of Trustees, Lakewood Memorial Park Endowment Care Fund on December 15, 1969, to reclassify from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, the hereinafter described property, and

WHEREAS, after public hearing held on January 20, 1970, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 70-16, adopted on January 20, 1970, the Planning Commission recommended to the Council that the application of the Board of Trustees, Lakewood Memorial Park Endowment Care Fund to amend Section 19-3-9 of the Zoning Map to reclassify the hereinafter described property from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 19-3-9 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Residential Zone,

R-1 , to Two-Family Residential Zone,

R-2 :

All that portion of the northwest quarter of Section 19, Township 3 South, Range 9 East, M.D.B. & M. described as follows:

Commencing at the northwest corner of said Section 19; thence South $89^{\circ} 21' 30''$ East along the north line of said Section 19 a distance of 1210.90 feet; thence South $0^{\circ} 34' 22''$ East a distance of 10.00 feet to the centerline of Evergreen Avenue and the true point of beginning of this description; thence South $89^{\circ} 21' 30''$ East along said centerline of Evergreen Avenue, parallel to and 10.00 feet distant southerly at right angles from the aforementioned north line of Section 19, a distance of 751.69 feet; thence South $0^{\circ} 34' 30''$ East a distance of 308.49 feet; thence North $89^{\circ} 21' 30''$ West a distance of 752.27 feet; thence North $0^{\circ} 34' 22''$ West a distance of 308.49 feet to the point of beginning.

Containing 5.34 acres gross.

SECTION 3. ZONING MAP. Section 19-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1970, by Councilman Dixon, who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Phillips
Planning Department

Ordinance 1001 C.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

Ord. No. 1002-C.S..

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16th day of March, 1970, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith and Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: April 15, 1970

AN ORDINANCE AMENDING SECTION MAP 26-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING AND PREZONING CERTAIN PROPERTY LOCATED THEREON. (HIRLEMAN, ET AL)

WHEREAS, a verified application for an amendment to Section 26-3-9 of the Zoning Map was filed by John E. Hirleman, Arthur J. Wylie, Henry T. Kiyoi and K/R Homes, Inc., on December 2, 1969, to reclassify from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, and to prezone to Two-Family Residential Zone, P-R2, the hereinafter described property, and

WHEREAS, after public hearing held on January 20, 1970, it was found and determined by the Planning Commission that rezoning and pre zoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 70-15, adopted on January 20, 1970, the Planning Commission recommended to the Council that the application of John E. Hirleman, Arthur J. Wylie, Henry T. Kiyoi and K/R Homes, Inc., to amend Section 26-3-9 of the Zoning Map to reclassify the hereinafter described property from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, and to prezone the hereinafter described property to Two-Family Residential Zone, P-R2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning and pre zoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 26-3-9 of the Zoning Map is hereby amended to reclassify from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, and to prezone to Two-Family Residential Zone, P-R2, the following described property:

Parcel 1 - Property to be Rezoned from R-1 to R-2

All that certain real property situate in the Northwest Quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Beginning at the interior Quarter corner of said Section 26; thence North $0^{\circ} 34' 45''$ West along the East line of said Northwest Quarter of Section 26 a distance of 715.93 feet; thence North $89^{\circ} 40' 56''$ West 45.71 feet; thence Westerly 84.99 feet along a tangent curve concave to the North, having a radius of 430.00 feet and a central angle of $11^{\circ} 19' 27''$; thence South $0^{\circ} 34' 45''$ East along a nontangent line 330.43 feet; thence North $89^{\circ} 58' 58''$ West 22.03 feet; thence South $0^{\circ} 02' 00''$ West 394.50 feet to the South line of said Northwest Quarter of Section 26; thence South $89^{\circ} 58' 58''$ East along said South line 156.25 feet to the point of beginning.

Including also the South one-half of the Modesto Irrigation District's Lateral No. 2 adjacent to the above-described property.

Containing 2.36 Acres.

Parcel 2 - Property to be Rezoned to R-2

All that certain real property situate in the Southwest Quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Beginning at the interior Quarter section corner of said Section 26; thence North $89^{\circ} 58' 05''$ West along the East-West quarter section line of said Section 26, a distance of 120.00 feet; thence South $0^{\circ} 33' 30''$ East along a line parallel with and 120.00 feet Westerly of the North-South Quarter section line of said Section 26 a distance of 660.19 feet to the South line of the North half of the Northeast Quarter of the Southwest Quarter of said Section 26; thence South $89^{\circ} 55' 45''$ East along said South line of the North half of 120.00 feet to said North-South Quarter section line of Section 26; thence North $0^{\circ} 33' 30''$ West along said North-South Quarter section line of Section 26 a distance of 660.19 feet, more or less, to the point of beginning.

Excepting therefrom the South one-half of the Modesto Irrigation District's Lateral No. 2 adjacent to the above-described property.

Parcel 3 - Property to be rezoned from R-1 to R-2

All that certain real property situate in the South half of the Northeast Quarter of the Southwest Quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Beginning at the Northeast corner of said South half of the Northeast Quarter of the Southwest Quarter of Section 26; thence South 0° 33' 30" East along the East line of said South half of the Northeast Quarter of the Southwest Quarter of Section 26 a distance of 540.27 feet; thence South 89° 26' 30" West 80.00 feet; thence North 0° 33' 30" West 125.00 feet; thence South 89° 26' 30" West 35.00 feet; thence North 0° 33' 30" West 416.53 feet to the North line of said South half of the Northeast Quarter of the Southwest Quarter of Section 26; thence South 89° 55' 45" East along said North line of said South half 115.01 feet to the point of beginning.

Containing 1.33 Acres.

SECTION 3. ZONING MAP. Section 26-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of February, 1970, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,
Mayor Davies
NOES: Councilmen: None

ABSENT: Councilmen: Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION: William D. Schol
Planning Department

Ordinance 1004 C.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16th day of March, 1970, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith and Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

APPROVED



LEE H. DAVIES, Mayor

ATTEST:



W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: April 15, 1970

AN ORDINANCE AMENDING SECTION 10-2.1505 OF ARTICLE 15 OF CHAPTER 2 OF TITLE X AND AMENDING SECTION 10-2.2103 OF ARTICLE 21 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE RELATING TO THE ZONING REGULATIONS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 10-2.1505 of Article 15 of Chapter 2 of Title X and Section 10-2.2103 of Article 21 of Chapter 2 of Title X of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 10-2.1505. PREZONING OF UNINCORPORATED TERRITORY.

(a) The City may prezone unincorporated territory adjoining the City for the purpose of determining the zoning that will apply to the property in such territory in the event of subsequent annexation to the City.

(b) The method and procedure for establishing such prezones shall be the same as provided in Articles 21 and 22 of this chapter for the establishment of zones within the City; except that the initiation of pre zoning of unincorporated territory shall not be limited to the quarterly rezoning hearing schedule set forth in Section 10-2.2106 of this Code.

(c) No application for pre zoning of unincorporated territory shall be accepted by the Planning Commission for any property or area for which a previous application for pre zoning of unincorporated territory has been denied until one year has elapsed from the date of such denial, except that the Planning Commission may waive the one year limitation, when in its judgment the applicant has shown substantially changed circumstances which justify a shorter period of time and the Planning Commission determines that the interest of the general public will not be adversely affected.

(d) Unincorporated territory which has been pre zoned shall carry a "P" prefix before the zone classification and shall be so designated on the official zoning map of the City.

(e) The zone classification which has been established by pre zoning procedure for unincorporated territory shall become effective at the time that the annexation of such territory to the City becomes effective. At such time, the "P" prefix shall be deemed automatically removed from the zone classification.

SEC. 10-2.2103. APPLICATION FOR ZONE BOUNDARY CHANGE AND UNCLASSIFIED USE PERMIT. Whenever the owner of any land or building desires a zone boundary change or an unclassified use permit for his property, or for an area of which his property is a part, he shall file with the Planning Commission an application therefor, verified by him, requesting such amendment or unclassified use permit. No application for a zone boundary change or unclassified use permit shall be accepted by the Planning Commission for any property or area for which a previous application for a zone boundary change or unclassified use permit has been denied until one year has elapsed from the date of such denial, except that the Planning Commission may waive the one year limitation, when in its judgment the applicant has shown substantially changed circumstances which justify a shorter period of time and the Planning Commission determines that the interest of the general public will not be adversely affected.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of March, 1970, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

APPROVED: *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST:

By *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By *Elwyn L. Johnson*
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of March, 1970, Councilman Dixon moved its final adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith and Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell and Robinson

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: April 8, 1970

AN ORDINANCE SUSPENDING THE REQUIREMENTS OF SECTION 10-2. 2106 (a) OF ARTICLE 21 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE FOR THE PERIOD COMMENCING WITH THE EFFECTIVE DATE OF THIS ORDINANCE AND CONTINUING UNTIL FEBRUARY 15, 1971.

WHEREAS, the Planning Commission of the City of Modesto is desirous of suspending the requirements of Section 10-2. 2106 (a) of Article 21 of Chapter 2 of Title X of the Modesto Municipal Code for the period commencing with the effective date of this ordinance and continuing until February 15, 1971, and

WHEREAS, the purpose of suspending the requirements of said Section 10-2. 2106(a) is in order that the Planning Commission may conduct monthly hearings on zone boundary changes rather than the quarterly hearings as now provided in said Section 10-2. 2106 (a), and

WHEREAS, the suspension of the requirements of Section 10-2. 2106 (a) would enable the Planning Commission and the City Council to study and determine if consideration of zone boundary changes on a monthly basis, rather than a quarterly basis, would enable such matters to be handled in a more efficient and expeditious manner that will prove more beneficial not only to the City, but to the applicants involved, and

WHEREAS, commencing with the effective date of this ordinance, applications for zone boundary changes shall be filed in the office of the Director of Planning of the City of Modesto on or before the 15th day of each month, and

WHEREAS, all applications mentioned in the preceding paragraph, will be considered at the Planning Commission meeting to be held at 7:30 o'clock P. M. on the 3rd Tuesday of each month during the time this ordinance is in effect.

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

SECTION 1. That the requirements contained in Section 10-2. 2106 (a) of Article 21 of Chapter 2 of Title X of the Modesto Municipal Code relating to the time for holding hearings for zone boundary changes are hereby suspended commencing on the effective date of this ordinance, and continuing until February 15, 1971.

SECTION 2. That during the time this ordinance is in effect, applications for zone boundary changes shall be filed in the office of the Director of Planning of the City of Modesto on or before the 15th day of the month preceding the

month in which the applications are to be heard.

SECTION 3. That during the time this ordinance is in effect, applications received as set forth in Section 2 of this ordinance shall be initially considered at the Planning Commission meeting to be held at 7:30 o'clock P. M. on the 3rd Tuesday of each month.

SECTION 4. This ordinance shall be of no force and effect after February 15, 1971.

SECTION 5. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 6. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of March, 1970, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

APPROVED:

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

By

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

Ord. No. 1006-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of March, 1970, Councilman Dixon moved its final adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith and Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell and Robinson

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: April 8, 1970

AN ORDINANCE AMENDING SECTION 11-1.04.1 OF
CHAPTER 1 OF TITLE XI OF THE MODESTO MUNICIPAL
CODE RELATING TO WATER MAIN CONNECTION CHARGES.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 11-1.04.1 of Chapter 1 of Title XI of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 11-1.04.1. WATER MAIN CONNECTION CHARGES. In addition to the water service connection charges imposed by Section 11-1.04, the following water main connection charges shall apply:

(a) Territory Within the City Prior to July 1, 1947. For all water service in all areas within the City prior to July 1, 1947, the minimum main connection charge shall be Twenty-Five and no/100ths (\$25.00) Dollars for each water connection to all property serving an area containing not more than seven thousand square feet (7,000), and an additional one-half (1/2¢) cent for each foot in excess of seven thousand square feet (7,000) so serviced.

(b) Territory Annexed After July 1, 1947. For all water services in areas annexed to the City after July 1, 1947, minimum main connection charge to existing mains shall be One Hundred and no/100ths (\$100.00) Dollars for each water connection to serve an area containing not more than seven thousand square feet (7,000), and an additional one-half (1/2¢) cent for each foot in excess of seven thousand square feet (7,000) so serviced.

(c) Territory Outside the City. In territory outside the City limits, the minimum main connection charge shall be One Hundred Fifty and no/100ths (\$150.00) Dollars for each water connection to serve an area containing no more than seven thousand square feet (7,000) and an additional one-half (1/2¢) cent for each square foot in excess of seven thousand square feet (7,000) so serviced.

(d) Alternate Provisions. Notwithstanding the provisions of subsection (c) above, where water main extensions are required before water service can be provided outside the City, as an alternate method of financing such extensions, the City may enter into a special agreement with the person desiring water service which shall provide the basis upon which water mains will be constructed and financed. Such an agreement, among other things, may include the requirement of annexation of any territory so served to the City at the earliest opportunity.

(e) Allocation of Costs. Notwithstanding the provisions of subsections (a), (b) and (c) above, the Director of Public Works is hereby authorized to approve and process applications for water service to portions of parcels of land in accordance with the rates specified in the above subsections subject to all of the following terms and conditions:

(1) That the property involved can reasonably be served by the municipal water system.

(2) The total area of such parcels of land to be served shall be not less than twenty thousand square feet (20,000) and the portion of the parcel to be served shall be not less than six thousand square feet (6,000) in area.

(3) A fee of Ten and no/100ths (\$10.00) Dollars shall be paid to the City and shall accompany the application for the purpose of covering the costs of inspection of the premises to make the determination specified in subsections (1) and (2) above.

(4) Connection fees shall be payable based on the size of the portion of the parcel to be served and shall be paid in accordance with the applicable provisions of the Municipal Code.

(5) Water service fees shall be payable in accordance with the Municipal Code provisions relating to water service generally.

(6) The portion of the area to be served shall be recorded by means of a sketch map on the water service card filed in the Department of Public Works.

(7) In addition to the remedies for violations to the provisions of this Code, as an additional and alternate remedy, the Director of Public Works shall have the authority to immediately discontinue water service without requirement of notification in the event that he shall determine that water supplied to serve the area under the permit is used on other premises.

(f) Water Connection Charges to Subdivisions. Each subdivision of land for which the tentative map is submitted subsequent to October 8, 1964, shall be served by the City water system only if the developer of said subdivision agrees that if the water main connection charges set forth in subsections (a), (b) and (c) above have not been paid for eighty (80%) per cent of all lots within said subdivision within three (3) years and ninety (90) days from date of recordation of the final map, or within three (3) years of the completion of installation of the water lines by the City, whichever is the longer period of time, developer, or his assignees, shall forthwith pay to City water main connection charges for all lots for which said fees have not been paid. Notwithstanding the provisions of this subsection, the City may enter into special agreements with developers of industrial subdivisions which shall provide the basis upon which water mains shall be constructed and financed.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of March, 1970, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,
Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

ATTEST:

BY W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of March, 1970, Councilman Dixon moved its final adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith and Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell and Robinson

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: April 8, 1970

AN ORDINANCE AMENDING CHAPTER 6 OF TITLE IX OF THE
MODESTO MUNICIPAL CODE RELATING TO SIGN REGULATIONS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Chapter 6 of Title IX of
the Modesto Municipal Code is hereby amended to read as follows:

CHAPTER 6

SIGN REGULATIONS

SEC. 9-6.01. SHORT TITLE. This chapter shall here-
after be known and cited as the "Sign Regulations".

SEC. 9-6.02. PURPOSE. The purpose of this chapter
is to provide minimum standards to safeguard life,
health, property and public welfare in keeping with
the character of the City of Modesto by regulating
and controlling the size, height, structural design,
quality of materials, construction, location, electri-
fication and maintenance of all signs and sign structures
not located within a building except temporary signs
attached to or affixed upon windows, and to accomplish
the following results:

- (a) To protect and enhance the character of
residential neighborhoods and property values by
prohibiting obtrusive and incompatible signs, and
- (b) To promote and maintain healthy commercial
centers and property values for effective communica-
tion of the nature of goods and services and avoidance
of wasteful, ugly and unsightly competition in signs,
and
- (c) To provide a reasonable and comprehensive
system of controls of signs, and
- (d) To encourage signs which are well designed
and pleasing in appearance and to provide incentive
and latitude for variety, good design relationship,
spacing and location, and
- (e) To encourage a desirable urban character
which has a minimum of overhead clutter, and
- (f) To attract and direct persons to various
activities and enterprises, in order to provide for
the maximum public convenience, and
- (g) To enhance the economic value of the com-
munity and each area of it, through the regulation
of size, location, design and illumination of signs.

SEC. 9-6.03. DEFINITIONS. For the purpose of this
chapter, the following words and phrases shall have
the meanings respectively ascribed to them by this
section.

- (a) "Area of a Sign" shall mean the entire
area within a single continuous perimeter enclosing
the extreme limits of all elements such as boards or
frames, perforated or solid backgrounds, ornamental
embellishments, writings, representations, emblems
or any figures or similar characters, including any

spires, masts, shafts or similar projections, but excluding the necessary supports or uprights on which such sign is placed. Area of a free-standing sign shall be the entire area enclosing the extreme limits of all elements such as boards or frames, perforated or solid backgrounds, ornamental embellishments, writings, representations, emblems or any figures or similar characters, including any spires, masts, shafts or similar projections, but excluding the necessary supports or uprights on which such sign is placed. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except where two (2) such faces are placed back to back and are at no point more than two (2) feet from one another, the area of the sign shall be taken as the area of one face if the two (2) faces are of equal area, or as the area of the larger face if two (2) faces are of unequal area.

(b) "Area or Group Housing Project Sign" shall mean a sign identifying the name of a group housing project and attached to a wall or fence located within the boundaries of a group housing project.

(c) "Bench Sign" shall mean a bench located outdoors upon public or private property with advertising matter thereon.

(d) "Bulletin Board" shall mean a sign used to announce a coming event or attraction or used to convey a specific message related to the building or use of the property on which the bulletin board is located. In all zones, bulletin boards which are displayed so as to be viewed from a public street, highway, parking lot, walkway or mall shall be subject to the sign regulations of the zone in which the building or property is located.

(e) "Canopy or Marquee" shall mean a fixed overhead shelter used as a roof, which may or may not be attached to a building.

(f) "Canopy Sign" shall mean a sign attached to or hung from a canopy or marquee, but not projecting above the top of the canopy or marquee.

(g) "Construction Sign" shall mean a sign with the names of the architects, engineers, contractors and subcontractors of buildings and structures being constructed upon the premises on which the sign is located.

(h) "Directional Sign" shall mean a sign used to direct and control pedestrian or vehicular traffic and located on the same lot or premises as the use which it is intended to serve.

(i) "For Sale or Rent Sign" shall mean a sign advertising that the subject building or property or portion thereof is for sale, rent, lease or hire.

(j) "Free-Standing Sign" shall mean a sign detached from any building or structure, and the supports of which are permanently affixed in the ground.

(k) "Height" shall mean the vertical distance from the highest point used in measuring the area of a sign to the top of curb of the street at a point which is closest to the highest point of the sign.

(l) "Identification Sign" shall mean any sign which is used to identify or advertise the occupant of a building, lot or premises or the merchandise or activity available at the building, lot or premises where the sign is located.

(m) "Lighted Sign" shall mean any sign which is illuminated either directly or indirectly by artificial light.

(n) "Outdoor Advertising Sign" shall mean a sign that directs attention to a business, profession, product, commodity, or service that is not the primary business, profession, product, commodity or service sold, manufactured, conducted, or offered on the site on which the sign is located.

(o) "Principal Frontage" shall mean that wall of a building or structure which has frontage on a public street, highway, parking lot, walkway or mall and which is designated by the owner or occupant thereof as the principal frontage of said building or structure for the purposes of Section 9-6.07(f) (2) of this Code.

(p) "Political Sign" shall mean a sign advertising a candidate for political office, a political party or a measure scheduled for an election.

(q) "Projecting Sign" shall mean any sign attached to and projecting from the face of or above the roof of a building, structure, canopy or marquee.

(r) "Sign" shall mean any structure, device, letter, figure, character, poster, picture, trademark or reading matter which is used or designed to announce, declare, demonstrate, display or otherwise identify or advertise, or attract the attention of the public. However, a sign shall not include the following:

(1) Official notices authorized by a court, public body or public officer.

(2) Directional, warning or information sign authorized by federal, state or municipal authority or public utility.

(3) The official flag, emblem or insignia of a government, school or religious group or agency.

(4) Memorial plaque, tablet or cornerstone indicating the name of a building and date of construction, when cut or carved into any masonry surface or when made of bronze or other incombustible material and made an integral part of the building or structure.

(5) Signs within a building except window or wall signs as hereinafter defined.

(s) "Subdivision Sign" shall mean a sign erected and maintained within the boundaries of a recorded subdivision and indicating the name of the subdivision, the name of the contractor or subdivider, the name of the owner or agent, and giving information regarding directions, price or terms.

(t) "Temporary Sign" shall mean any banner, pennant, valance, balloon, streamer, placard, "A" frame, sandwich board or similar temporary sign or advertising device or display with or without letters, words, numbers, or figures thereon, which directs, promotes or attracts service or price, or which is otherwise designed to attract attention, except as provided for in Sections 4-5.10 and 9-6.03 (v) of this Code.

(u) "Wall Sign" shall mean any sign attached to or erected against the wall of a building or structure, with the exposed face of the sign in a place approximately parallel to the plane of the wall and which does not project beyond the top or ends of the wall. "Wall Sign" shall also mean any sign permanently displayed on the inside or outside of a window.

(v) "Window Sign" shall mean any sign temporarily displayed on the inside or outside of a window and facing a public street, highway, parking lot, walkway or mall.

(w) "Zone" shall mean one of the various classes of area into which the City has been divided by Title X, Planning and Zoning, of the Modesto Municipal Code.

SEC. 9-6.04. ADMINISTRATION. (a) Duty to Enforce. It is the duty of the Chief Building Official to enforce all of the provisions of this chapter.

(b) Inspection. Every sign erected in the City of Modesto shall be subject to inspection by the Chief Building Official to assure compliance with all provisions of this chapter and all other laws and ordinances of the City. Signs incorporating electrical wiring shall be inspected and approved by the Chief Building Official prior to erection, unless such sign bears the seal of approval of the National Board of Fire Underwriters.

(c) Compliance with Chapter; Nuisance; Abatement. The Council hereby determines that the public peace, safety, morals, health and welfare, require that all signs heretofore constructed or erected in violation of any law or ordinance of the City of Modesto in effect at the time such sign was constructed or erected, be and they are hereby made subject to the provisions of this chapter, and shall conform and comply with such requirements forthwith and that all signs which shall not so conform and comply and all signs which shall hereafter be constructed or erected in violation of the provisions of this chapter shall be and they are hereby declared public nuisances to be removed and abated in the manner provided herein.

(d) Permits Required. It shall be unlawful for any person to erect, alter, other than change in copy, or relocate within the City any sign as defined in this chapter without first obtaining a permit from the Chief Building Official and making

payment of the fee required in subsection (i) of this section; except that the following listed signs are not required to have permits or pay permit fees, but shall meet all other requirements of this chapter:

Construction Signs:

For Sale or Rent Signs

Name Plates

Political Signs permitted by Section 9-6.07(a) (6) (aa) of this Code

(e) Application for Permit. Application for sign permits shall be made upon forms provided by the Chief Building Official, and shall contain or have attached thereto the following information and material:

(1) Name, address and telephone number of the owner of the property.

(2) Name, address and telephone number of the applicant (owner of the sign).

(3) Name, address and telephone number of the sign contractor.

(4) Location of building, structure or lot to which, or upon which, the sign is to be attached or erected.

(5) Two (2) copies of plan showing:

(aa) Position of sign in relation to adjacent buildings or structures.

(ab) The design and size, structural details and calculations, and proposed location on the premises of such sign.

(ac) For identification signs, a statement showing the type, size and dimensions of all signs existing on the premises at the time of making such application.

(ad) For canopy or wall identification signs, a statement designating the principal frontage of the building or structure upon which the sign is to be located.

(6) Such other information as the Chief Building Official shall require, to show full compliance with this chapter, and all other laws and ordinances of the City of Modesto.

(7) The Chief Building Official may waive the requirement for plans to be filed for small, unimportant or temporary signs, and for previously approved standard plans for sign supports provided the application is otherwise in compliance with conditions of approval of the standard plan.

(f) Permit Issued if Application in Order.

It shall be the duty of the Chief Building Official, upon the filing of an application for a sign permit, to investigate same, and if it shall appear that the proposed sign is in compliance with all the requirements of this chapter and all other laws and ordinances of the City, he shall then issue the

sign permit. If the work authorized under a sign permit has not been completed within six (6) months after date of issuance, the said permit shall become null and void.

(g) Signs Falling Within Definition of One or More Type Signs. Whenever any sign, as defined in this chapter, falls entirely within the definitions of one or more type signs, it shall be subject to the provisions of the most restrictive category.

(h) Permit Issued In Error. If a sign permit is issued in error by the Chief Building Official and the sign does not comply with all of the requirements of this chapter and all other laws and ordinances of the City, the sign permit shall be null and void and no rights or privileges shall be conferred upon the permittee by said permit. The Chief Building Official shall include or cause to be included on the sign permit for all signs a notice that the issuance of the permit does not grant any right or privilege to erect or install any sign which is in violation of this chapter or of any other laws or ordinances of the City.

(i) Permit Fees. Each application for a sign for which a permit is required by this chapter shall be accompanied by a sign permit fee as set forth below:

(1) Painted Wall Signs. One cent per square foot of area of the sign, provided that the minimum fee shall be One and no/100ths (\$1.00) Dollar and the maximum fee shall be Two and no/100ths (\$2.00) Dollars.

(2) All Other Signs. Two and one-half (\$.025) cents per square foot of area of the sign, provided that the minimum fee shall be One and no/100ths (\$1.00) Dollar and the maximum fee shall be Five and no/100ths (\$5.00) Dollars.

The required fees shall be double the above amounts for any sign erected prior to the securing of a sign permit when a sign permit is required.

(j) Maintenance of Signs. The owner of any sign as defined and regulated by this chapter, including supporting structures, shall keep the same in a presentable condition at all times. All painted signs, and all supporting structures of any sign, shall be repainted whenever such action is requested in writing by the Chief Building Official to keep them in good condition.

(k) Unsafe and Unlawful Signs. If the Chief Building Official shall find that any sign regulated herein is unsafe or insecure, or is a menace to the public, or is in a dilapidated, decayed or neglected state, or has been constructed or erected or is being maintained in violation of the provisions of this chapter, he shall give written notice to the permittee or owner thereof. If the permittee or owner fails to remove or alter the structure so as to comply with the standards herein set forth, within ten (10) days after such notice, such sign may be removed or altered

to comply by the Chief Building Official and any expense incidental thereto shall be paid by the permittee or owner of the property upon which it is located. No permit shall be issued thereafter to any permittee or owner who has not paid the costs so assessed. The Chief Building Official may cause any sign which is in an immediate peril to persons or property to be removed summarily and without notice.

(1) Removal of Certain Signs. Any sign now or hereafter existing which no longer advertises a bona fide business conducted, or a product available for purchase by the public, shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found within ten (10) days after written notification from the Chief Building Official, and upon failure to comply with such notice within the time specified in such order, the Chief Building Official is hereby authorized to cause removal of such sign, and any expense incidental thereto shall be paid by the owner of the building or structure to which such sign is attached, or if the sign is not attached to a building, by the owner of said sign.

SEC. 9-6.05. NONCONFORMING SIGNS; DEFINITION; REMOVAL, ALTERATION OR REPLACEMENT. For the purpose of this chapter, a "nonconforming sign" is one which does not conform with the provisions of this chapter, but which was lawfully existing and maintained within the City prior to and at the time this chapter became effective, including signs erected pursuant to variances granted by the City Council, or was lawfully in existence and in use on property outside of the City on the date upon which the annexation of such property to the City was completed, including signs erected pursuant to variances granted by the County of Stanislaus.

The provisions of this section shall apply to any lawfully existing sign which shall become nonconforming by reason of the following:

- (a) The amendment of the precise zoning plan for the property on which the sign is located;
- (b) The amendment of this chapter; or
- (c) The annexation to the City of the property on which the sign is located.

A nonconforming sign shall not be replaced, altered, reconstructed, relocated or expanded in any manner unless and until the sign is made to conform with the provisions of this chapter. Ordinary maintenance and minor repairs which will not increase the normal life of the sign and which are required for safety purposes will be permitted. Structural alterations to a nonconforming sign are prohibited.

If the use of a nonconforming sign is discontinued, it shall not thereafter be used unless and until the sign is made to conform with the provisions of this chapter.

SEC. 9-6.06. GENERAL REQUIREMENTS. (a) Height Limitation. The maximum height of any sign shall be as stated herein, but in no case shall a sign exceed thirty-five (35') feet in height.

(b) Rotating, Moving, Flashing, Changing or Blinking Signs. No sign shall have or consist of any moving, rotating or otherwise animated part or any flashing, blinking, fluctuating or otherwise animated light. The provisions of this subsection shall not be applied so as to prohibit the following types of signs:

(1) A sign showing time separately and which changes no oftener than once a minute.

(2) A sign showing temperature separately and which changes only when the temperature rises or falls one degree or more.

(3) An on-premises barber pole of a height not to exceed thirty (30") inches, of traditional design which shall be permitted to revolve during the time that a barber shop is open for business.

(c) Projections. No sign shall project into any alley, required front, side, or rear yard, easement or street right of way except that identification signs may project over street rights of way to within two (2') feet of the curb face, but wall signs may project not more than ten (10") inches into a street right of way.

(d) Vertical Clearance. No sign except a canopy sign shall be less than ten (10') feet above a public or private sidewalk or fifteen (15') feet above ground level in areas open to vehicular traffic.

(e) Obstructions to Doors, Windows or Fire Escapes. No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape.

(f) Construction Standards. All signs, including all parts, portions, units and material comprising the same, together with the frames, backgrounds, supports and anchorage therefor shall be manufactured, fabricated, assembled, constructed and erected in accordance with applicable Building, Electrical and Fire Prevention Codes of the City of Modesto.

(g) Illuminated Signs. Any illuminated sign or lighting device shall employ only lights emitting a light of constant intensity, and no sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights. In no event shall an illuminated sign or lighting device be so placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

(h) Signs Not to Constitute Vehicular Traffic Hazard. No sign, as regulated in this chapter, shall be erected at the intersection of any street, or at any railroad grade crossing, in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, by reason of the position, shape, or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which

makes use of the words "STOP", "DANGER", or any other word, phrase, symbol or character in such manner as to interfere with, mislead, or confuse traffic.

(i) Sign Company Identification. It shall be unlawful for any person to erect, alter or relocate within the City any sign without printing or causing to be printed in the lower right-hand corner of the sign in clearly legible letters, the name of the person, firm or company erecting, altering or relocating the sign, the date of erection, alteration or relocation, and the City of Modesto building permit number. If said information is not printed in the lower right-hand corner of a sign, the Chief Building Official may remove the sign pursuant to the provisions of Section 9-6.04(k) of this chapter.

(j) Temporary Signs. It shall be unlawful for any person to erect, install or maintain any temporary sign.

(k) Bench Signs. All advertising matter shall be painted on the bench. No advertising matter shall be displayed upon any bench except on the front and rear surface of the backrest. Commercial advertising shall not be placed upon any bench where such advertising is prohibited by the laws and ordinances of the City.

SEC. 9-6.07. SPECIFIC REQUIREMENTS FOR TYPE, AREA AND HEIGHT OF SIGNS BY ZONE. It shall be unlawful for any person to erect, construct or maintain on any lot or parcel any sign of a type or having an area and/or height in violation of the following specific requirements:

(a) R-1 Zone. (1) One for sale or rent sign, unlighted, not exceeding eight (8) square feet in area and six (6') feet in height.

(2) One name plate not exceeding one square foot in area.

(3) One bulletin board or identification sign not exceeding twelve (12) square feet in area and six (6') feet in height for uses permitted by conditional use permits and unclassified use permits.

(4) One construction sign not exceeding twenty (20) square feet in area and six (6') feet in height provided sign is removed not later than thirty (30) days after construction is completed.

(5) One subdivision sign not exceeding sixty-four (64) square feet in area or ten (10') feet in height for each recorded subdivision provided such sign is removed not later than two (2) years from the recording date of the subdivision.

(6) Political signs may be erected, maintained and displayed as follows:

(aa) On lots or parcels upon which there is located a residential structure, except that:

(i) The combined area of all of said signs shall not exceed four (4) square feet.

(ii) The overall height shall not exceed four (4') feet.

(ab) (On lots or parcels upon which there is not located a residential structure, except that:

(i) Each sign shall not exceed thirty-two (32) square feet in area.

(ii) The overall height shall not exceed six (6') feet.

(ac) Political signs shall not be attached to trees, fence posts or utility poles.

(ad) Political signs shall not be lighted either directly or indirectly.

(ae) Political signs shall be erected no more than thirty (30) days prior to the date of the election.

(af) Political signs shall be removed within ten (10) days after the date of the election.

(7) Bench signs are not permitted.

(8) Temporary signs are not permitted.

(9) Window signs are not permitted.

(10) Outdoor advertising signs are not permitted.

(b) R-A and F Zones. Same as R-1 Zone.

(c) R-2 Zone. Same as R-1 Zone with the following addition:

(1) Area or group housing project signs not exceeding twelve (12) square feet in area or six (6') feet in height.

(d) R-3 Zone. Same as R-2 Zone with the following addition:

(1) One identification sign not exceeding twelve (12) square feet in area and six (6') feet in height for a boarding house, lodging house or multiple dwelling.

(e) P-0 Zone. Same as R-1 Zone with the following addition:

(1) On major streets one identification sign not exceeding twelve (12) square feet in area and forty-two (42") inches in height.

(2) On collector streets one identification sign not exceeding one square foot in area for each separate use on the premises, and not exceeding twelve (12) square feet in total area, and forty-two (42") inches in height.

(f) C-1 Zone. (1) Only one free-standing or projecting double-faced identification sign not exceeding one hundred fifty (150) square feet in area, thirty-five (35') feet in height, and thirty (30') feet in length is permitted for each use or occupancy.

(2) Canopy or wall identification signs are permitted on each wall of a building or structure provided:

(aa) That on the wall designated as principal frontage of a building or structure said signs may not exceed four (4) square feet in combined sign area for each lineal foot of that wall of the building or structure or portion thereof wherein the use or occupancy is conducted.

(ab) That on each of the other walls of the building or structure said signs may not exceed two (2) square feet in combined sign area for each lineal foot of each wall of the building or structure or portion thereof wherein the use or occupancy is conducted.

(3) Six (6) unlighted signs are permitted which do not exceed twelve (12) square feet in combined sign area; such signs may indicate credit cards honored, trading stamps available, or official public services provided on the premises.

(4) Directional or informational signs not exceeding twelve (12) square feet in area or six (6') feet in height are permitted provided they do not bear any advertising message and that such signs are located wholly on private property on the premises to which they pertain.

(5) One for sale or rent sign not exceeding sixty-four (64) square feet in area and ten (10') feet in height.

(6) One construction sign not exceeding sixty-four (64) square feet in area and ten (10') feet in height.

(7) One canopy sign not exceeding six (6) square feet in area may be hung from a canopy, providing such sign is not less than seven and one-half (7½') feet above a public or private sidewalk.

(8) Bench signs are permitted.

(9) Political signs not exceeding one hundred (100) square feet in area and eight (8') feet in height. Said signs may not be erected more than thirty (30) days prior to the date of the election, and shall be removed within ten (10) days after the date of the election.

(10) Temporary signs are not permitted.

(11) Outdoor advertising signs are not permitted.

(12) Window signs are permitted.

(g) M-P and H-1 Zones. Same as C-1 Zone.

(h) C-2 Zone. Same as C-1 Zone with the following addition:

(1) Outdoor advertising signs not exceeding three hundred (300) square feet in area, twenty-five (25') feet in height and thirty (30') feet in length, except that:

(aa) No outdoor advertising sign shall be located within two hundred (200') feet of an R-1, R-2, or R-3 Zone or a lot or parcel which has been approved for residential development in a P-O, H-1 or P-D Zone without first obtaining a conditional use permit therefor from the Board of Zoning Adjustment in accordance with the provisions of Article 20 of Chapter 2 of Title X of this Code.

(ab) The maximum combined area of outdoor advertising signs located within a family of circles with 250 foot radii measured from the point or points where the center lines of intersecting streets meet, shall not exceed 600 square feet.

(i) C-M, M-1 and M-2 Zones. Same as C-2 Zone.

SEC. 9-6.08. SIGNS ADJACENT TO FREEWAYS. Notwithstanding any other provision of this chapter, including Section 9-6.09 hereof, or any other law or ordinance of the City, no sign shall be placed or located on either side of a State or County Freeway as defined in the Streets and Highways Code of the State of California or on Briggsmore Avenue and Northern Boulevard in a manner that makes the matter displayed thereon visible to persons or passengers upon any such thoroughfare, except as follows:

(a) This section shall have no application to signs used exclusively for:

(1) The display of official notices used by any court or public body or official, or for the posting of notices by any public officer in the performance of a public duty, or by any person in giving legal notice.

(2) Directional warning or informational purposes of a public or semi-public nature, directed and maintained by an official body.

(b) A single identification sign is permitted which is used exclusively to advertise the ownership, sale or lease of the property upon which such sign is placed, or to advertise a business conducted, or services rendered, or goods produced upon such premises, or any other lawful activity conducted upon such premises, provided:

(1) Signs shall not rotate or otherwise move, nor shall they be so designed and operated as to simulate action.

(2) Illuminated signs shall be nonflashing and shall not be so located that any green, yellow or red light thereon will materially or practically tend to create a traffic hazard.

SEC. 9-6.09. VARIANCES. Except for height, length and area limitations, and the types of signs allowed in specific zones, the Board of Zoning Adjustment may grant variances from the provisions of this chapter in accordance with the provisions of Article 20 of Chapter 2 of Title X of this Code.

SEC. 9-6.10. APPEALS. Any person aggrieved or affected by any decision of an administrative official of the City which involves the application of any of the provisions of this chapter may appeal such decision to the Board of Zoning Adjustment in accordance with the provisions of Article 19 of Chapter 2 of Title X of this Code.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of March, 1970, by Councilman Dixon, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

ATTEST:

BY W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of March, 1970, Councilman Dixon moved its final adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith and Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell and Robinson

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: April 8, 1970

AN ORDINANCE ANNEXING UNINHABITED TERRITORY
KNOWN AS THE **SANTA ANA** ADDITION
TO THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by Pearl M. England, Angela E. Hanson, Christ Kapenekakis, Evangelia Kapenekakis, Rita Garibaldi and Lander E. Wick

on January 21, 1970, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the SANTA ANA ADDITION, situated in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 26th day of January, 1970, set said petition for hearing at the hour of 7:50 o'clock P. M. on the 9th day of March, 1970, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation, to wit: The Modesto Bee, a newspaper published in the City of Modesto on January 29, 1970, and on February 5, 1970; and in The Riverbank News, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on January 30, 1970, and on February 6, 1970, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation

of Uninhabited Territory Act of 1939, as amended, have been complied with,
and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on January 16, 1970, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to the Government Code, and

WHEREAS, on the 9th day of March, 1970, at the hour of 7:50 o'clock P.M., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one-half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

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

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the SANTA ANA ADDITION, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California

as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of March, 1970, by Councilman Simon, who moved its adoption and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:
By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:
By P. A. Basegood
Public Works Department

Handwritten: K...
1-29-70

SANTA ANA ADDITION

All that real property in the State of California, County of Stanislaus, in the Northeast quarter of the Northeast quarter of Section 33, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being Lots 9, 10, 11, 12, 13 and 14 of Block 1 of DEL ESTE SUBDIVISION as per map filed April 14, 1914, in Volume 8 of Maps, Page 12, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Southern line of the LA LOMA - YOSEMITE ADDITION (55), said point being on the center line of a 60.00 foot public road known as Santa Ana Avenue; thence along the existing City Limits and Northern line of Lot 14 of said Block 1, East 238.34 feet, to the Western line of the 20.00 foot Alley in said Block 1; thence along said Western line, South $00^{\circ} 54'$ East, 326.69 feet, to the Southern line of Lot 9 in said Block 1; thence along said Southern line and its Westerly extension, West, 238.34 feet, to the center line of Santa Ana Avenue; thence along said center line, North $00^{\circ} 54'$ West, 326.69 feet, to the point of beginning, containing 1.787 Acres, more or less.

AN ORDINANCE AMENDING SECTION 3-2.1401 OF ARTICLE 14 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO SPEED LIMITS IN THE CITY OF MODESTO.

The Council of the City of Modesto does ordain as

follows:

SECTION 1. AMENDMENT OF CODE. Section 3-2.1401 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1401. DECREASE OF STATE LAW MAXIMUM SPEED. Pursuant to authority contained in the California Vehicle Code, it is hereby determined upon the basis of an engineering and traffic survey that the speed limit permitted by State law outside of business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets, and it is hereby declared that the prima facie speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof:

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
ALICE, from Sycamore to McHenry	25 miles per hour
BLUE GUM AVENUE, between North 9th Street and Prichard Avenue, within the City limits	40 miles per hour
BOWEN, from Geneva Drive to the easterly City limits	25 miles per hour
BRIGGSMORE, from McHenry to Tully Road	30 miles per hour
BRIGGSMORE, from Tully Road to the westerly City limits	35 miles per hour
BRIGHTON AVENUE, between Wylie Drive and Coffee Road	25 miles per hour
CARPENTER ROAD, between California and Maze	40 miles per hour
CARPENTER ROAD, between the southerly City limits at the Tuolumne River and Robertson Road	35 miles per hour
CARPENTER ROAD, between Blue Gum Avenue and 1,350 feet southerly within the City limits	50 miles per hour
CARVER ROAD, from Evergreen Street north to the northerly City limits	25 miles per hour
CENTER STREET, entire length in City	25 miles per hour

COFFEE ROAD, Scenic Drive to M.I.D. Lateral #3	30 miles per hour
COFFEE ROAD, between M.I.D. Lateral #3 and Floyd Avenue within the City limits	35 miles per hour
COFFEE ROAD, between Floyd and Sylvan Avenues, within the City limits	40 miles per hour
COLLEGE AVENUE, between Durant and Rumble	25 miles per hour
CONANT ROAD, between North 9th Street and Rumble Road, within the City limits	35 miles per hour
DEL VALE, entire length in City	25 miles per hour
EL VISTA, within the City limits	35 miles per hour
EMERALD, from Maze Road to the southerly City limits	25 miles per hour
ENCINA, Covena to Santa Ana	25 miles per hour
ENSLER, between Granger and Orangeburg	25 miles per hour
FAIRMONT AVENUE, between Virginia and McHenry	25 miles per hour
FLOYD AVENUE, within the City limits	30 miles per hour
FRANKLIN, between California and Laurel	25 miles per hour
GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
HADDON, between La Loma and Conejo	25 miles per hour
HATCH ROAD, within the City limits	35 miles per hour
JEFFERSON, from Paradise Road to 8th Street	25 miles per hour
K STREET, between Washington Avenue and 9th Street	25 miles per hour
KEARNEY, entire length in City	25 miles per hour
LA LOMA, entire length in City	25 miles per hour
LEGION PARK ROAD, between Santa Cruz and Conejo	25 miles per hour
LEVELAND LANE, College to TSRR tracks	25 miles per hour
LUCERNE AVENUE, from Johnson Street to Coffee Road	25 miles per hour
MADISON, entire length in City	25 miles per hour

MILLER, from La Loma to Conejo	25 miles per hour
MORTON BOULEVARD, entire length in City	25 miles per hour
NEECE DRIVE, from Tuolumne Boulevard to the southerly City limits	25 miles per hour
OAKDALE ROAD, between Scenic Drive and Orangeburg Avenue	30 miles per hour
OAKDALE ROAD, north of Orange- burg within City limits	50 miles per hour
ORANGEBURG AVENUE, east of McHenry Avenue	35 miles per hour
ORANGEBURG AVENUE, Martin to Prescott	25 miles per hour
PRESCOTT ROAD, Briggsmore to Rumble	25 miles per hour
RIVER ROAD, Herndon Road to 1,200 feet westerly	35 miles per hour
ROBLE AVENUE, Santa Ana to Rosina	25 miles per hour
ROSE AVENUE, Scenic Drive to 400 feet north of Krugar Avenue	30 miles per hour
ROSE AVENUE, 400 feet north of Krugar Avenue to Floyd Avenue	35 miles per hour
RUMBLE ROAD, between Carver Road and Conant Avenue, within the City limits	30 miles per hour
RUMBLE ROAD, between Tully and Tidewater Southern Tracks	25 miles per hour
RUMBLE ROAD, between Highgate and the east City limits	25 miles per hour
SCENIC DRIVE, between 300 feet west of Rose Avenue and Oakdale Road, within the City limits	35 miles per hour
SHERWOOD, from Orangeburg to Northern Boulevard	25 miles per hour
STANDIFORD AVENUE, Tidewater Southern Railroad to McHenry Avenue	35 miles per hour
STODDARD, between McHenry and Virginia	25 miles per hour
SUNRISE, from Lucerne to the northerly City limits	25 miles per hour
SYLVAN AVENUE, between 1,300 feet west of Coffee Road to 2,650 feet east of Coffee Road, within the City limits	50 miles per hour

TULLY ROAD, from 300 feet north of
Woodrow to the north City limits 35 miles per hour

WESTERN WAY, between Sutter
Avenue and Roselawn Avenue 25 miles per hour

WOODROW AVENUE, within the City
limits 25 miles per hour

WRIGHT, from Sycamore to McHenry 25 miles per hour

9th STREET, from north end of
Tuolumne River Bridge to
south City limits 40 miles per hour

9th STREET, from north end of
Tuolumne River Bridge to
D Street 30 miles per hour

9th STREET, from P Street to
Tully Road 35 miles per hour

9th STREET, from Tully Road to
north City limits 50 miles per hour

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of March, 1970, by Councilman Dixon, who moved its introduction and passage to print, which motion being duly seconded by Councilman Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

APPROVED: Lee H. Davies

LEE H. DAVIES, Mayor

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16th day of March, 1970, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: April 15, 1970

AN ORDINANCE AMENDING SECTION MAP 10-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO PREZONING
CERTAIN PROPERTY LOCATED THEREON. (COFFEE TERRACE)

WHEREAS, a verified application for an amendment to
Section 10-3-9 of the Zoning Map was filed by Harley D.
Brannan on January 29,
1970, to prezone to ~~Multiple-Family Residential~~ Two-Family Residential
P-R2 respectively Zone,
P-R3 and/, the hereinafter described property, and

WHEREAS, after public hearing held on February 17,
1970, it was found and determined by the Planning Commission
that pre zoning of the property as requested is required by public
necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 70-27, adopted on
February 17, 1970, the Planning Commission recommended to
the Council that the application of Harley D. Brannan
_____ to amend Section 10-3-9 of the Zoning
Map to prezone the hereinafter described property to Multiple-Family
Two-Family Residential P-R2 respectively Residential Zone and/
_____ Zone, P-R3 and/, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing,
this Council finds and determines that the requested pre zoning is
in accordance with the general plan and will serve the public health,
safety and general welfare and provide the economic and social advan-
tages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 10-3-9 of the
Zoning Map is hereby amended to prezone the following described
property to Multiple-Family Residential Zone and Two-Family
Residential Zone, P-R3 and P-R2 respectively:

P-R3

The West 175.00 feet measured at right angles of the
following described parcel:

All that portion of the Southwest Quarter of Section 10,
Township 3 South, Range 9 East, Mount Diablo Base and
Meridian, being the South half, front and rear measurements
of the following described parcel, to-wit:

Beginning at the Southwest corner of said Section 10 in Coffee Road; thence North 89° 36' 50" East 2625.60 feet to the intersection with the North-South Quarter section line through said Section 10; thence North 0° 53' 20" West 824.43 feet to the Southeast corner of Coffee Village No. 2 as per map filed in volume 19 of Maps, at Page 44, Stanislaus County Records; thence South 89° 33' 30" West 2624.16 feet along the South line of Coffee Village No. 2, and continuing to a point on the West line of said Section 10 in Coffee Road; thence South 0° 47' 20" East 822.10 feet to the point of beginning.

P-R2
Parcel 1

The East 250.00 feet of the West 425.00 feet measured at right angles of the following described parcel:

All that portion of the Southwest Quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being the South half, front and rear measurements of the following described parcel, to-wit:

Beginning at the Southwest corner of said Section 10 in Coffee Road; thence North 89° 36' 50" East 2625.60 feet to the intersection with the North-South Quarter section line through said Section 10; thence North 0° 53' 20" West 824.43 feet to the Southeast corner of Coffee Village No. 2, as per Map filed in Volume 19 of Maps, at Page 44, Stanislaus County Records; thence South 89° 33' 30" West 2624.16 feet along the South line of Coffee Village No. 2, and continuing to a point on the West line of said Section 10 in Coffee Road; thence South 0° 47' 20" East 822.10 feet to the point of beginning.

P-R2
Parcel 2

All that certain real property situate in the Southwest Quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Commencing at the Southwest corner of said Section 10; thence North 89° 36' 50" East along the South line of said Section 10 a distance of 425.01 feet to the point of beginning of this description; thence North 0° 47' 20" West 148.37 feet; thence North 89° 36' 50" East 125.21 feet; thence North 0° 23' 10" West 12.64 feet; thence North 89° 36' 50" East 310.00 feet; thence South 82° 15' 21" East 70.71 feet; thence North 89° 36' 50" East 1571.63 feet; thence South 0° 53' 20" East 51.22 feet; thence North 89° 06' 40" East 123.00 feet to a point on the North-South Quarter section line of said Section 10; thence South 0° 53' 20" East along said Quarter section line a distance of 100.88 feet to the South Quarter section corner of said Section 10; thence South 89° 36' 50" West along the South line of said Section 10 a distance of 2200.59 feet to the point of beginning.

CONTAINING 7.55 Acres.

SECTION 3. ZONING MAP. Section 10-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of March, 1970, by Councilman Newton, who moved its introduction and passage to print, which motion being duly seconded by Councilman Dixon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY William Nichols
Planning Department

Ordinance 1011 C.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of April, 1970, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: May 6, 1970

AN ORDINANCE AMENDING THE PARKING METER
ZONING MAP OF THE CITY OF MODESTO.

WHEREAS, Section 3-2.1501 of the Modesto Municipal Code provides that changes in the boundaries of the parking meter zones shall be made by ordinance adopting an amended Parking Meter Zoning Map, or section or unit thereof.

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

SECTION 1. PARKING METER ZONING MAP. The Parking Meter Zoning Map of the City of Modesto is hereby amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of March, 1970, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

APPROVED: Lee H. Davies

LEE H. DAVIES, Mayor

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

Ordinance 1013 C.S.

Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13th day of April, 1970, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Mitchell, Newton, Robinson, Simon, Smith and Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: May 13, 1970

AN ORDINANCE AMENDING SECTION 10-2.1515 OF ARTICLE 15 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE RELATING TO LANDSCAPING STANDARDS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 10-2.1515 of Article 15 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.1515. LANDSCAPING STANDARDS. (a) Purpose of the Standards. The landscaping of all areas of the community is intended to provide visual relief and delight, to complement buildings and other structures, to provide a transitional area between potential competing land uses, to aid in reducing air pollution, and to provide an attractive environment for the enjoyment of the public. Landscaping which is integrated with building design is an acceptable and desirable objective of contemporary community development.

~~To assure that the purpose of the landscaping standards will be carried out, the following principles of landscaping design and landscape plan specifications have been adopted to guide the developer and the city administration whenever landscaping or a landscape plan is required as a condition of a zoning district, a variance, a use permit, or any other conditional agreement.~~

Whenever landscaping or a landscape plan is required as a condition of a zoning district, a variance, a use permit, or any other conditional agreement, the following standards of landscape design and landscape plan specifications shall apply.

(b) Principles of Landscape Design. Standards of Landscape Design. (1) Plan preparation. It is recommended but not required that ~~the services of a~~ registered landscape architect or a landscape contractor be employed in preparing the landscape plan. In addition to plants, the use of structural elements such as pools, fountains, raised planters, benches and sunshades is encouraged but not required in the landscape plan.

(2) Plant Materials. The selection of plant materials should include both evergreen and deciduous trees and shrubs, and attractive erosion preventing ground cover. Attention ~~should~~ shall be given to appearance, height, spread, growth rate, potential root damage, disease and pest susceptibility, soil drainage and climatic adaptability, and the degree of maintenance required.

(3) Plant Coverage. Plants ~~should~~ shall be so spaced and sized that, when mature, they will fill the planter area. Although a reasonable number of growing seasons will be allowed for full plant coverage to develop, interim ground cover ~~should~~ shall be provided during this period. Interim cover of surfacing materials shall consist of rocks, gravel, mulch, chips, or any other acceptable material.

(4) Plant Maintenance. Underground irrigation systems ~~should~~ shall be provided to assure maximum plant maintenance ~~for~~ with minimum costs, minimum manpower, except where the location and size of the planter area justifies something else less. Automatic underground irrigation systems shall be provided where the location and size of the planter area justifies the additional cost involved.

(5) Planter Construction. All planter areas ~~should~~ shall have a peripheral concrete or other permanent type border to prevent cars and pedestrians from damaging plant materials. ~~The curb construction should be approved by the Planning Director.~~

The minimum width of a planter bed should be forty (40") inches.

(c) Landscape Plan Specifications. (1) Four (4) copies of the landscape plan shall be submitted for review and approval by the City Planning Director and the Director of Parks and Recreation, ~~unless otherwise specified in accordance with the above standards of landscape design.~~

(2) Plans shall be legible and drawn to a scale no smaller than one inch equals eight (8') feet.

(3) Plans shall show property lines, important dimension lines, setback lines, walls and fences, driveways, and the outline of all structures.

(4) ~~Plans should shall show a satisfactory irrigation system, as approved by the Planning Director, -- Automatic systems are recommended to assure greatest growth and lowest service time. If these bibs are used, they must be located to permit complete -- severage with a fifty-(50')-foot hose.~~

(5) Plans shall include a plant list giving the common and botanical names of plants to be used. This plant list ~~should~~ shall be arranged in legend form with a key number assigned to each plant. On the plan, each plans ~~will~~ shall be identified by the key number. The size of the plant, its spacing and the quantity to be used ~~should shall~~ follow in the legend, as the following example illustrates.

<u>No.</u>	<u>Botanical Name</u>	<u>Common Name</u>	<u>Size</u>	<u>Spacing</u>	<u>Quantity</u>
1	Campanula Isophylla	Italian Bellflower	Flat	6" o. c.	6
2	Eucalyptus Polyanthemos	Silver Dollar Gum	5 gal.	20' o. c.	10
3	Pinus Mugo Mughus	Mugho Pine	1 gal.	10' o. c.	14
4	Ajuga Reptans	Carpet Bugle	Flat	6" o. c.	5
5	Callistemon Red Chico	Fireball Bush	1 gal.	10' o. c.	6
6	Hedera Canariensis	Algerian Ivy	Flat	10' o. c.	3

(d) Installation and Maintenance of Landscaping. Whenever landscaping or a landscape plan is required as a condition of a zoning district, a variance, a use permit, or any other conditional agreement, the landscaping shall be installed and maintained in accordance with the landscape plan approved pursuant to subparagraph (c) above.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1970,

by Councilman Mitchell, who moved its introduction and passage to

print, which motion being duly seconded by Councilman Smith,

was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST:

By *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By *Elwyn L. Johnson*
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of April, 1970, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: May 6, 1970

AN ORDINANCE AMENDING ARTICLE 2 OF CHAPTER 4 OF TITLE IV OF THE MODESTO MUNICIPAL CODE AND SECTION 4-4.501 OF ARTICLE 5 OF CHAPTER 4 OF TITLE IV, AND SECTION 4-4.601 OF ARTICLE 6 OF CHAPTER 4 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO SUBDIVISIONS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Article 2 of Chapter 4 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

ARTICLE 2. DEFINITIONS

SEC. 4-4.201. TERMS AND WORDS. Except as otherwise provided in this section, all terms used in this chapter which are defined in the Subdivision Map Act are used in this chapter as so defined, unless from the context hereof it clearly appears that a different meaning is intended.

(a) "Shall" is mandatory. May is permissive.

(b) "Owner" is the individual firm, association, syndicate, copartnership or corporation having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this chapter, and while used herein in the masculine gender and singular number it shall be deemed to mean the feminine and neuter gender and plural number wherever required.

(c) "Subdivider" shall mean any individual, firm, association, syndicate, copartnership, corporation, trust or any other legal entity commencing proceedings under this chapter to effect a division of land hereunder for himself or for another and while used in the masculine gender and singular number it shall be deemed to mean and include the feminine or neuter gender and the plural number wherever required.

(d) "Subdivision" refers to any real property, improved or unimproved, or portion thereof, shown on the latest adopted county tax roll as a unit or as contiguous units, which is divided for the purpose of sale, lease, or financing, whether immediate or future, by any subdivider into five (5) or more parcels; provided, that this chapter shall not apply to the financing or leasing of apartments, offices, stores or similar space within an apartment building, industrial building, commercial building, or trailer park.

(e) "Lot" shall mean a parcel or portion of land separated from other parcels or portions by description as on a subdivision or record of survey map or by metes and bounds for purpose of sale, lease, or separate use.

~~(f) "Tentative-Parcel-Map" refers to a map made for the purpose of showing the proposed division of property into four (4) or fewer parcels and the conditions in and around the property proposed to~~

~~be-divided.--Such-map-need-not-be-based-upon-an accurate-or-detailed-survey-of-the-property-but-shall contain-the-information-and-be-of-the-form-required by-Section-4-4.502-of-this-chapter.~~

(f) "Tentative Map" refers to a map made for the purpose of showing the design of a proposed subdivision or division of property and the existing conditions in and around such subdivision or property proposed to be divided. Such map need not be based upon an accurate or detailed field survey of the property but shall be of the form and contain the information required by Section 4-4.402 of this chapter in the case of a subdivision or Section 4-4.502 of this chapter in the case of a parcel map.

(g) "Parcel Map" shall refer to a map recorded or proposed to be recorded for the division of improved or unimproved land or lands ~~into-four-(4)-or-fewer-lots or-parcels~~ for the purpose of sale or lease or financing or separate use, whether immediate or future when either of the following conditions prevail:

(1) The division creates four (4) or less parcels from a single ownership;

(2) The entire ownership before division contains less than five (5) acres, each parcel created by the division abuts upon a public street or highway and no dedications or improvements are needed or required by the City.

~~(h) "Tentative Map" refers to a map made for the purpose of showing the design of a proposed subdivision and the existing conditions in and around such subdivision.--Such map need not be based upon an accurate or detailed final survey of the property, but shall be of a form and contain the information required by Section 4-4.402 of this chapter.~~

~~(i)~~ (h) "Final Map" refers to a subdivision map prepared in accordance with the provisions of this chapter and Article 5, Subdivision Map Act, which is designed to be placed on record in the office of the County Recorder.

SECTION 2. ~~AMENDMENT OF CODE.~~ Section 4-4.501 of Article 5 of Chapter 4 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-4.501. APPROVAL REQUIRED FOR PARCEL MAPS. No lot or lots or parcels of land shall be split or divided ~~into-four-(4)-or-fewer-parcels~~ as defined in Section 4-4.201 (g) of this chapter without first obtaining approval by the Planning Commission of a tentative map and the subsequent recording of a parcel map at the office of the County Recorder after certification by the City Engineer in accordance with the provisions of this article and of Division 4, Part 2, Chapter 2, Article 6, beginning at Section 11575 of the Business and Professions Code of the State of California.

SECTION 3. AMENDMENT OF CODE. Section 4-4.601

of Article 6 of Chapter 4 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-4.601. FILING. (a) Filing Within Eighteen (18) Months of Tentative Approval. The subdivider or his agent may file a final map within eighteen (18) months after the approval or conditional approval of the tentative map. In any case where a final map or record of survey map is not filed within eighteen (18) months after approval of the tentative map, and where no extension of time has been granted, a new tentative map shall be required.

(b) Checking Fees. A tracing of the final map shall be filed with the City Engineer together with a checking fee of Fifteen and no/100ths (\$15.00) Dollars, plus Fifty Cents (\$.50) per lot payable to the City Treasury, no part of which shall be returnable, at least thirty (30) days prior to the meeting of the Council at which approval is expected.

(c) Filing of Traverse Sheets. At the time of the filing of the final map with the City Engineer, the subdivider shall also file therewith traverse sheets showing traverse closures and the computation of all distances, angles, and course shown on the final map. The Traverse of the boundaries of the tract and of lots and blocks shall close within a limit of error of one in five thousand (5,000).

(d) Report and Guarantee of Clear Title. The final map shall be accompanied by a report prepared by a duly authorized title company naming the persons whose consent is necessary to the preparation and recordation of said map and to the dedication of the streets, alleys, and other public places shown on the map and certifying that as of the date of the preparation of the report, the persons therein named are all the persons necessary to give clear title to said subdivision. At the time of recording the approved said map, there shall be filed with the County Recorder a guarantee executed by a duly authorized title company for the benefit and protection of the City showing that persons (naming them) consenting to the preparation and recordation of said map and offering for dedication the streets, alleys and other public places shown thereon are all the persons necessary to pass clear title to said subdivision and to the dedications shown thereon.

(O.C. 10 1-1.
SECTION) 4. EFFECTIVE DATE. This ordinance shall go

into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of March, 1970, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:
By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of April, 1970, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: May 6, 1970

AN ORDINANCE AMENDING SECTIONS 4-1.105, 4-1.106, 4-1.107 AND 4-1.108 OF ARTICLE 1 OF CHAPTER 1 OF TITLE IV OF THE MODESTO MUNICIPAL CODE, AND ADDING SECTIONS 4-1.109, 4-1.110 AND 4-1.111 THERETO RELATING TO AMUSEMENT DEVICES.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Sections 4-1.105, 4-1.106, 4-1.107, and 4-1.108 of Article 1 of Chapter 1 of Title IV of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 4-1.105. PERMIT TO OPERATE AMUSEMENT MACHINES REQUIRED. It shall be unlawful for any person, either as principal, agent, servant or employee, to operate machines of the kind specified in Section 4-1.103 hereof without having a Permit To Operate Amusement Machines as herein specified.

Applications for Permits To Operate Amusement Machines shall be in writing, signed by the applicant, giving his name, business address, business or occupation, age, and such other information as may be required by the Chief of Police. They shall be filed with the Director of Finance with the filing fee therefor. The Director of Finance shall refer the application to the Chief of Police for investigation and decision. If the Chief of Police finds from an examination of the application and such further facts as may be officially brought to his attention that the application is in proper form, the applicant of good moral character, and that the business therein applied for may be carried on without danger to the public peace, health or safety, the Chief of Police shall approve the application and issue the permit applied for; but if he finds that the applicant is not a person of good moral character or that the business cannot be carried on without danger to the public peace, health or safety, he may deny the application.

The filing fee for a Permit To Operate Amusement Machines shall be the sum of Twenty-Five and no/100ths (\$25.00) Dollars, payable in advance.

A Permit To Operate Amusement Machines shall remain in effect so long as the person to whom the permit is issued remains continuously in the business of owning and operating amusement machines or until it is revoked as hereinafter provided.

SEC. 4-1.106. LOCATION PERMIT REQUIRED. It shall be unlawful for any person, either as principal, agent, servant or employee, to install or use or allow to be installed or used machines of the kind specified in Section 4-1.103 hereof without having a Location Permit as herein specified.

Applications for Location Permits shall be in writing, signed by the applicant, giving his name, business

address, business or occupation, the premises at which the amusement machines are proposed to be located, the name of the person managing the business at that location, if different from the applicant, and such other information as may be required by the Chief of Police. They shall be filed with the Director of Finance with the filing fee therefor. The Director of Finance shall refer the application to the Chief of Police for investigation and decision. If the Chief of Police finds from an examination of the application and such further facts as may be officially brought to his attention that the application is in proper form, and that amusement machines may be installed and used at the premises therein applied for without danger to the public peace, health or safety, the Chief of Police shall approve the application and issue the permit applied for; but if he finds that the amusement machines cannot be installed and used at the premises applied for without danger to the public peace, health or safety, he may deny the application.

The filing fee for a Location Permit shall be the sum of Ten and no/100ths (\$10.00) Dollars for each location applied for, payable in advance. The Location Permit required by this section shall be posted and exhibited in some conspicuous part of the premises for which it is issued.

A Location Permit shall remain in effect so long as the person to whom the permit is issued remains continuously in business at the location for which the permit is issued or until it is revoked as hereinafter provided.

SEC. 4-1.107. LICENSE REQUIRED. It shall be unlawful for any person, either as principal, agent, servant or employee, to operate, install or use machines of the kind specified in Section 4-1.103 hereof without, in addition to the permits required by Sections 4-1.105 and 4-1.106 hereof, obtaining a license and paying the fees required by Chapter 1 of Title VI of this Code.

SEC. 4-1.108. LIMITATION ON NUMBER AND LOCATION OF MACHINES. (a) There shall not be placed, kept and/or maintained more than two (2) amusement machines in each business location. This restriction shall not be construed to allow each person who holds a Permit To Operate Amusement Machines two (2) amusement machines in each business location but is intended to limit the total number of amusement machines to two (2) in each business location.

(b) No amusement machine as herein defined shall be maintained, operated, conducted or used, nor kept for such purposes, within any place which is closer than three hundred (300) feet from any public or private school.

SECTION 2. AMENDMENT OF CODE. Sections 4-1.109, 4-1.110 and 4-1.111 are hereby added to Article 1 of Chapter 1 of Title IV of the Modesto Municipal Code to read as follows:

subject to revocation by the Chief of Police for violations of any of the terms or provisions of this article, or if the Chief of Police finds that the business permitted thereby may no longer be carried on without danger to the public peace, health or safety; provided that before such action is taken a notice to appear before the Chief of Police to show cause why such permit should not be revoked shall be served upon the permittee not less than three (3) days before the time fixed for such hearing. The action of the Chief of Police as to any of the matters referred to in this section shall be subject to appeal to the City Council as set forth in Chapter 41 of Title I of this Code.

SEC. 4-1.110. REVOCATION OF LOCATION PERMITS. All Location Permits issued in pursuance of this article shall be subject to revocation by the Chief of Police for violations of any of the terms or provisions of this article, or if the Chief of Police finds that amusement machines may no longer be installed and used at the premises covered by said permit without danger to the public peace, health or safety; provided that before such action is taken a notice to appear before the Chief of Police to show cause why such permit should not be revoked shall be served upon the permittee not less than three (3) days before the time fixed for such hearing. The action of the Chief of Police as to any of the matters referred to in this section shall be subject to appeal to the City Council as set forth in Chapter 4 of Title I of this Code.

SEC. 4-1.111. ENFORCEMENT. It shall be the duty of the Chief of Police, as well as the Director of Finance and the agents of each of them, to enforce this article.

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of April, 1970, by Councilman Smith,

who moved its introduction and passage to print, which motion being duly seconded by Councilman Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dixon

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

(SEAL)
APPROVED AS TO FORM: Eliwyn L. Johnson
ELIWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20th day of April, 1970, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Smith,
Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Simon

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: May 20, 1970

AN ORDINANCE ADDING SECTION 9-1.09.1 TO CHAPTER 1 OF TITLE IX OF THE MODESTO MUNICIPAL CODE RELATING TO BUILDING REGULATIONS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 9-1.09.1 is hereby

added to Chapter 1 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-1.09.1. WALL AND OPENING PROTECTION OF OCCUPANCIES BASED ON LOCATION ON PROPERTY. That Group J occupancies in Table No. 5A of Chapter 5 of Part III of said Building Code be amended to read as follows:

Group	Description of Occupancy	Fire Zone	Fire Resistance of Exterior Walls	Openings In Exterior Walls
J	1-Private garages, carports, sheds and agricultural buildings used as accessories only when not over 1000 square feet in area	1	2 hour less than 20 feet 1 hour elsewhere	Not permitted less than 3 feet Protected less than 20 feet
		2	1 hour	Not permitted less than 3 feet Protected less than 10 feet
		3	1 hour less than 3 feet (Or may be protected on the exterior with materials approved for 1 hour fire-resistant construction)	Not permitted less than 3 feet
	2-Fences over 6 feet high, tanks and towers	1	Incombustible construction not regulated Combustible construction not permitted	
		3	Not regulated	
	3-Fences over 7 feet high	2	Incombustible construction not regulated Combustible construction to be 1-hour fire-resistant	

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of May, 1970, by Councilman

Dixon, who moved its introduction and passage to print, which motion being duly seconded by Councilman Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor
Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

APPROVED: *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST:

By *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By *Elwyn L. Johnson*
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 25th day of May, 1970, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *Pauline P Stanley*
~~XXXXXXXXXXXXXXXXXXXX~~ City Clerk
PAULINE P. STANLEY, Acting

EFFECTIVE DATE: June 24, 1970

AN ORDINANCE AMENDING SECTION MAP 21-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO REZONING
CERTAIN PROPERTY LOCATED THEREON. (CENTER STATE BANK)

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by Center State Bank on February 27, 1970, to rezone from One-Family Residential Zone, R-1, to Professional Office Zone, P-0 that certain property described in Planning Commission Resolution No. 70-51,

WHEREAS, after public hearing held on April 21, 1970, it was found and determined by the Planning Commission that rezoning of the property as requested is not required by public necessity, convenience, and general welfare for the following reasons:

- (a) Development of offices or apartments on the property under requested P-0 Zoning would be an extension of incompatible uses 3 lots deep into a developed single-family subdivision;
- (b) Development of Professional Offices on the subject property would promote excessive on-street parking, particularly on Chehalem Drive, a minor street, due to the small lot size and the minimal off-street parking which could be provided.
- (c) The property can and should be divided into 3 conforming residential size lots in order to complete the development of this residential block.

WHEREAS, after said public hearing the Planning Commission determined that rezoning to Two-family Residential Zone, R-2, a portion of the subject property having frontage on both Chehalem and Coffee Roads as hereinafter described is required by public necessity, convenience, and general welfare for the following reason:

A duplex on a corner lot fronting on a major street and a minor street would maintain compatibility with the residential character of the area while providing a reasonable use of the land.

WHEREAS, by Resolution No. 70-51, adopted on April 21, 1970, the Planning Commission denied the application of Center State Bank to amend Section 21-3-9 of the Zoning Map to rezone from One-family Residential Zone, R-1, to Professional Office Zone, P-0, and

WHEREAS, by said Resolution No. 70-51 the Planning Commission recommended to the Council that a portion of the subject property be rezoned from One-family Residential Zone, R-1, to Two-Family Residential Zone, R-2,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the recommendation of the Planning Commission to rezone from One-family Residential Zone, R-1, to Two-Family Residential Zone, R-2, be approved.

SECTION 2. ZONING CHANGE. Section 21-3-9 of the Zoning Map is hereby amended to rezone the following described property to Two-Family Residential Zone, R-2:

All that portion of the East half of Lot 11 of Rice Colony, according to the official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on February 19, 1904, in Volume 1 of Maps, at Page 54.

Commencing at the northeast corner of said Lot 11, said corner being also the quarter corner common to Section 21 and 22, Township 3, South, Range 9 East Mount Diablo Base and Meridian; thence South 0° 27' East along the East line of Lot 11, and along the centerline of a 50 foot county road, 274.89' feet to the true point of beginning of this description; thence continuing South 0° 27' East along the East line of said Lot, a distance of 144.11 feet; thence South 89° 33' West 236.28 feet; thence North 0° 27' West, 144.11 feet; thence North 89° 33' East, 236.28 feet to the true point of beginning of this description.

Including also, the northerly 19 feet of Chehalem Drive immediately adjacent to the above described property.

Excepting therefrom the west 120.00 feet of the above described property.

SECTION 3. ZONING MAP. Section 21-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of May, 1970, by Councilman Simon, who moved its introduction and passage to print, which motion being duly seconded by Councilman Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith, Mayor Davies

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William J. Nichols
Planning Department

Ordinance 1018 C.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of June, 1970, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Smith, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: July 8, 1970

AN ORDINANCE AMENDING SECTION MAP 26-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO, PREZONING
CERTAIN PROPERTY LOCATED THEREON. (JAMES E. PRICE -
GARDEN COURT HOMES)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 26-3-9 of the Zoning Map is hereby amended to prezone the following-described property to Planned-Development Zone, P-PD(69):

ALL that portion of the West half of the southeast quarter and of the West half of the West half of the East half of the southeast quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

COMMENCING at the interior quarter corner of said Section 26; thence South $89^{\circ} 57' 33''$ East along the East-West quarter Section line of said Section 26, a distance of 20.00 feet to the centerline of Riverside Drive; thence South $0^{\circ} 33' 30''$ East along said centerline, a distance of 401.31 feet to the intersection of the westerly prolongation of the southerly boundary of the property conveyed to the City of Modesto, a municipal corporation, by Deed recorded July 1, 1966 in Volume 2112 of Official Records, at page 226, and being the true point of beginning of this description; thence continue South $0^{\circ} 33' 30''$ East along the centerline of Riverside Drive, a distance of 950.69 feet to the North line of property conveyed to Laurie L. Lehtin, et al, by Deed recorded September 30, 1965 in Volume 2059 of Official Records, at page 272; thence South $89^{\circ} 53' 24''$ East along the North line of said Lehtin property, a distance of 1621.95 feet to the northeast corner thereof and being on the East line of the West half of the West half of the East half of the Southeast quarter of said Section 26; thence North $0^{\circ} 32' 50''$ West along said East line a distance of 1262.03 feet to the southeast corner of said City of Modesto property; thence South $79^{\circ} 13' 21''$ West along the southerly line of said City property, a distance of 1648.23 feet to the true point of beginning.

Excepting therefrom the easterly one half of Riverside Drive immediately adjacent to the above described property.

Containing 41.195 acres.

SECTION 2. USES. The following uses shall be permitted in said P-PD(69) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code. Said uses are as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit:

1. 325 Garden Court Homes

SECTION 3. ZONING MAP. Section Map 26-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of May, 1970, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON City Attorney

APPROVED AS TO DESCRIPTION:

By William J. Nichols
Planning Department

**Ordinance 1019 C.S.
Exhibit A – Map**

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of June, 1970, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Smith, Simon, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: July 8, 1970

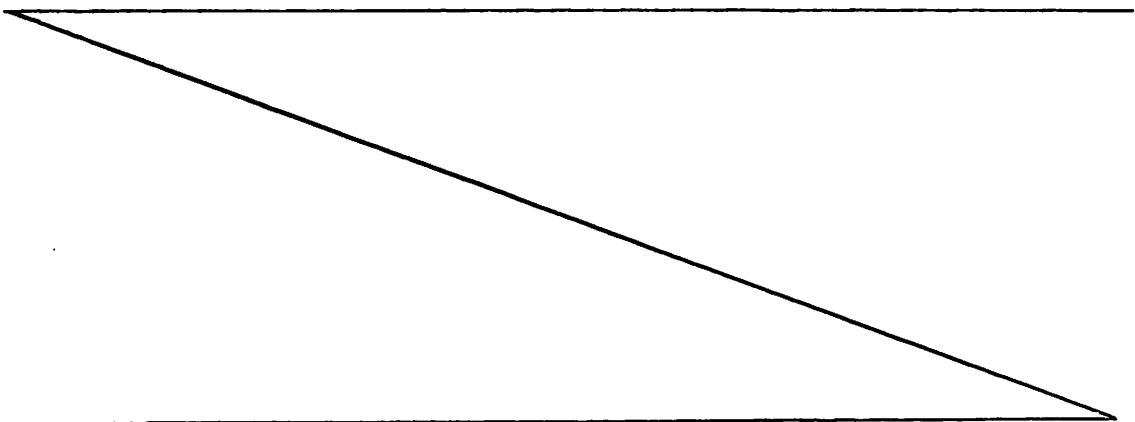
AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN
TERRITORY KNOWN AS THE HIGHWAY VILLAGE ADDITION
TO THE CITY OF MODESTO.

WHEREAS, certain proceedings have been instituted under the Annexation Act of 1913, as amended, and other laws pertaining to annexation for the purpose of submitting to the qualified electors residing in certain territory hereinafter described, and generally designated as HIGHWAY VILLAGE ADDITION, the question whether or not said territory shall be annexed to, incorporated in, and made a part of said City of Modesto, and whether or not the property in said territory shall, after such annexation, be subjected to taxation equally with the property within the City of Modesto to pay the bonded indebtedness of the City of Modesto for acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election, and

WHEREAS, the City Council finds that each and every and all of the requirements of law pertaining to said annexation proceedings and the election in said territory have been fully complied with,

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

SECTION 1. That annexation of the following described territory lying and being in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and particularly described as follows, to wit,



HIGHWAY VILLAGE ADDITION

All that real property in the State of California, County of Stanislaus being a portion of Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the SCOTT MANOR ADDITION (130), as per description filed May 29, 1962, as Instrument 20605, Stanislaus County Records, said point being on the Eastern line of a 40.00 foot public road known as Conant Avenue; thence along the existing City Limits on the boundary of said Addition (130), North 0° 46' West, 396.00 feet, to the Southwestern corner of the GISH ADDITION (123), as per description filed August 3, 1961, as Instrument 24553, Stanislaus County Records; thence along the existing City Limits on the boundary of said Addition (123), North 0° 46' West, 338.13 feet to the Southwestern corner of the KLEMM ADDITION (133), as per description filed July 23, 1962, as Instrument 27723, Stanislaus County Records; thence along the existing City Limits on the boundary of said Addition (133), North 0° 46' West, 320.68 feet, to a point on the Southern line of the PRESCOTT No. 2 ADDITION (231), as per description filed May 16, 1969, as Instrument 17227, Stanislaus County Records; thence along the existing City Limits on the boundary of said Addition (231), South 88° 42' West, 20.00 feet, to the Southwestern corner of said Addition (231), said point being on the center line of Conant Avenue, said line being 20.00 feet, measured at right angles, Easterly from the North-South quarter section line of Section 13; thence along said center line and the existing City Limits, North 0° 46' West, 1659.80 feet, to its intersection with the Easterly extension of the Northern boundary of HIGHWAY VILLAGE, as per map filed April 25, 1947, in Volume 16 of Maps, Page 41, Stanislaus County Records; thence along said extension and Northern boundary of said Highway Village the following bearings and distances: South 88° 52' West, 959.82 feet; South 46° 51' West, 798.57 feet; South 25° 11' 30" West, 107.00 feet; South 46° 27' 15" West, 653.84 feet, to the most Westerly corner of said Highway Village, said point being on the Northeastern line of California State Highway U. S. 99; thence South 46° 27' 15" West, 110.00 feet, to a point on the Southwestern line of said Highway; thence along said Southwestern line the following bearings and distances: South 43° 31' East, 1171.56 feet; South 43° 32' 30" East, 1975.91 feet, to its intersection with the North-South quarter section line of Section 13, said line also being the Southerly extension of the Western line of 40.00 foot Conant Avenue; thence along said quarter section line, North 0° 46' West, 755.69 feet; thence North 89° 14' East, 40.00 feet, to the point of beginning containing 99.293 Acres, more or less.

be, and the same is hereby approved.

SECTION 2. That the said territory hereinabove described be, and the same is hereby annexed to, incorporated in, and made a part of the said City of Modesto, to be effective on July 1, 1970.

SECTION 3. The Clerk of the City of Modesto is hereby authorized and directed to make and certify, under the seal of the City of Modesto, and transmit to the Secretary of State of the State of California, a copy of the record of the canvass of the returns of said election in such new territory, and a copy of this ordinance, giving the date of its passage in accordance with the statutes providing therefor.

SECTION 4. That the said territory hereinabove described shall, after such annexation, be subjected to taxation equally with the property within the City of Modesto to pay the bonded indebtedness of the City of Modesto for acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election to be held to determine whether or not said property shall be annexed to the City.

SECTION 5. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect and be in full force and operation as of the date hereof.

SECTION 6. This ordinance shall be published in full in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of June, 1970, by Councilman Mitchell, who moved its introduction and adoption, which motion being duly seconded by Councilman Smith, was upon roll call

AN ORDINANCE ANNEXING UNINHABITED TERRITORY
KNOWN AS THE GLENDALE NO. 1 ADDITION
TO THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by Maggie Walker, Richard Davis, William H. Sargis, Victoria M. Sargis, Benton R. Foster, Ada J. Foster, Lester D. Murray, Annie M. Murray, Verna Kemp, Wm. Kemp, Edith E. Graham, Marie King, Lillian Spangler, E. H. Spangler on March 19, 1970, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the Glendale No. 1 ADDITION, situated in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 6th day of April, 1970, set said petition for hearing at the hour of 4:15 o'clock P.M. on the 1st day of June, 1970, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation, to wit: The Modesto Bee, a newspaper published in the City of Modesto on April 16, 1970, and on April 23, 1970; and in The Oakdale Leader, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on April 16, 1970, and on April 23, 1970, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation

of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on March 18, 19 70, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to the Government Code, and

WHEREAS, on the 1st day of June, 19 70, at the hour of 4:15 o'clock P.M., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one-half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

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

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the Glendale No. 1 ADDITION, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California

as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of June, 1970, by Councilman Smith, who moved its adoption and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:
By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:
By R. A. Rosewood
Public Works Department

RAM
4-21-70

GLENDALE NO. 1 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southeast quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being Lots 9-12 of Block 2196 and Lots 13-24 of Block 2224 of ALTA VISTA TRACT as per map filed September 12, 1946, in volume 14 of Maps, Page 75, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Eastern line of the PHOENIX STATION ADDITION (88) as per description filed March 11, 1959, as Instrument 6959, Stanislaus County Records, said point being on the Westerly extension of the center line of a 60.00 foot public road known as Glendale Avenue; thence along the existing City Limits and along the Western line of Phoenix Avenue, North $0^{\circ} 35' 40''$ West, 17.50 Feet, to the Southern line of Lot 12 of Block 2196 of the ALTA VISTA TRACT; thence along said Southern line and existing City Limits, North $89^{\circ} 50'$ West, 127.63 feet, to a point on the existing City Limits as established by the LA LOMA-YOSEMITE ADDITION (55) as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records, said point being on the Eastern line of a 10 foot alley; thence along said Eastern line and existing City Limits, North $0^{\circ} 34' 40''$ West, 240.00 feet, to the Northern line of Lot 9 of Block 2196 of the ALTA VISTA TRACT; thence along the existing City Limits and said Northern Line and its Easterly extension, North $89^{\circ} 50'$ East, 187.56 feet, to the Eastern line of Phoenix Avenue; thence along said Eastern line and existing City Limits, South to the Southern line of a 20 foot alley in Block 2224; thence along said Southern line and the existing City Limits, South $89^{\circ} 50'$ East, 791.47 feet, to the center line of a 60.00 foot public road known as Parry Avenue; thence leaving the existing City Limits and along said center line, South $0^{\circ} 36'$ East, 137.50 feet, to the center line of Glendale Avenue; thence along said center line and its Westerly extension, North $89^{\circ} 50'$ West, 851.49 feet, to the point of beginning, containing 3.556 Acres more or less.

AN ORDINANCE ANNEXING UNINHABITED TERRITORY
KNOWN AS THE GLENDALE NO. 2 ADDITION
TO THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by Louise M. Davis, Lester, D. Murray, Annie M. Murray, Benton R. Foster, Ada J. Foster, May Smiraglia, Alex Neesan, Gladys Neesan, L. P. Peterson, Clara Peterson

on March 19, 1970, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the Glendale No. 2 ADDITION, situated in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 6th day of April, 1970, set said petition for hearing at the hour of 4:20 o'clock P.M. on the 1st day of June, 1970, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation, to wit: The Modesto Bee, a newspaper published in the City of Modesto on April 16, 1970, and on April 23, 1970; and in The Oakdale Leader, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on April 16, 1970, and on April 23, 1970, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation

of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on March 18, 1970, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to the Government Code, and

WHEREAS, on the 1st day of June, 1970, at the hour of 4:20 o'clock P.M., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one-half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

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

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the Glendale No. 2 ADDITION, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California

as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of June, 19 70, by Councilman Smith, who moved its adoption and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simen, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By P. A. Hayward
Public Works Department

RHM
4-21-70

GLENDALE NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, in the Southeast quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being Lots 1-12 of Block 2223 of ALTA VISTA TRACT as per map filed September 12, 1946, in Volume 14 of Maps, Page 75, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northern line of the La LOMA-YOSEMITE ADDITION (55) as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records, said point being at the intersection of the center line of a 60.00 foot public road known as Parry Avenue and the Easterly extension of the Northern line of a 20 foot alley in Block 2223; thence along the existing City Limits on said extension and Northern line, North $89^{\circ} 50'$ West, 851.50 feet, to the Western line of a 60.00 foot public road known as Phoenix Avenue; thence along said Western line and existing City limits, North $00^{\circ} 35' 40''$ West, 35.00 feet, to the Southeastern corner of the RUFFINO ADDITION (135) as per description filed July 31, 1962, as Instrument 28934, Stanislaus County Records; thence along the Eastern line of said Addition (135), North $00^{\circ} 35' 40''$ West, 60.00 feet, to the Southeastern corner of the PHOENIX STATION ADDITION (88) as per description filed March 11, 1959, as Instrument 6959 Stanislaus County Records; thence along the Eastern line of said Addition (88), North $00^{\circ} 35' 40''$ West, 42.50 feet, to the Westerly extension of the center line of Glendale Avenue; thence along said Westerly extension and center line, South $89^{\circ} 50'$ East, 851.49 feet, to the center of Parry Avenue; thence along said center line, South $0^{\circ} 36'$ East, 137.50 feet, to the point of beginning, Containing 2.689 Acres, more or less.

AN ORDINANCE AMENDING SECTION MAP 22-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(WOLVERINE BUILDING SERVICE, INC.)

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Wolverine Building Service, Inc.

on April 14, 19 70, to reclassify from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, the hereinafter described property, and

WHEREAS, after public hearing held on May 19, 19 70, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 70-64, adopted on May 19, 19 70, the Planning Commission recommended to the Council that the application of Wolverine Building Service, Inc.

to amend Section 22-3-9 of the Zoning Map to reclassify the hereinafter described property from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 22-3-9 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Residential Zone,

All that certain real property situate in portion of Lots 7, 10, 15, and 18 of Broughton Colony Tract, according to the Official Map thereof, recorded in Volume 1 of Maps, at Page 78, Stanislaus County Records, being a portion of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

PARCEL 1

COMMENCING at the intersection of the centerline of Rose Avenue with the Westerly extension of the South line of Cranbrook Colony No. 1, according to the Official Map thereof, recorded in Volume 21 of Maps, at Page 37, Stanislaus County Records; thence South $0^{\circ} 37'$ East along said centerline of Rose Avenue 120.30 feet to the point of beginning of this description; thence continuing South $0^{\circ} 37'$ East along said centerline of Rose Avenue 870.92 feet to a point on a curve from which a radial line bears South $0^{\circ} 37'$ East; thence Easterly 130.90 feet along said curve being concave to the South, having a radius of 250.00 feet and a central angle of $30^{\circ} 00'$; thence North $0^{\circ} 37'$ West along a nontangent line 641.83 feet; thence North $89^{\circ} 23'$ East 9.00 feet; thence North $0^{\circ} 37'$ West 48.50 feet; thence South $89^{\circ} 23'$ West 9.00 feet; thence North $0^{\circ} 37'$ West 213.00 feet; thence South $89^{\circ} 52' 45''$ West 125.00 feet to the point of beginning.

CONTAINING 2.54 Acres.

PARCEL 2

COMMENCING at the Southeast corner of Cranbrook Colony No. 2 according to the Official Map thereof, recorded in Volume 21 of Maps, at Page 74, Stanislaus County Records; thence South $0^{\circ} 42' 30''$ East along the Southerly extension of the East line of said Cranbrook Colony No. 2 a distance of 163.23 feet to the point of beginning of this description; thence continuing South $0^{\circ} 42' 30''$ East 1472.57 feet; thence North $19^{\circ} 40' 26''$ West 400.00 feet; thence North $0^{\circ} 42' 30''$ West 1110.34 feet; thence South $83^{\circ} 40'$ East 130.99 feet to the point of beginning.

CONTAINING 3.85 Acres.

SECTION 3. ZONING MAP. Section 22-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of June, 1970, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Smith

APPROVED: Lee H. Davies

LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson

ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William P. Nichols

Planning Department

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of July, 1970, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,
Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Smith

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 5, 1970

Ordinance 1023 C.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

AN ORDINANCE AMENDING SECTION MAP 30-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (LESLIE SHERMAN CASS)

WHEREAS, by Ordinance No. 986-C. S. entitled, "An Ordinance Amending Section Map 30-3-9 Of The Zoning Map Of The City Of Modesto, Reclassifying Certain Property Located Thereon. (Leslie Sherman Cass-Housing For The Elderly)", adopted on August 25, 1969, the Council of the City of Modesto rezoned the following described property from One-Family Residential Zone (R-1), and Two-Family Residential Zone (R-2) to Planned-Development Zone, P-D (64) for housing for the elderly:

All that portion of Lot 22 of Maze Ranch Subdivision, as per map thereof filed March 19, 1900, in Volume 4 of Maps, Page 18, Stanislaus County Records, described as follows:

R-1 to P-D

Commencing at the point of intersection of the centerline of Maze Boulevard with the centerline of Franklin Street; thence northerly along the centerline of Franklin Street a distance of 185.20 feet to the true point of beginning; thence westerly along a line which is parallel with the centerline of Maze Boulevard and 185.20 feet therefrom, a distance of 355.65 feet to the southeast corner of the property conveyed to J.N. Snover and wife, by deed recorded June 9, 1932, as Instrument No. 5250; thence northerly along the east line of said Snover property and the northerly extension thereof, a distance of 192.7 feet to a point on the centerline of Locust Street; thence easterly along the centerline of Locust Street 355.65 feet to the point of intersection of the centerline of Locust Street with the centerline of Franklin Street; thence southerly along centerline of Franklin Street 192.70 feet to the true point of beginning.

R-2 to P-D

Beginning at the point of intersection of the centerline of Maze Boulevard with the centerline of Franklin Street; thence northerly along the centerline of Franklin Street 185.20 feet; thence westerly along a line which is parallel with the centerline of Maze Boulevard and 185.20 feet therefrom, a distance of 355.65 feet to the southeast corner of the property conveyed to J.N. Snover and wife, by deed recorded June 9, 1932, as Instrument No. 5250; thence continuing westerly along the south line of said Snover property 23.42 feet to the northeast corner of the property conveyed to C.C. Geist and wife, by deed recorded January 8, 1938, as Instrument No. 288; thence southerly along the east line of said Geist property and the southerly extension thereof 185.20 feet a point on the centerline of Maze Boulevard; thence easterly along the centerline of Maze Boulevard 379.05 feet to the point of beginning.

WHEREAS, by Resolution No. 69-941 the City Council approved the development plans and the development schedule for the above-mentioned rezoning, and specified in said resolution that the entire project was to be accomplished in one phase, with construction to begin on or before January 1, 1970, and be completed by April 1, 1971, and

WHEREAS, the property owners and developers have not met the approved schedule and have made no effort to renew or reinstate a development schedule for P-D (64), and

WHEREAS, Section 10-2.2709(c) of the Municipal Code provides that if the owner or owners of property in P-D Zones have failed to meet the approved development schedule the Planning Commission shall initiate proceedings to repeal the P-D Zone and rezone the property to the zone classification it held immediately prior to being zoned P-D, and

WHEREAS, on April 7, 1970, the Planning Commission initiated proceedings to remove P-D (64) from the Zoning Map and set a public hearing for May 19, 1970, at 7:35 p. m., and

WHEREAS, after a public hearing on May 19, 1970, the Planning Commission found and determined that revocation of the planned-development zone (64) of the above-described property, as initiated, is required.

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

SECTION 1. COUNCIL FINDINGS. After the public hearing held on June 22, 1970, this Council finds and determines that the revocation of planned-development zone (64) of the hereinafter described real property as initiated by the Planning Commission, is required by public necessity, convenience and general welfare.

SECTION 2. ZONING CHANGE. Section 30-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned-Development Zone, P-D (64) to One-Family Residential Zone (R-1), and Two-Family Residential Zone (R-2):

All that portion of Lot 22 of Maze Ranch Subdivision, as per map thereof filed March 19, 1900, in Volume 4 of Maps, Page 18, Stanislaus County Records, described as follows:

P-D (64) to R-1

Commencing at the point of intersection of the centerline of Maze Boulevard with the centerline of Franklin Street; thence northerly along the centerline of Franklin Street a distance of 185.20 feet to the true point of beginning; thence westerly along a line which is parallel with the centerline of Maze Boulevard and 185.20 feet therefrom, a distance of 355.65 feet to the southeast corner of the property conveyed to J.N. Snover and wife, by deed recorded June 9, 1932, as Instrument No. 5250; thence northerly along the east line of said Snover property and the northerly extension thereof, a distance of 192.7 feet to a point on the centerline of Locust Street; thence easterly along the centerline of Locust Street 355.65 feet to the point of intersection of the centerline of Locust Street with the centerline of Franklin Street; thence southerly along centerline of Franklin Street 192.70 feet to the true point of beginning.

P-D (64) to R-2

Beginning at the point of intersection of the centerline of Maze Boulevard with the centerline of Franklin Street; thence northerly along the centerline of Franklin Street 185.20 feet; thence westerly along a line which is parallel with the centerline of Maze Boulevard and 185.20 feet therefrom, a distance of 355.65 feet to the southeast corner of the property conveyed to J.N. Snover and wife, by deed recorded June 9, 1932, as Instrument No. 5250; thence continuing westerly along the south line of said Snover property 23.42 feet to the northeast corner of the property conveyed to C.C. Geist and wife, by deed recorded January 8, 1938, as Instrument No. 288; thence southerly along the east line of said Geist property and the southerly extension thereof 185.20 feet a point on the centerline of Maze Boulevard; thence easterly along the centerline of Maze Boulevard 379.05 feet to the point of beginning.

City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of June, 1970, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,
Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Smith

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:
By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:
By William D. Nichols
Planning Department

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of July, 1970, Councilman Robinson, moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Smith

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 5, 1970

Ordinance 1024 C.S.

Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to remove safely for scanning.

AN ORDINANCE AMENDING SECTION MAP 10-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(ROBERT M. WEEKS)

WHEREAS, a verified application for an amendment to Section 10-3-9 of the Zoning Map was filed by Robert M. Weeks

on April 15, 1970, to reclassify from One-Family Residential Zone, R-1, to Two-Family Residential and Multiple-Family Residential Zone, R-3, R-2/, the hereinafter described property, and

WHEREAS, after public hearing held on May 19, 1970, and continued to May 20, 1970, /it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 70-68, adopted on May 20, 1970, the Planning Commission recommended to the Council that the application of Robert M. Weeks

to amend Section 10-3-9 of the Zoning Map to reclassify the hereinafter described property from One-Family Residential Zone, R-1, to Two-Family Residential and Multiple-Family Residential Zone, R-3, R-2/, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 10-3-9 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Residential Zone,

R-1 , to Two-Family Residential Zone,

R-2 , and Multiple-Family Residential Zone,

R-3 :

R-1 to R-2

All that portion of the southwest quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the west quarter corner of said Section 10; thence North 89° 26' East along the east-west quarter section line of said Section 10 a distance of 580.00 feet to the true point of beginning of this description; thence continuing along said east-west quarter section line a distance of 2040.70 feet to the intersection with the northerly prolongation of the westerly line of Sylvan Village No. 1 as shown on the map filed in Volume 19 of Maps at Page 76, Stanislaus County Records; thence South 0° 53' 50" East along said northerly prolongation and along said westerly line of Sylvan Village No. 1 a distance of 190.00 feet; thence South 89° 26' West parallel to said east-west quarter section line a distance of 1791.80 feet; thence at right angles south 0° 34' East a distance of 394.00 feet; thence South 89° 26' West a distance of 100.00 feet; thence South 0° 34' East a distance of 403.86 feet to the north line of Coffee Village No. 1 as shown on the map filed in Volume 19 of Maps at Page 34, Stanislaus County Records; thence South 89° 31' 40" West along said north line of Coffee Village No. 1 and its westerly prolongation thereof, a distance of 725.86 feet to the intersection with the west line of the aforementioned Section 10; thence North 0° 38' 27" West along said west line of Section 10 a distance of 156.67 feet; thence at right angles North 89° 11' 33" East a distance of 576.52 feet; thence north 0° 34' West a distance of 827.57 feet to the point of beginning.

Containing: 14.649 acres gross

R-1 to R-3

All that portion of the southwest quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at the west quarter corner of said Section 10; thence North 89° 26' East along the east-west quarter section line of said Section 10 a distance of 580.00 feet; thence at right angles South 0° 34' East a distance of 827.57 feet; thence South 89° 11' 33" West a distance of 576.52 feet to the west line of the aforementioned Section 10; thence North 0° 48' 27" West along said west line of Section 10 a distance of 830.00 feet to the point of beginning.

Containing: 11.002 acres gross

SECTION 3. ZONING MAP. Section 10-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of June, 1970, by Councilman Robinson, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Smith

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Nichols
Planning Department

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of July, 1970, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Smith

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 5, 1970

Ordinance 1025 C.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

AN ORDINANCE AMENDING SECTION MAP 15-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO PREZONING
CERTAIN PROPERTY LOCATED THEREON. (MEDEIROS)

WHEREAS, a verified application for an amendment to
Section 15-3-9 of the Zoning Map was filed by Gilbert Medeiros
_____ on April 15,
19 70, to prezone to Two-Family Residential Zone,
R-2, the hereinafter described property, and

WHEREAS, after public hearing held on May 19,
and continued to May 20, 1970,
19 70,/it was found and determined by the Planning Commission
that pre zoning of the property as requested is required by public
necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 70-71, adopted on
May 20, 19 70, the Planning Commission recommended to
the Council that the application of Gilbert Medeiros
_____ to amend Section 15-3-9 of the Zoning
Map to prezone the hereinafter described property to Two-Family
Residential Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing,
this Council finds and determines that the requested pre zoning is
in accordance with the general plan and will serve the public health,
safety and general welfare and provide the economic and social advan-
tages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 15-3-9 of the
Zoning Map is hereby amended to prezone the following described
property to Two-Family Residential Zone, R-2:

All that certain real property situate in the
County of Stanislaus, State of California,
described as follows:

The West 100.00 feet of the South 250.00 feet, the
North 100.00 feet of the East 250.00 feet and the
North 410.00 feet of the West 734.5 feet of the
following described parcel;

The Northwest Quarter of the Southwest Quarter of
the Northeast Quarter of Section 15, and the West

half of the Northeast Quarter of the Southwest Quarter of the Northeast Quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

Containing: 8.06 acres.

SECTION 3. ZONING MAP. Section 15-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular

meeting of the Council of the City of Modesto held on the 22nd
day of June, 1970, by Councilman Newton, who
moved its introduction and passage to print, which motion being duly
seconded by Councilman Robinson, was upon roll call carried
and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Smith

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William J. Nichol
Planning Department

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of July, 1970, Councilman Robinson, moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,
Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Smith

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 5, 1970

Ordinance 1026 C.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1971 , AND PROVIDING FOR CERTAIN TRANSFERS OF FUNDS.

WHEREAS, pursuant to the Charter of the City of Modesto, a proposed budget for the 1970 - 71 fiscal year has been submitted to the City Council by the City Manager, and the City Council has made such revisions as it has deemed advisable, and

WHEREAS, in accordance with the City Charter, a public hearing has been held upon the adoption of the proposed budget after due notice, as provided by law, and

WHEREAS, copies of the proposed budget have been and are available for inspection by the public at the office of the City Clerk,

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

SECTION 1. That the "City of Modesto Preliminary Budget 19 70 - 71", presented by the City Manager to the City Council at its meeting held June 22 , 1970 , and as thereafter amended by the City Council, a copy of which budget, as amended, is on file in the office of the City Clerk, is hereby adopted as the budget for the City of Modesto for the fiscal year ending June 30, 1970 , and the several amounts stated therein as proposed expenditures are hereby appropriated for the various objects therein described.

SECTION 2. That the City Council is authorized by resolution to transfer funds from one department to another department and to transfer and authorize the expenditure of funds from the Reserves for specific purposes.

SECTION 3. That the City Manager is authorized to transfer funds within departmental budgets between the following classifications, to wit: salaries, operating expenses and capital outlay; and to transfer between departmental capital budgets budgeted within the same capital fund; and to transfer and expend funds from the Contingency Reserve of the General Fund for specific purposes.

SECTION 4. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect upon adoption.

SECTION 5. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of June, 1970, by Councilman Mitchell, who moved its adoption and passage to print, which motion being duly seconded by Councilman Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Smith

APPROVED: *W. H. Davies*
Mayor

ATTEST:

By *W. T. Symoneth*
City Clerk

(SEAL)

APPROVED AS TO FORM:

By *Elmer Johnson*
City Attorney

AN ORDINANCE AMENDING SECTION 9-6.07 OF
CHAPTER 6 OF TITLE IX OF THE MODESTO
MUNICIPAL CODE RELATING TO SIGN REGULATIONS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 9-6.07 of Chapter 6 of
Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-6.07. SPECIFIC REQUIREMENTS FOR TYPE,
AREA AND HEIGHT OF SIGNS BY ZONE. It shall be
unlawful for any person to erect, construct or
maintain on any lot or parcel any sign of a type or
having an area and/or height in violation of the
following specific requirements:

(a) R-1 Zone. (1) One for sale or rent sign,
unlighted, not exceeding eight (8) square feet in
area and six (6') feet in height.

(2) One name plate not exceeding one
square foot in area.

(3) One bulletin board or identification
sign not exceeding twelve (12) square feet in area
and six (6') feet in height for uses permitted by
conditional use permits and unclassified use permits.

(4) One construction sign not exceeding
twenty (20) square feet in area and six (6') feet
in height provided sign is removed not later than
thirty (30) days after construction is completed.

(5) One subdivision sign not exceeding
sixty-four (64) square feet in area or ten (10') feet
in height for each recorded subdivision provided
such sign is removed not later than two (2) years
from the recording date of the subdivision.

(aa) On lots or parcels upon which
there is located a residential structure, except that:

(i) The combined area of all
of said signs shall not exceed four (4) square feet.

(ii) The overall height shall
not exceed four (4') feet.

(ab) On lots or parcels upon which
there is not located a residential structure, except
that:

(i) Each sign shall not exceed
thirty-two (32) square feet in area.

(ii) The overall height shall
not exceed six (6') feet.

(ac) Political signs shall not be
attached to trees, fence posts or utility poles.

(ad) Political signs shall not be
lighted either directly or indirectly.

(ae) Political signs shall be erected no more than thirty (30) days prior to the date of the election.

(af) Political signs shall be removed within ten (10) days after the date of the election.

(7) Bench signs are not permitted.

(8) Temporary signs are not permitted.

(9) Window signs are not permitted.

(10) Outdoor advertising signs are not permitted.

(b) R-A and F Zones. Same as R-1 Zone.

(c) R-2 Zone. Same as R-1 Zone with the following addition:

(1) Area or group housing project signs not exceeding twelve (12) square feet in area or six (6') feet in height.

(d) R-3 Zone. Same as R-2 Zone with the following addition:

(1) One identification sign not exceeding twelve (12) square feet in area and six (6') feet in height for a boarding house, lodging house or multiple dwelling.

(e) P-O Zone. Same as R-1 Zone with the following addition:

(1) On major streets one identification sign not exceeding twelve (12) square feet in area and forty-two (42") inches in height.

v

(2) On collector streets one identification sign not exceeding one square foot in area for each separate use on the premises, and not exceeding twelve (12) square feet in total area, and forty-two (42") inches in height.

(f) C-1 Zone. (1) Only one free-standing or projecting double-faced identification sign not exceeding one hundred fifty (150) square feet in area, thirty-five (35') feet in height, and thirty (30') feet in length is permitted for each use or occupancy.

(2) Canopy or wall identification signs are permitted on each wall of a building or structure provided:

(aa) That on the wall designated as principal frontage of a building or structure said signs may not exceed four (4) square feet in combined sign area for each lineal foot of that wall of the building or structure or portion thereof wherein the use or occupancy is conducted.

of the building or structure said sign may exceed two (2) square feet in combined sign area for each lineal foot of each wall of the building or structure or portion thereof wherein the use or occupancy is conducted.

(3) Six (6) unlighted signs are permitted which do not exceed twelve (12) square feet in combined sign area; such signs may indicate credit cards honored, trading stamps available, or official public services provided on the premises.

(4) Directional or informational signs not exceeding twelve (12) square feet in area or six (6') feet in height are permitted provided they do not bear any advertising message and that such signs are located wholly on private property on the premises to which they pertain.

(5) One for sale or rent sign not exceeding sixty-four (64) square feet in area and ten (10') feet in height.

(6) One construction sign not exceeding sixty-four (64) square feet in area and ten (10') feet in height.

(7) One canopy sign not exceeding six (6) square feet in area may be hung from a canopy, providing such sign is not less than seven and one-half (7½') feet above a public or private sidewalk.

(8) Bench signs are permitted.

(9) Political signs not exceeding one hundred (100) square feet in area and eight (8') feet in height. Said signs may not be erected more than thirty (30) days prior to the date of the election, and shall be removed within ten (10) days after the date of the election.

(10) Temporary signs are not permitted.

(11) Outdoor advertising signs are not permitted.

(12) Window signs are permitted.

(g) M-P and H-1 Zones. Same as C-1 Zone except that in the H-1 Zone freestanding and projecting identification signs are not permitted.

(h) C-2 Zone. Same as C-1 Zone with the following addition:

(1) Outdoor advertising signs not exceeding three hundred (300) square feet in area, twenty-five (25') feet in height and thirty (30') feet in length, except that:

(aa) No outdoor advertising sign shall be located within two hundred (200') feet of an R-1, R-2, or R-3 Zone or a lot or parcel which has been approved for residential development in a P-O, H-1 or P-D Zone without first obtaining a conditional use permit therefor from the Board of Zoning Adjustment in accordance with the provisions of Article 20 of Chapter 2 of Title X of this Code.

(ab) The maximum combined area of outdoor advertising signs located within a family of circles with 250 foot radii measured from the point or points where the center lines of intersecting streets meet, shall not exceed 600 square feet.

(i) C-M, M-1 and M-2 Zones. Same as C-2 Zone.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of July, 1970, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Smith

APPROVED:

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13th day of July, 1970, Councilman Simon moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 12, 1970

AN ORDINANCE AMENDING SECTIONS 10-2.259, 10-2.401, 10-2.501, 10-2.602, 10-2.701, 10-2.801, 10-2.901, 10-2.1504, 10-2.1507, 10-2.1709.1, 10-2.2801, 10-2.2906, AND 10-2.3011 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE; ADDING SECTIONS 10-2.807, 10-2.907, 10-2.1007, 10-2.1107, 10-2.1208 AND 10-2.2807 THERETO, AND REPEALING SECTIONS 10-2.251, 10-2.252, 10-2.254 AND 10-2.1709 THEREOF RELATING TO ZONING REGULATIONS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE, Sections 10-2.259, 10-2.401, 10-2.501, 10-2.602, 10-2.701, 10-2.801, 10-2.901, 10-2.1504, 10-2.1507, 10-2.1709.1, 10-2.2801, 10-2.2906 and 10-2.3011 of Chapter 2 of Title X of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 10-2.259. SIGN. -Any outdoor-advertising-display-or-outdoor-advertising-structure, "Sign" shall mean any structure, device, letter, figure, character, poster, picture, trademark or reading matter which is used or designed to announce, declare, demonstrate, display or otherwise identify or advertise, or attract the attention of the public. However, a sign shall not include the following:

(a) Official notices authorized by a court, public body or public officer.

(b) Directional, warning or information sign authorized by federal, state or municipal authority or public utility.

(c) The official flag, emblem or insignia of a government, school or religious group or agency.

(d) Memorial plaque, tablet or cornerstone indicating the name of a building and date of construction, when cut or carved into any masonry surface or when made of bronze or other incombustible material and made an integral part of the building or structure.

(e) Signs within a building except window or wall signs as defined in Section 9-6.03 of this Code.

The definitions of particular types of signs as set forth in Section 9-6.03 of this Code are incorporated herein by reference.

SEC. 10-2.401. PERMITTED USES. In an R-A zone only the following uses are permitted as are hereinafter specifically provided and allowed:

(a) Any use permitted in the R-1, one-family zone.

(b) Additional housing for hired agricultural workers on sites containing ten (10) acres or more provided that such housing is not located within any required yard space.

(c) On lots of one acre or more, stands for the display or sale of agricultural products raised on the premises.

(d) Agricultural crops.

(e) Greenhouses, fruit trees, vines and nurseries for producing trees, vines and other horticultural stock, but not including offices or sales floor space.

(f) Storage of petroleum products for use on the premises, but not for resale.

(g) The following fowl and animals under the following conditions:

(1) Poultry (except turkeys and geese), chinchillas, hamsters, rabbits, and other small animals raised for food, scientific or fur bearing purposes, for family or commercial use; and household pets subject to the provisions of Section 10-2.233.

(2) Bovine animals and horses on sites of not less than one acre, provided that such domestic animals shall not exceed a number per acre equal to two (2) adult animals of any one kind or combination thereof.

(3) The keeping of all domestic animals provided for in this article shall conform to all other provisions of law governing same. No fowl or animals (except household pets), or any pen or coop (except those used for household pets), stable or barn shall be kept or maintained within forty (40') feet of any window or door of any residence, dwelling or other building used for human habitation, nor within forty (40') feet of any portion of a required yard space located on adjoining property if such adjoining property is devoted to a use other than agriculture.

(4) The slaughtering, dressing and marketing of any fowl or animals shall be limited to those raised on the premises.

(h) A mailing address for commercial and business license purposes for a person residing on the premises may be maintained provided no stock in trade, supplies, professional equipment, apparatus or business equipment are permitted on the premises, and no employees or assistants may be employed for services on the premises, except in connection with uses specifically listed as permissible in this article.

(i) Accessory buildings and structures under the following conditions:

(1) Private garage to accommodate not more than four (4) cars.

(2) Additional garage and implement shelter may be erected on lot containing ten (10) acres or more.

(j) Any sign permitted in the R-1 zone.

SEC. 10-2.501. PERMITTED USES. In an R-1 zone only the following uses are permitted as are hereinafter specifically provided and allowed:

(a) One-family dwelling.

(b) The following uses upon the securing of a conditional use permit from the Board of Zoning Adjustment in accordance with Article 20 of this chapter:

(1) Church; wedding chapel.

(2) Child day care for more than six (6) children, in addition to members of the family.

(3) Rest home.

(4) Public buildings or grounds operated by any governmental agency.

(5) Public utilities or utilities operated by mutual agencies, including electrical substations, gas metering stations, telephone exchanges, power boosters, or conversion plants, with the necessary building apparatus or appurtenances thereto.

(6) Radio or television transmitter.

(7) Tower.

(8) Private recreational grounds and facilities not open to the general public and to which no admission charge is made.

(c) The renting of not more than three (3) rooms to not more than three (3) roomers, or the providing of table board to not more than three (3) boarders, or both, but not to exceed three (3) in any combination thereof; the day care of not more than six (6) children, in addition to members of the family, when such care is authorized under permits granted by the Stanislaus County Welfare Department, the County Fire Warden, The County Health Department and the Secretary of the Commission.

(d) Home occupations when authorized under a permit granted in accordance with the provisions of Section 10-2. 2502.

(e) The following fowl and animals under the following conditions:

(1) Household pets, subject to the provisions of Section 10-2. 233.

(2) Not more than four (4) rabbits and/or hares; and domestic fowl (hens only), providing not more than twelve (12) of any one or combination of such animals and fowl may be maintained on a lot.

(3) The keeping of all domestic animals and fowl provided for in item (2) above shall conform to all other provisions of law governing same and no fowl or animal except household pets, or any pen or coop, except those used for household pets, shall be kept or maintained except under the following conditions:

(aa) Animals or fowl shall be kept or maintained only at a distance of forty (40') feet or more from the window or door of any residence or other building used for human habitation.

(ab) Animals or fowl shall be kept or maintained only on the rear one third (1/3) of the lot.

(ac) Animals or fowl shall be maintained only at a distance from the property line not less than the required side yard.

(f) Two-family dwelling, when the lot upon which it is located has a side line that abuts property zoned for R-3, P-O, C-1, C-2, C-M, M-1, or M-2, but in no case shall the property used for such two-family dwelling consist of more than one lot or be more than seventy-five (75') feet in width, whichever is the lesser.

(g) The following signs:

(1) One unlighted sign One for sale or rent sign, unlighted, not exceeding eight (8) square feet in area and six (6) feet in height, pertaining only to the sale, lease or hire of only the particular building, property, or premises upon which displayed.

(2) One name plate not exceeding one square foot in area for each dwelling unit.

(3) One bulletin board or identification sign not exceeding twelve (12) square feet in area and six (6) feet in height for uses permitted by under a conditional use permits- and unclassified use permits.

~~(4) If such name plate referred to in (2) above or bulletin board or identification sign referred to in (3) above is illuminated, indirect lighting only shall be used, the source of light shall not be visible from the street, and no flashing or intermittent illumination shall be employed, provided that in no case shall a home occupation name plate be illuminated.~~

One construction sign not exceeding twenty (20) square feet in area and six (6) feet in height provided sign is removed not later than thirty (30) days after construction is completed.

~~(5) Identification sign and/or name plate shall be permitted, provided that said identification sign and/or name plate shall not exceed twenty (20) square feet in area, and that said identification sign shall display only names of architects, contractors, subcontractors, or engineers of buildings being constructed upon the premises on which said identification sign is located, and that said identification sign must be removed no later than thirty (30) days after construction is completed.~~

One subdivision sign not exceeding sixty-four (64) square feet in area or ten (10') feet in height for each recorded subdivision provided such sign is removed not later than two (2) years from the recording date of the subdivision, except that where fewer than one-half (1/2) of the lots in such subdivision have been sold at the end of such two (2) year period, a conditional use permit may be granted by the Board of Zoning Adjustment for the extension of the time of establishment and removal of such sign.

(6) Political signs may be erected, maintained and displayed as follows:

(aa) On lots or parcels upon which there is located a residential structure, except that:

(i) The combined area of all of said signs shall not exceed four (4) square feet.

(ii) The overall height shall not exceed four (4) feet.

(ab) On lots or parcels upon which there is not located a residential structure, except that:

(i) Each sign shall not exceed thirty-two (32) square feet in area.

(ii) The overall height shall not exceed six (6') feet.

(ac) Political signs shall not be attached to trees, fence posts, or utility poles.

(ad) Political signs shall not be lighted either directly or indirectly.

(ae) Political signs shall be erected no more than thirty (30) days prior to the date of the election.

(af) Political signs shall be removed within ten (10) days after the date of the election.

(7) Bench signs are not permitted.

(8) Temporary signs are not permitted.

(9) Window signs are not permitted.

(10) Outdoor advertising signs are not permitted.

(h) Servants' quarters and guest houses may be maintained on any lot provided that such quarters and guest houses are used as an accessory to the single dwelling unit and also provided no cooking facilities are maintained therein.

(i) A parking area, provided:

(1) A conditional use permit has been obtained in accordance with Article 20 of this chapter.

(2) Development is as required by Section 10-2.1807.

(3) The parking area is clearly incidental and accessory to a use permitted in this section or is accessory to a commercial use which is located in a commercial or industrial zone immediately adjacent to the property to be used for a parking area.

(j) Accessory uses and buildings customarily incidental to the above.

SEC. 10-2.602. PERMITTED USES. In an R-2 zone only the following uses are permitted as are hereinafter specifically provided and allowed:

(a) Any use permitted in the R-1 family zone.

(b) Two-family dwellings.

(c) A three-family or a four-family dwelling when the side line of the lot abuts lots zoned for P-O, C-1, C-2, C-M, M-1, or M-2 and when the lot complies with the provisions set forth in Section 10-2.705 of this chapter. In no case shall the property used for such three-family or four-family dwelling consist of more than one lot or be more than seventy-five (75') feet in width, whichever is the lesser.

(d) Multiple-dwelling or group-dwelling when the lot area complies with the provisions set forth in Section 10-2.606 of this chapter. In no case shall any dwelling structure contain more than four (4) dwelling units.

(e) The following signs:

(1) Any signs permitted in the R-1 zone.

~~(2) In addition, where development is in accordance with Section 10-2.706, SPECIAL PROVISIONS FOR GROUP DWELLINGS, and contains more than four (4) dwelling units, one identification sign, not to exceed four (4) square feet in area, is permitted subject to the lighting limitations for signs in the R-1 zone.~~

Area or group housing project signs not exceeding twelve (12) square feet in area or six (6') feet in height.

SEC. 10-2.701. PERMITTED USES. In an R-3 zone only the following uses are permitted as are hereinafter specifically provided and allowed:

- (a) Any use permitted in the R-2 zone.
- (b) Multiple dwelling.
- (c) Group dwelling.
- (d) Boarding and lodging house.
- (e) The following uses subject to the granting of a conditional use permit by the Board of Zoning Adjustment:
 - (1) Motel.
 - (2) Hotel.
 - (3) Non-profit membership organization, private club, fraternity, sorority and lodge, excepting those the chief activity of which is a service customarily carried on as a business
 - (4) A multiple dwelling or group dwelling with a maximum height of three (3) stories or forty (40') feet, whichever is the lesser height.
- (f) The following signs:
 - (1) ~~A name plate not exceeding one (1) square foot in area for each dwelling unit.~~ Any signs permitted in the R-2 zone.

(2) ~~One bulletin board or identification sign not exceeding twelve (12) square feet in area for a use permitted under a conditional use permit, and six (6') feet in height for a boarding house, lodging house or multiple dwelling.~~

~~(3) - One identification sign, not to exceed four (4) square feet in area, for a boarding house, lodging house, or multiple dwelling.~~

~~(4) - One unlighted sign not exceeding eight (8) square feet in area pertaining only to the sale, lease, or hire of only the particular building, property, or premises upon which displayed.~~

~~(5) - If any sign referred to in this section is illuminated, indirect lighting only shall be used, the source of light shall not be visible from the street, and no flashing or intermittent illumination shall be employed.~~

SEC. 10-2.801. PERMITTED USES. In a C-1 zone only the following uses are permitted:

- (a) Primary uses:
 - (1) Accounting, auditing and bookkeeping services.
 - (2) Advertising agency.
 - (3) Ambulance service.
 - (4) Apparel store and related accessories.
 - (5) Artists' supplies and art shop.
 - (6) Art Studio.
 - (7) Autograph and philatelist supply.
 - (8) Baby sitters' agency.
 - (9) Barber Shop; beauty shop.
 - (10) Boarding house.
 - (11) Book and stationery sales.
 - (12) Building supply; limited to retail sales.
 - (13) Business and professional offices.
 - (14) Camera and photographic supply.
 - (15) China.
 - (16) Christmas tree sales.
 - (17) Cigar store and stand.
 - (18) Coal and fuel sales office.
 - (19) Consumer credit reporting agency; adjustment and collection agency.
 - (20) Curtain store.
 - (21) Diaper service.
 - (22) Drapery store.
 - (23) Drug and proprietary medicine.
 - (24) Dry cleaners, coin operated.

(25) Duplicating, addressing, mailing services, blue printing and photostating services; stenographic services.

(26) Eating and drinking establishments. Beer and wine may be served only in conjunction with meals. Music may be provided. The following are excluded:

- (aa) Dancing and entertainment.
- (ab) Dispensing of other alcoholic beverages.
- (27) Electrical repair shop.
- (28) Fireworks stand.
- (29) Florist, greenhouse, plant materials nursery.
- (30) Food stores.
- (31) Frozen food lockers, individual retail rental.
- (32) Garden supply.
- (33) General merchandise (excluding department store).
- (34) Gift, novelty and souvenir.
- (35) Glassware.
- (36) Gunsmith shop.
- (37) Hardware, limited to household and gardenware.
- (38) Hat cleaning.
- (39) Home furnishings such as pictures, frames, lamps, shades, awnings, and window shades.
- (40) Ice dealer, limited to not more than five (5) tons capacity.
- (41) Interior decorating service.
- (42) Janitorial service, window cleaning, disinfecting and exterminating.
- (43) Jewelry.
- (44) Laundry and dry cleaning agency, including self service.
- (45) Library.
- (46) Liquor (off premises consumption.)
- (47) Locksmith shop.
- (48) Lodging house.
- (49) Luggage and leather goods.
- (50) Metalware shop.
- (51) Motel, hotel, membership hotel, apartment hotel.
- (52) Musical instruments and records.
- (53) News dealer and newsstand.
- (54) Non-profit membership organization, private club; fraternity, sorority; lodge.
- (55) Office supply sales.
- (56) Paint, glass and wallpaper sales.
- (57) Parking area.
- (58) Parking garage.
- (59) Pet store.
- (60) Photographic studio, film processing.
- (61) Radio and television sales and repair.
- (62) Record sales.
- (63) Repair shops, such as: bicycle, camera, fountain pen, lawn mower sharpening, knife and tool, musical instrument, saw sharpening, key duplication, and handyman repair service.
- (64) Schools, such as music, art, dramatics, language, children's dancing, correspondence.
- (65) Service station.
- (66) Shoe repair shop, shoe shine parlor, shoe sales.
- (67) ~~Signs, pertaining only to a use conducted within the building or on the lot or to lease or sale of the property or to trespassing-~~ subject to the limitations and provisions of Section 10-2, 807.
- (68) Sporting goods.
- (69) Tailor and seamstress shop, including pressing.
- (70) Taxi stand.
- (71) Toy shop.
- (72) Upholstery material store.
- (73) Variety store.
- (74) Watch, clock and jewelry repair.

(b) The following uses upon the securing of a conditional use permit from the Board of Zoning Adjustment in accordance with Article 20 of this chapter:

- (1) Amusement and recreation services.
- (2) Church; wedding chapel; funeral service.
- (3) Child day care for more than six (6) children in addition to members of the family.
- (4) Drive in restaurant.
- (5) Private recreational grounds and facilities not open to the general public and to which no admission charge is made.
- (6) Public buildings or grounds operated by any governmental agency.
- (7) Public utilities or utilities operated by mutual agencies, including electrical substations, gas metering stations, telephone exchanges, power boosters, or conversion plants, with the necessary buildings, apparatus or appurtenances thereto.
- (8) Radio or television transmitter.
- (9) Rest home.
- (10) Tower.

(c) Accessory uses and buildings customarily incidental to the uses described in this section.

(d) Processing, packaging, treating or storing of materials to be sold at retail on the premises or to be sold wholesale; and manufacture of products to be sold at retail on the premises or on other lawfully existing commercial premises in the City of Modesto operated by the occupant of the premises where such products are manufactured, subject to the limitations and provisions of Section 10-2.802.

SEC. 10-2.901. PERMITTED USES. In a C-2 zone only the following uses are permitted:

(a) Primary uses:

- (1) Any use permitted in the C-1 (Neighborhood Commercial) zone.
- (2) ~~Advertising signs and structures.~~ Signs, subject to the limitations and provisions of Section 10-2.907.
- (3) Amusement and recreation services.
- (4) Antique store.
- (5) Appliance sales, household.
- (6) Armored car service.
- (7) Automobile or trailer rental.
- (8) Automobile repair, excluding painting, upholstery, and body and fender work, except that which is incidental to general repair.
- (9) Bus terminal.
- (10) Carnival.
- (11) Circus.
- (12) Coin operated machine rental service.
- (13) Department store; mail order house.
- (14) Detective and watching agency.
- (15) Drinking place.
- (16) Eating place.
- (17) Electrical supply store.
- (18) Employment agency.
- (19) Express office.
- (20) Farm and garden supply store.
- (21) Farm machinery sales, storage, repair and rental conducted wholly within an entirely enclosed building.
- (22) Floor covering sales.
- (23) Funeral service.
- (24) Furniture.
- (25) Furrier and fur shop, including repair and storage.
- (26) Hardware store.
- (27) Heating and plumbing equipment dealer.
- (28) Hobby shop.
- (29) Hospital supply.
- (30) House equipment display.
- (31) Ice dealer.

- (32) Insulation sales.
- (33) Leather goods, repair.
- (34) Mobile home dealer, including travel trailers, campers and camp cars.
- (35) Motion picture distributor.
- (36) Motion picture theater, indoor.
- (37) Motor vehicle dealer, new and used cars.
- (38) News syndicate.
- (39) Nonprofit educational and scientific research agency.
- (40) Nonprofit membership organization, except a church.
- (41) Orthopedic and artificial limb store.
- (42) Parts dealer, airplane, automobile, motorboat, motorcycle and trailer.
- (43) Printing shop.
- (44) Private museum or art gallery.
- (45) Public address system business.
- (46) Radio or television broadcasting studio.
- (47) Research agency, commercial and testing laboratory.
- (48) Roofing sales.
- (49) Secondhand store.
- (50) Sign painting shop.
- (51) Steam bath; massage.
- (52) Taxicab central office, cab maintenance, storage and repair, excluding painting, upholstering and body and fender work, except that which is incidental to general repair.
- (53) Taxidermist shop.
- (54) Tire, battery and accessory dealer, not including tire recapping and vulcanizing.
- (55) Travel bureau.
- (56) Upholstery and furniture repair.
- (57) Vocational school.
- (58) Weather stripping sales.

(b) The following uses subject to the granting of a conditional use permit by the Board of Zoning Adjustment:

- (1) Car laundry.
- (2) Kennel.
- (3) Small animal hospital.

(c) Accessory uses and buildings customarily incidental to the above.

(d) Processing, packaging, treating, storing or manufacturing of products to be sold at retail on the premises or to be sold wholesale, subject to the provisions and limitations of Section 10-2.902.

SEC. 10-2.1504. OUTDOOR ADVERTISING DISPLAYS AND OUTDOOR ADVERTISING STRUCTURES ADJACENT TO FREEWAYS, SIGNS ADJACENT TO FREEWAYS AND SELECTED STREETS. Notwithstanding any other provision of this chapter, including Article 20 hereof, or any other law or ordinance of the City, no ~~outdoor~~ advertising structure or outdoor advertising display sign shall be placed or located on either side of a State or County Freeway as defined in the Streets and Highways Code of the State of California or on Briggsmore Avenue and Northern Boulevard in a manner that makes the matter displayed thereon visible to persons or passengers upon any such thoroughfare, except as follows:

(a) This section shall have no application to signs used exclusively for:

- (1) The display of official notices used by any court or public body or official, or for the posting of notices by any public officer in the performance of a public duty, or by any person in giving legal notice.
- (2) Directional warning or informational purposes of a public or semi-public nature, directed and maintained by an official body.

(b) A single identification sign is permitted which is used exclusively to advertise the ownership, sale or lease of the property upon which such sign is placed, or to advertise a business conducted, or services rendered, or goods produced upon such premises, or any other lawful activity conducted upon such premises, provided:

- (1) Signs shall not rotate or otherwise move, nor shall they

be so designed and operated as to simulate action.

(2) Illuminated signs shall be nonflashing and shall not be so located that any green, yellow or red light thereon will materially or practically tend to create a traffic hazard.

SEC. 10-2.1507. TEMPORARY REAL ESTATE OFFICE. One temporary real estate office ~~or one or more temporary real estate billboards~~ not to exceed a total of one hundred (100 sq. ft.) square feet in area, ~~or both such office and billboard may be located on any new subdivision,~~ provided that such office and billboard if located in an "R" zone, ~~shall be used only for the sale of property located in the subdivision in which such office and billboard are located, and shall be removed at the end of two (2) years from the date of the recording of the map of the subdivision upon which said office and billboard are located, except that where fewer than one-half (1/2) of the lots in such subdivision have been sold at the end of such two (2) year period, a conditional use permit may be granted by the Board of Zoning Adjustment for the extension of the time of establishment and removal of such office and billboard.~~ may be located in any new subdivision, provided that such office shall be used only for the sale of property located in the subdivision in which such office is located, and shall be removed at the end of two (2) years from the date of the recording of the map of the subdivision upon which said office is located, except that where fewer than one-half (1/2) of the lots in such subdivision have been sold at the end of such two (2) year period, a conditional use permit may be granted by the Board of Zoning Adjustment for the extension of the time of establishment and removal of such office.

SEC. 10-2.1709.1. ~~COMMERCIAL SIGNS AND BILLBOARDS IN ANNEXED TERRITORY.~~ STATUS AFTER ANNEXATION OF COMMERCIAL SIGN RESTRICTIONS IMPOSED BY STANISLAUS COUNTY. Whenever territory is annexed to the City of Modesto and within said territory there are located signs ~~or billboards~~ which do not conform with the provisions of this chapter, ~~said signs or billboards shall be subject to the provisions of Section 10-2.1709 herein; in addition thereto, if the County of Stanislaus has imposed any restrictions or limitations in regard to any of said signs or billboards, and said restrictions or limitations are more restrictive than those imposed by this chapter, including Section 10-2.1709, then said restrictions or limitations, after annexation, shall apply in and be enforced by the City of Modesto,~~ which have had restrictions or limitations imposed thereon by the County of Stanislaus, and said restrictions or limitations are more restrictive than those imposed by Chapter 6 of Title IX of this Code or by this chapter, said restrictions or limitations, after annexation, shall apply in and be enforced by the City of Modesto.

SEC. 10-2.2801. PERMITTED USES. In an M-P zone any use is permitted which is permitted in a Light Industrial zone (M-1). ~~except that any sign permitted shall pertain only to a use conducted within the building or on the lot or to the lease or sale of the property, or to trespassing, and shall not be located in any required landscaped area.~~

SEC. 10-2.2906. SIGNS. Any signs allowed in the C-1 Zone are permitted in the H-1 Zone excepting that freestanding and projecting identification signs as allowed in Section 10-2. 807(a) are not permitted.

~~(a) - Signs used exclusively for: -
(1) - The display of official notices used by any public body. -
(2) - Directional, warning, or informational purposes of a public or semi-public nature, directed and maintained by an official body.~~

~~(b) - A single sign which is used exclusively to advertise the ownership, sale, or lease of the property upon which such sign is placed, or to advertise any lawful activity conducted upon such premises, provided: -~~

~~(1) - On major streets, signs shall not contain a gross area of more than twelve (12) square feet per side.~~

~~(2) - On collector streets, signs shall not contain a gross area of more than 1 square foot per side for each separate use on the premises.~~

~~(3) - Signs may be located within the front setback area on both major and collector streets, but shall not exceed forty-two (42') inches in height.~~

~~(4) - Signs may be indirectly lighted but shall not rotate or otherwise move, nor shall they be so designed and operated as to simulate action.~~

Any sign permitted in the R-1 zone is permitted in the P-O Zone with the following additions:

(a) On major streets one identification sign is permitted not exceeding twelve (12) square feet in area and forty-two (42") inches in height.

(b) On collector streets one identification sign is permitted not exceeding one square foot in area for each separate use on the premises, and not exceeding twelve (12) square feet in total area, and forty-two (42") inches in height.

SECTION 2. AMENDMENT OF CODE. Sections 10-2.807, 10-2.907, 10-2.1007, 10-2.1107, 10-2.1208 and 10-2.2807 are hereto added to Chapter 2 of Title X of the Modesto Municipal Code to read as follows:

SEC. 10-2.807. SIGNS. The following signs are permitted in the C-1 zone:

(a) Only one free-standing or projecting double-faced identification sign not exceeding one hundred fifty (150) square feet in area, thirty-five (35') feet in height, and thirty (30') feet in length is permitted for each use or occupancy:

(b) Canopy or wall identification signs are permitted on each wall of a building or structure provided:

(1) That on the wall designated as principal frontage of a building or structure said signs may not exceed four (4) square feet in combined sign area for each lineal foot of that wall of the building or structure or portion thereof wherein the use or occupancy is conducted.

(2) That on each of the other walls of the building or structure said signs may not exceed two (2) square feet in combined sign area for each lineal foot of each wall of the building or structure or portion thereof wherein the use or occupancy is conducted.

(c) Six (6) unlighted signs are permitted which do not exceed twelve (12) square feet in combined sign area; such signs may indicate credit cards honored, trading stamps available, or official public services provided on the premises.

(d) Directional or informational signs not exceeding twelve (12) square feet in area or six (6') feet in height are permitted provided they do not bear any advertising message and that such signs are located wholly on private property on the premises to which they pertain.

(e) One for sale or rent sign not exceeding sixty-four (64) square feet in area and ten (10') feet in height.

(f) One construction sign not exceeding sixty-four (64) square feet in area and ten (10') feet in height.

(g) One canopy sign not exceeding six (6) square feet in area may be hung from a canopy, providing such sign is not less than seven and one-half (7 1/2') feet above a public or private sidewalk.

(h) Bench signs are permitted.

(i) Political signs not exceeding one hundred (100) square feet in area and eight (8') feet in height. Said signs may not be erected more than thirty (30) days prior to the date of the election, and shall be removed within ten (10) days after the date of the election.

(j) Temporary signs are not permitted.

(k) Outdoor advertising signs are not permitted.

(l) Window signs are permitted.

SEC. 10-2.907. SIGNS. The following signs are permitted in the C-2 zone:

(a) Any signs permitted in the C-1 zone.

(b) Outdoor advertising signs not exceeding three hundred (300) square feet in area twenty-five (25') feet in height and thirty (30') feet in length, except that:

(1) No outdoor advertising sign shall be located within two hundred (200') feet of an R-1, R-2, or R-3 zone or a lot or parcel which has been approved for residential development in a P-O, H-1 or P-D zone without first obtaining a conditional use permit therefor from the Board of Zoning Adjustment in accordance with the provisions of Article 20 of this chapter.

(2) The maximum combined area of outdoor advertising signs located within a family of circles with two hundred fifty (250') foot radii measured from the point or points where the center lines of intersecting streets meet, shall not exceed six hundred (600) square feet.

SEC. 10-2.1007. SIGNS. Any sign permitted in the C-2 zone is permitted in the C-M zone.

SEC. 10-2.1107. SIGNS. Any sign permitted in the C-2 zone is permitted in the M-1 zone.

SEC. 10-2.1208. SIGNS. Any sign permitted in the C-2 Zone is permitted in the M-2 Zone.

SEC. 10-2.2807. SIGNS. Any sign permitted in the C-1 zone is permitted in the M-P zone.

SECTION 3. REPEALS. Sections 10-2.251, 10-2.252, 10-2.254 and 10-2.1709 of Chapter 2 of Title X of the Modesto Municipal Code are hereby repealed.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of July, 1970, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Smith

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13th day of July, 1970, Councilman Simon moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Mayor Davies

NOES: Councilmen: None


ABSENT: Councilmen: Robinson, Smith

APPROVED



LEE H. DAVIES, Mayor

ATTEST:



W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 12, 1970

AN ORDINANCE AMENDING SECTION MAP 8-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(TULLY MANOR ENTERPRISES)

WHEREAS, a verified application for an amendment to Section 8-3-9 of the Zoning Map was filed by Tully Manor Enterprises on April 15, 1970, to reclassify from One-family Residential Zone, R-1, to Two-family Residential Zone, R-2, the hereinafter described property, and

WHEREAS, after public hearing held on May 19, and continued to May 20, 1970, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 70-67, adopted on May 20, 1970, the Planning Commission recommended to the Council that the application of Tully Manor Enterprises

to amend Section 8-3-9 of the Zoning Map to reclassify the hereinafter described property from One-family Residential Zone, R-1, to Two-family Residential Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 8-3-9 of the Zoning Map is hereby amended to reclassify the following described property from One-family Residential Zone,

R-1, to Two-family Residential Zone,

R-2 :

Lot 1 in Block 13118 of Tully Manor No. 1,
as per map filed June 12, 1963, in Volume 20
of Maps at Page 46, Stanislaus County Records.

Including also, the northerly 30 feet of
Woodrow Avenue and the westerly 25 feet of
Lord Avenue, all being immediately adjacent
to the above described property.

Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of July, 1970, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Smith

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Nichols
Planning Department

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20th day of July, 1970, Councilman Simon moved its final adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Robinson, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Smith

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 19, 1970

Ordinance 1030 C.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

AN ORDINANCE AMENDING SECTION 17-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (BURKETT, et al)

WHEREAS, a verified application for an amendment to Section 17-3-9 of the Zoning Map was filed by Robert R. Burkett, Elaine M. Burkett, Jack Mihell and Marlene Mihell on April 10, 1970, to reclassify from One-family Residential Zone, R-1, to Professional Office Zone, P-0, the hereinafter described property, and

WHEREAS, after a public hearing held on May 19, 1970, it was found and determined by the Planning Commission that rezoning of the property as requested is not required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 70-65, and

WHEREAS, by Resolution No. 70-65, adopted on May 19, 1970, the Planning Commission denied the application of Robert and Elaine Burkett and Jack and Marlene Mihell for an amendment to Section 17-3-9 of the Zoning Map to reclassify the property hereinafter described from One-family Residential Zone, R-1, to Professional Office Zone, P-0, and

WHEREAS, an appeal to the Planning Commission's decision denying the above requested rezoning was filed with the City Council on May 28, 1970, by Robert and Elaine Burkett and Jack and Marlene Mihell, and

WHEREAS, said matter was set for public hearing before the Council in the Council Chambers, 801 - 11th Street, in the City of Modesto, at 4:35 o'clock P. M. on July 6, 1970, at which time evidence, both oral and documentary, was taken and introduced,

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

SECTION 1. COUNCIL FINDINGS. After the public hearing on the above-mentioned appeal, this Council finds and determines that the rezoning of the property as requested is in accordance with the general plan and will serve the public health, safety

and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. OVERRULING DECISION OF PLANNING COMMISSION.

As a result of the evidence presented and findings made at said public hearing, the City Council of the City of Modesto does hereby overrule the decision of the Planning Commission denying the requested rezoning.

SECTION 3. ZONING CHANGE. Section 17-3-9 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Residential Zone, R-1, to Professional Office Zone, P-O:

All of Lot 7 and 8, and the southerly 42.39 feet of Lot 6 in Block 6133, as shown on the Hudelson Tract Map recorded in Volume 16 at Page 9 in the office of the Stanislaus County Recorder.

Including also, the northerly 30 feet of West Granger Avenue and the westerly 30 feet of Timothy Avenue all being immediately adjacent to the above described property.

SECTION 4. ZONING MAP. Section 17-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 5. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 6. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of July, 1970, by Councilman Robinson, who moved its introduction and passage to print, which motion being duly seconded by Councilman Dixon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Newton, Robinson, Simon

NOES: Councilmen: Mitchell, Mayor Davies

ABSENT: Councilmen: Smith

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY William P. Nichols
Planning Department

Ordinance 1031 C.S.

Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

Ord. No. 1031-C.S.
~~XXXXXX~~

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20th day of July, 1970, Councilman Simon moved its final adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Robinson, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Smith

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 19, 1970

AN ORDINANCE AMENDING SECTION MAP 20-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(DOCTORS' HOSPITAL AREA - COMMISSION INITIATED)

WHEREAS, the Planning Commission initiated proceedings to amend Section 20-3-9 of the Zoning Map to reclassify from Residential Agricultural Zone, R-A, to Two-Family Residential Zone, R-2 and Professional Office Zone, P-0; One-Family Residential Zone, R-1 to Two-Family Residential Zone, R-2, Professional Office Zone, P-0, and General Commercial Zone, C-2; Multiple-Family Residential Zone, R-3, to Professional Office Zone, P-0, and General Commercial Zone, C-2; General Commercial Zone, C-2, to Professional Office Zone, P-0, all of which property is described in Planning Commission Resolution No. 70-60, which was adopted on May 19, 1970, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof as though set forth in full herein, and

WHEREAS, after public hearing held on May 19, 1970, it was found and determined by the Planning Commission that rezoning of the property as initiated is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 70-60, adopted on May 19, 1970, the Planning Commission recommended to the Council that Section 20-3-9 of the Zoning Map be amended to reclassify the hereinafter described property from Residential Agricultural Zone, R-A, to Two-Family Residential Zone, R-2, and Professional Office Zone, P-0; One Family Residential Zone, R-1, to Two Family Residential Zone, R-2, Professional Office Zone, P-0, and General Commercial Zone, C-2; Multiple-Family Residential Zone, R-3, to Professional Office Zone, P-0, and General Commercial Zone, C-2; General Commercial Zone, C-2, to Professional Office Zone, P-0.

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the recommended rezoning is required by public necessity, convenience and general welfare for the reasons set forth

in Planning Commission Resolution No. 70-60 which is attached hereto marked Exhibit "A" and made a part hereof as though set forth in full herein.

SECTION 2. ZONING CHANGE. Section 20-3-9 of the Zoning Map is hereby amended to reclassify the property described in the above referred to Planning Commission Resolution No. 70-60 from Residential Agricultural Zone, R-A, to Two-Family Residential Zone, R-2, and Professional Office Zone, P-0; One Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, Professional Office Zone, P-0, and General Commercial Zone, C-2; Multiple-Family Residential Zone, R-3, to Professional Office Zone, P-0, and General Commercial Zone, C-2; General Commercial Zone, C-2, to Professional Office Zone, P-0.

SECTION 3. ZONING MAP. Section 20-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least three (3) days prior to its final adoption in the Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of July, 19 70, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Smith

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

APPROVED: Lee H. Davies
LEE H. DAVIES, MAYOR

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Nichols
Planning Department

WHEREAS, on March 17, 1970, the Modesto City Planning Commission adopted Resolution No. 70-42, initiating proceedings to rezone from R-A, R-1, R-3 and C-2 Zones to R-2, P-0, and C-2 Zones, the following described property:

R-1 to R-2:

Beginning at the point of intersection of the centerlines of West Granger Avenue and Florida Avenue; thence easterly along the centerline of West Granger Avenue 334.38 feet to a point which is 325.00 feet west of the centerline of McHenry Avenue; thence southerly along a line which is parallel to the centerline of McHenry Avenue and 325 feet therefrom a distance of 275.68 feet; thence westerly a distance of 334.37 feet to the centerline of Florida Avenue; thence, northerly along the centerline of Florida Avenue 275.84 feet to the point of beginning.

R-A to R-2:

Beginning at the point of intersection of the centerline of Sherwood Avenue with the centerline of Granger Avenue; thence, southerly along the centerline of Sherwood Avenue 500.55 feet; thence easterly 659.49 feet to a point on the centerline of Florida Avenue located 499.56 feet south of the point of intersection of the centerline of Granger Avenue with the centerline of Florida Avenue; thence northerly along the centerline of Florida Avenue 499.56 feet to the point of intersection with the centerline of Granger Avenue; thence westerly along the centerline of Granger Avenue 659.38 feet to the point of beginning.

R-A to P-0:

Commencing at the point of intersection of the centerline of Orangeburg Avenue with the centerline of McHenry Avenue; thence westerly along the centerline of Orangeburg Avenue 325 feet to the true point of beginning; thence continuing westerly along the centerline of Orangeburg Avenue 994.44 feet to the point of intersection with the centerline of Sherwood Avenue; thence northerly along the centerline of Sherwood Avenue 819.45 feet; thence easterly 659.49 feet to a point on the centerline of Florida Avenue located 499.56 feet south of the point of intersection of the centerline of Florida Avenue with the centerline of Granger Avenue; thence southerly along the centerline of Florida Avenue 490.36 feet to point of intersection with the centerline of Claradell Avenue; thence, easterly along the centerline of Claradell Avenue 335.26 feet to a point located 325 feet west of the point of intersection of the centerline of Claradell Avenue with the centerline of McHenry Avenue; thence southerly along a line parallel to the centerline of McHenry and 325 feet therefrom a distance of 330.32 feet to the centerline of Orangeburg Avenue and the true point of beginning.

R-1 to P-0:

Commencing at the point of intersection of the centerline of Florida Avenue with the centerline of Granger Avenue; thence, southerly along the centerline of Florida Avenue 275.84 feet to the true point of beginning; thence continuing southerly along the centerline of Florida Avenue 714.08 feet to the centerline of Claradell Avenue; thence easterly along the centerline of Claradell Avenue 341.55 feet to a point which is 318.12 feet west of the centerline of McHenry;

thence, northerly along a line which is parallel to the centerline of McHenry and 318.12 feet therefrom, a distance of 165.00 feet; thence westerly along a line which is parallel to the centerline of Claradell Avenue and 165.00 feet therefrom a distance of 198.55 feet; thence, northerly along a line which is parallel to the centerline of Florida Avenue and 143 feet therefrom a distance of 165.14 feet to the centerline of Coolidge Avenue; thence westerly along the centerline of Coolidge Avenue 18.00 feet; thence northerly along the westerly line of Lot 3 of the Mira Loma Tract as recorded in Volume 11, Page 48 of the Stanislaus County records and the southerly extension thereof a distance of 128.04 feet to the northwesterly corner of said Lot 3, thence easterly along the north line of Lots 3, 4, 5, 6, and 7 of said Mira Loma Tract a distance of 204.57 feet; thence northerly along a line which is parallel to the centerline of Florida Avenue and 329.57 feet therefrom a distance of 63.92 feet; thence, easterly along a line which is parallel to the centerline of Coolidge Avenue and 191.96 feet therefrom a distance of 4.80 feet; thence northerly along a line which is parallel to the centerline of Florida Avenue and 334.37 feet therefrom a distance of 191.88 feet to a point which is measured at right angles, 275.67 feet south of the centerline of Granger Avenue and 334.37 feet east of the centerline of Florida Avenue; thence westerly 334.37 to the point of beginning on the centerline of Florida Avenue.

✓ R-3 to P-0:

Commencing at the point of intersection of the centerline of Coolidge Avenue with the centerline of McHenry Avenue; thence westerly along the centerline of Coolidge Avenue 329.82 feet to the point of beginning; thence southerly along a line parallel to the centerline of McHenry Avenue 165.14 feet; thence westerly along a line parallel to the centerline of Coolidge Avenue 186.80 feet; thence northerly along a line which is parallel to the centerline of Florida Avenue and 143.00 feet therefrom a distance of 165.14 feet to the centerline of Coolidge Avenue; thence west along the centerline of Coolidge Avenue 18 feet to the southerly extension of the west line of Lot 3 of the Mira Loma Tract as recorded in Volume 11, Page 48 of Stanislaus County Records; thence, northerly along the said southerly extension and the west line of Lot 3 a distance of 128.04 feet to the northwest corner of said Lot 3; thence easterly along the north line of Lots 3, 4, 5, and 6 a distance of 200.00 feet to the northeast of Lot 6 of said Mira Loma Tract; thence, southerly along the east line of said Lot 6 and its southerly extension 128.04 feet to the centerline of Coolidge Avenue; thence easterly along the centerline of Coolidge Avenue 4.80 feet to the point of beginning.

✓ C-2 to P-0:

Commencing at the point of intersection of the centerline of Claradell Avenue with the centerline of McHenry Avenue; thence, westerly along the centerline of Claradell Avenue 205.00 feet to the point of beginning; thence southerly along a line parallel to the centerline of McHenry Avenue 330.32 feet to the centerline of Orangeburg Avenue; thence, westerly along the centerline of Orangeburg Avenue 120 feet; thence northerly along a parallel to the centerline of McHenry and 325.00 feet therefrom a distance of 330.32 feet to the centerline of Claradell Avenue; thence easterly along the centerline of Claradell Avenue 120 feet to the point of beginning.

Commencing at the point of intersection of the centerline of Claradell Avenue with the centerline of McHenry Avenue; thence, westerly along the centerline of Claradell Avenue 185.00 feet to the point of beginning; thence, northerly along a line parallel to the centerline of McHenry Avenue 165.00 feet; thence, westerly along a line parallel to the centerline of Claradell Avenue 133.12 feet; thence, southerly along a line parallel to the centerline of McHenry Avenue and 318.12 feet therefrom a distance of 165.00 feet to the centerline of Claradell Avenue; thence, easterly along the centerline of Claradell Avenue 133.12 feet to the point of beginning.

R-3 to C-2:

Commencing at the point of intersection of the centerline of Coolidge Avenue with the centerline of McHenry Avenue; thence westerly along the centerline of Coolidge Avenue 204.62 feet to the true point of beginning; thence, southerly along a line parallel to the centerline of McHenry 165.14 feet; thence westerly along a line parallel to the centerline of Coolidge Avenue 125.20 feet; thence northerly along a line which is parallel to the centerline of McHenry Avenue and 329.82 feet therefrom a distance of 165.14 feet to the centerline of Coolidge Avenue; thence westerly along the centerline of Coolidge Avenue 4.80 feet to the southerly extension of the west line of Lot 7 of Mira Loma Tract as recorded in Volume 11, Page 48 of Stanislaus County Records; thence northerly along the said southerly extension and the west line of said Lot 7 a distance of 128.04 feet to the northwest corner of said Lot 7; thence easterly along the north line of said Lot 7 and 8 a distance of 100.00 feet to the northeast corner of Lot 8 of said Mira Loma Tract; thence, southerly along the east line of said Lot 8 and the southerly extension thereof 128.04 feet to the centerline of Coolidge Avenue; thence easterly along the centerline of Coolidge Avenue 30.00 feet to the point of beginning.

WHEREAS, a public hearing was held on May 19, 1970.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission that it hereby finds and determines that rezoning of the property as initiated by the Planning Commission is required by public necessity, convenience and general welfare for the following reasons:

1. The rezoning would help to resolve the existing conflict between the high traffic generating Doctors' Hospital and its neighboring properties.
2. A comprehensive rezoning plan, as is proposed, rather than a piecemeal approach is necessary to resolve this existing land use conflict.
3. The rezoning would permit needed professional offices, institutional uses and related services to locate in the area between Doctors' Hospital and the McHenry Avenue commercial strip.

BE IT FURTHER RESOLVED by the Planning Commission that it recommends to the Council that the Commission initiated proposal to amend Section 20-3-9 of the Zoning Map to reclassify the property described above from R-A, R-1, R-3, and C-2 Zones, to R-2, P-0, and C-2 Zones be approved.

Commission held on May 19, 1970, by William Nicholson, who moved its adoption, which motion was seconded by Frank Muratore, and carried by the following vote:

Ayes: Alexander, Marple, Muratore, Nicholson, Ryan, Sutton and Dunlap

Noes: None

Absent: None

BY ORDER OF THE PLANNING COMMISSION OF THE CITY OF MODESTO.

William S. Nichols

William S. Nichols, Secretary

Ordinance 1032 C.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20th day of July, 1970, Councilman Simon moved its final adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Robinson, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Smith

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 19, 1970

AN ORDINANCE ADDING ARTICLE 4 TO CHAPTER 4 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO REGULATION OF CATS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Article 4 is hereby added to Chapter 4 of Title V of the Modesto Municipal Code to read as follows:

ARTICLE 4.

REGULATION OF CATS

SEC. 5-4.401. TRESPASSING. No cat shall be permitted to be upon any premises within the city to the annoyance of the owner or occupant thereof.

SEC. 5-4.402. TRAPPING. The Chief of Police is authorized, pursuant to the provisions of this Section, to furnish and make available humane type cat traps to the owners and occupants of premises within the City. Said traps shall be used by said persons to trap cats which come upon their premises to their annoyance. The person who requests use of such traps shall be responsible for the care of animals trapped until such time as they are delivered to the City Pound or members of the Police Department. Persons requesting use of such traps shall make a deposit of Ten and no/100ths (\$10.00) Dollars, which deposit shall be refunded upon the return of the traps in a condition acceptable to the Chief of Police or his authorized representative.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of July, 1970, by Councilman Robinson, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Smith

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

*not finally adopted.
dropped*

AN ORDINANCE ANNEXING UNINHABITED TERRITORY
KNOWN AS THE NORWEGIAN NO. 3 ADDITION
TO THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by _____

R. M. Weeks, William J. Clark, Lillie Clark, Albert R. Muth andEunice L. Muth

on May 18, 1970, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the Norwegian No. 3 ADDITION, situated in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 25th day of May, 1970, set said petition for hearing at the hour of 7:45 o'clock P.M. on the 13th day of July, 1970, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation, to wit: The Modesto Bee, a newspaper published in the City of Modesto on June 4, 1970, and on June 11, 1970; and in The Riverbank News, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on June 5, 1970, and on June 12, 1970, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation

of Uninhabited Territory Act of 1939, as amended, have been complied with,
and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on May 15, 1970, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to the Government Code, and

WHEREAS, on the 13th day of July, 1970, at the hour of 7:45 o'clock P.M., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one-half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

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

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the NORWEGIAN NO. 3 ADDITION, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California

as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of July, 1970, by Councilman Simon, who moved its adoption and passage to print, which motion being duly seconded by Councilman Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Smith

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:
By R. A. Hayward
Public Works Department

RAM
6-12-70

April 8, 1970

NORWEGIAN NO. 3 ADDITION

All that real property in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the ATHENS ADDITION (141), as per description filed November 19, 1962, as Instrument 43543, Stanislaus County Records; thence along the existing City Limits on the Southern boundary of said Athens Addition (141) South $89^{\circ} 31' 00''$ East, 636.87 feet to the North-western corner of the COFFEE NO. 2 ADDITION (205) as per description filed September 15, 1967, as Instrument 29181, Stanislaus County Records; thence along the existing City Limits on the Western boundary of said Addition (205), South $00^{\circ} 53' 30''$ East, 615.90 feet to the Southwestern corner of said Addition (205) and center line of a 40.00 foot public road known as Norwegian Avenue; thence leaving the existing City Limits and along said center line North $89^{\circ} 32' 00''$ West, 636.87 feet to a point on the Southerly extension of the Eastern line of REVARD MANOR, as per map filed June 23, 1952, in Volume 17 of Maps, Page 38, Stanislaus County Records; thence along said extension and the Eastern line of said Revard Manor, North $00^{\circ} 53' 30''$ West, 616.06 feet to the point of beginning, containing 9.003 Acres, more or less.

AN ORDINANCE AMENDING SECTION MAP 15-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(Robert P. Bomberger)

WHEREAS, a verified application for an amendment to Section 15-3-9 of the Zoning Map was filed by Robert P. Bomberger on May 12, 1970, to reclassify from Multiple-family Residential Zone, R-3, and Planned Development Zone, P-D(36), to Professional Office Zone, P-O, and from P-D(36) to Multiple-family Zone, R-3, the hereinafter described property, and

WHEREAS, after public hearing held on June 16, 1970, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 70-82, adopted on June 16, 1970, the Planning Commission recommended to the Council that the application of Robert P. Bomberger to amend Section 15-3-9 of the Zoning Map to reclassify the hereinafter described property from Multiple-family Residential Zone, R-3, and Planned Development Zone, P-D(36), to Professional Office Zone, P-O, and from P-D(36) to Multiple-family Zone, R-3, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 15-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Multiple-family Residential Zone, R-3, and Planned Development Zone, P-D(36), to Professional Office Zone, P-O, and from P-D(36) to Multiple-family Zone, R-3:

All those portions of Lots 1 and 2, Block 12854, of Coffee Plaza No. 2, according to the Official Map thereof, filed for record in the office of the County Recorder of Stanislaus County, State of California, in Volume 21 of Maps, at Page 73, and more particularly described as follows:

P-D(36) to P-0

Beginning at the northwest corner of Coffee Plaza No. 2 said point being at the west one-quarter corner of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence along the west line of said Section 15 South $0^{\circ} 53'$, East 340.00 feet; thence north $89^{\circ} 45' 50''$ East 310.02 feet; thence North $0^{\circ} 53'$ West 340.00 feet to a point on the northerly line of Coffee Plaza No. 2; thence along the northerly line of Coffee Plaza No. 2 South $89^{\circ} 45' 50''$ West 310.02 feet to the northwest corner of Coffee Plaza No. 2 being the point of beginning.

Containing 2.264 acres gross.

P-D(36) to R-3

Commencing at the northwest corner of Coffee Plaza No. 2 said point being on the west one-quarter corner of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence along the northerly line of Coffee Plaza No. 2 North $89^{\circ} 45' 50''$ East 310.02 feet to the true point of beginning of this description; thence along the northerly line of Coffee Plaza No. 2 North $89^{\circ} 45' 50''$ East 632.98 feet to a point on the centerline of Vera Cruz Drive; thence along the centerline of Vera Cruz Drive South $0^{\circ} 53'$ East 297.00 feet to the beginning of a curve concave to the East; thence along the arc of said curve having a radius of 900.00 feet, through a central angle of $2^{\circ} 44' 21''$ a distance of 43.03 feet; thence South $89^{\circ} 45' 50''$ West 634.01 feet; thence North $0^{\circ} 53'$ West 340.00 feet to the true point of beginning.

Containing 4.941 acres.

Multi-family R-3 to P-0

Beginning at the point of intersection of the centerline of Celeste Drive with the centerline of Coffee Road; thence south $89^{\circ} 07'$ West 17.18 feet to the west line of said Section 15, thence North $0^{\circ} 53'$ West along the said west line of Section 15, 599.30 feet to a point which is located on said Section line 340.00 feet south $0^{\circ} 53'$ East of west one-quarter corner of Section 15 thence North $89^{\circ} 45' 50''$ East 310.02 feet; thence South $0^{\circ} 53'$ East 586.90 feet to the centerline of Celeste Drive; thence along the arc of curve concave to the north with a radius of 1800.00 feet, through a central angle of $5^{\circ} 46' 05''$ a distance 181.21 feet; thence South $89^{\circ} 07'$ West along the centerline of Celeste Drive 111.93 feet to the point of beginning.

Containing 3.977 acres.

Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of July, 1970, by Councilman Robinson, who moved its introduction and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Smith

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William P. Nichols
Planning Department

Ordinance 1035 C.S.
Exhibit A – Map


Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27th day of July, 1970, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Dixon, Newton, Robinson, Simon, Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Mitchell

APPROVED 
LEE H. DAVIES, Mayor

ATTEST: 
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 26, 1970

AN ORDINANCE AMENDING SECTION MAP 6-4-9 OF
 THE ZONING MAP OF THE CITY OF MODESTO, RECLASSI-
 FYING CERTAIN PROPERTY LOCATED THEREON. (EL CASA VERDE, INC.)

The Council of the City of Modesto does ordain as fol-
 lows:

SECTION 1. ZONING CHANGE. Section 6-4-9 of the
 Zoning Map is hereby amended to reclassify the following-described
 property from One-Family Residential Zone, R-1
 to Planned-Development Zone, P-D 71 :

All that certain real property situate in the Southeast
 Quarter of Section 6, Township 4 South, Range 9 East, Mount
 Diablo Base and Meridian, in the County of Stanislaus, State
 of California, described as follows:

BEGINNING at the Southeast corner of Lot 16, Block 3065 of
 Riviera Heights No. 2 according to the Official Map thereof,
 recorded in Volume 21 of Maps at Page 11, Stanislaus County
 Records, said corner being on the West line of 60 foot wide
 Sutter Avenue as shown in Book 7 of Parcel Maps at Page 96,
 Stanislaus County Records; thence South 0° 10' West along
 said West line of Sutter Avenue 347.13 feet to the Northeast
 corner of Parcel A of said Parcel Map; thence along the
 boundary of said Parcel A the following three courses:
 South 89° 36' West 322.00 feet, North 0° 10' East 50.00 feet,
 and South 89° 36' West 567.25 feet to the Northwest corner
 of said Parcel A; thence North 0° 24' West 90.04 feet; thence
 North 7° 31' 30" West 80.62 feet; thence North 0° 24' West
 123.77 feet to the Southwest corner of Lot 6, Block 3062
 of said Riviera Heights No. 2; thence along the Southerly
 boundary of said Riviera Heights No. 2 the following eight
 courses: North 89° 36' East 472.00 feet, North 0° 24' West
 34.54 feet, North 89° 36' East 99.84 feet, South 89° 50' East
 97.00 feet, North 88° 17' 17" East 50.03 feet, South 89° 50'
 East 93.00 feet, South 0° 10' West 29.60 feet, and South
 89° 50' East 90.64 feet to the point of beginning.

INCLUDING also, the easterly one-half of Marseille Lane
 immediately adjacent to the west line of the above described
 property.

And also, the westerly 30 feet of Sutter Avenue immediately
 adjacent to the east line of said described property.

CONTAINING 6.690 acres net.

SECTION 2. USES. The following uses shall be permitted in said P-D 71 Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code:

1. 32 one-story multiple-family dwelling units
2. 13 single-family dwelling units.

SECTION 3. ZONING MAP. Section Map 6-4-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of July, 1970, by Councilman Newton, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Smith

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William F. Nichols
Planning Department

Ordinance 1036 C.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27th day of July, 1970, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Newton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Robinson, Simon, Smith,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

APPROVED 
LEE H. DAVIES, Mayor

ATTEST: 
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 26, 1970

AN ORDINANCE AMENDING SECTION 4-6.703 OF ARTICLE 7 OF CHAPTER 6 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO TAXICAB DRIVERS' PERMITS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 4-6.703 of Article 7 of Chapter 6 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-6.703. INFORMATION REQUIRED. Said permit shall be in the form of a card which shall bear signature, photograph and fingerprints of the applicant. Such card shall be issued in duplicate and one copy with the fingerprints, photograph and signature of the applicant shall be placed on file with the Director of Parking and Traffic of the City and the other card shall be ~~carried on the driver's person at all times during which the~~ displayed in the taxicab in a conspicuous place visible to all passengers while the taxicab is being operated.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of July, 1970, by Councilman Simon, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:
By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20th day of July, 1970, Councilman Simon moved its final adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Robinson, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Smith

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 19, 1970

AN ORDINANCE AMENDING SECTION 10-2.1802 OF ARTICLE 18 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE RELATING TO THE ZONING REGULATIONS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 10-2.1802 of Article 18 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.1802. PARKING SPACES REQUIRED. Except as otherwise provided in this article, the number of off-street parking spaces required shall be as follows:

- Beauty college - two and one-half (2.5) for each training station.
- Bowling alley - eight (8) for each lane.
- Children's dancing school - one for each six hundred (600) square feet of gross floor area.
- Churches - one for each five (5) seats.
- Clubs and lodges not having sleeping rooms - adequate number as determined by the Board of Zoning Adjustment.
- Dance halls - one for each fifty (50) square feet of gross floor area used for dancing.
- Dwellings -
 - Single-family - one for each dwelling unit.
 - Two-family - one for each dwelling unit.
 - Multiple-family - one and one-half (1.5) for each dwelling unit.
- Eating and drink establishments (on-premises consumption) - one for each four (4) seats, including stools, benches and booths, or one for each sixty (60) square feet of dining area when the number of seats is unknown.
- Hospitals - adequate number as determined by the Board of Zoning Adjustment.
- Hotels - one for each three (3) guest rooms.
- Libraries - one for each five hundred (500) square feet of gross floor area.
- Manufacturing plants and kindred uses - one for each four (4) employees on the site at any one time, including changes of shifts.
- Medical or dental clinics or offices - one for each two hundred (200) square feet of gross floor area.
- Motels - one for each sleeping unit or dwelling unit.
- Motor vehicle and machinery repair - one for each six hundred (600) square feet of gross floor area, with repair space for motor vehicles or machinery not counted as parking space.
- Mortuaries and funeral homes - one for each five (5) seats in the assembly room used for services.
- Offices - business or profession offices, banks - one for each five hundred (500) square feet of gross floor area.
- Pool halls - two (2) for each table.
- Retail stores - one for each five hundred (500) square feet of gross floor area.
- Rooming and lodging houses, clubs and fraternity houses having sleeping rooms - one for each two (2) sleeping rooms.
- Sanitariums, children's home, homes for the aged, nursing homes - one for each four (4) beds.
- Schools - adequate number as determined by the Board of Zoning Adjustment.
- Stadiums, sports arenas, auditoriums - ~~one for each five (5) seats of maximum seating capacity~~ adequate number as determined by the Board of Zoning Adjustment.
- Theaters - one for each five (5) seats.
- Transportation terminal facilities - adequate number as determined by the Board of Zoning Adjustment.
- Warehouse and storage buildings - one for each four (4) employees.
- Wholesale stores - one for each eight hundred (800) square feet of gross floor area.

and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of August, 1970, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10th day of August, 1970, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Dixon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 9, 1970

AN ORDINANCE AMENDING SECTION MAP 10-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO, PREZONING
CERTAIN PROPERTY LOCATED THEREON. (Gordon S.W. Tornell)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 10-3-9 of the Zoning Map is hereby amended to prezone the following-described property to Planned-Development Zone, P-PD(72):

The West one-half of the Northeast one-quarter of the Northeast one-quarter and the East one-half of the Northwest one-quarter of the Northeast one-quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

Containing: Approximately 40 acres.

SECTION 2. USES. The following uses shall be permitted in said P-PD(72) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code. Said uses are as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit:

1. A maximum of 300 mobile home spaces.
2. One administration and recreation area including a clubhouse and 2 swimming pools.
3. Two smaller recreation-utility areas, and 2 camper storage areas.
4. A maximum 12-space model mobile home display area for use in sales of mobile homes within the subject mobile home park only.

SECTION 3. ZONING MAP. Section Map 10-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of August, 19 70, by Councilman Simon, who moved its introduction and passage to print, which motion being duly seconded by Councilman Dixon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Dixon,
 Councilmen: /Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

APPROVED: Lee H. Davies
 LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
 W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
 ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY William Nichols
 Planning Department

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 24th day of August, 1970, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Smith, Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Simon

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 23, 1970

Ordinance 1039 C.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

AN ORDINANCE AMENDING SECTION MAP 19-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED
THEREON. (O.F.C. Properties)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 19-3-9 of the Zoning Map is hereby amended to reclassify the following-described property from One-family Residential Zone, R-1, and Two-family Residential Zone, R-2, to Planned Development Zone, P-D(74):

R-1 to P-D Parcel 1 - As shown on Exhibit "A" and made a part hereof as though set forth in full herein.

R-1 to P-D Parcel 2 - As shown on Exhibit "A" and made a part hereof as though set forth in full herein.

R-2 to P-D - As shown on Exhibit "A" and made a part hereof as though set forth in full herein.

SECTION 2. USES. The following uses shall be permitted in said P-D(74) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code:

1. A maximum of 80 one-story apartment family dwelling units.
2. One recreation area with swimming pool; a second recreation area with swimming pool at option of developer.
3. Parking spaces provided at the ratio of 1 1/2 parking spaces per family dwelling unit.

SECTION 3. ZONING MAP. Section Map 19-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of August, 1970, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

APPROVED: Lee H. Davies

LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth

W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson

ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William J. Nichols

Planning Department

R-1 to P-D Parcel 1

Parcel "A" as shown and designated on that certain Parcel Map filed in the office of the County Recorder of Stanislaus County, California, on November 10, 1966, in Volume 2 of Parcel Maps, Page 94, and being a portion of the Northwest corner of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

R-1 to P-D Parcel 2

Beginning at a point on the North line of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, distant 2089.56 feet East of the Northwest corner of said Section; being the Northwest corner of land conveyed to Mattie J. French, by Deed from John W. McDonald and wife, dated April 11, 1908 and recorded April 11, 1908 in Book 112 of Deeds at Page 583; thence South $4^{\circ} 30'$ West, 73.26 feet, more or less, to the most easterly corner of land, now or formerly owned by Peter Brunoid; thence West 291.72 feet; thence North 73.26 feet to Section line; thence East along the North line of said Section 295.68 feet more or less, to the point of beginning.

Excepting therefrom that portion of Evergreen Avenue between the existing centerline of Evergreen Avenue and the North line of said Section 19, immediately adjacent to the above described property.

Excepting also, all that portion of the northwest quarter of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the northwest corner of said Section 19, thence South $89^{\circ} 21' 30''$ East along the north line of said Section 19 a distance of 1210.90 feet, thence South $0^{\circ} 34' 22''$ East a distance of 10.00 feet to the centerline of Evergreen Avenue and the true point of beginning of this description; thence South $39^{\circ} 21' 30''$ East along said centerline of Evergreen Avenue, parallel to and 10.00 feet distant southerly at right angles from the aforementioned north line of Section 19, a distance of 751.69 feet; thence South $0^{\circ} 34' 30''$ East a distance of 308.49 feet; thence North $89^{\circ} 21' 30''$ West a distance of 752.27 feet; thence North $0^{\circ} 34' 22''$ West a distance of 308.49 feet to the point of beginning.

Containing: 5.34 acres gross

R-2 to P-D

All that portion of the northwest quarter of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the northwest corner of said Section 19, thence South $89^{\circ} 21' 30''$ East along the north line of said Section 19 a distance of 1210.90 feet; thence South $0^{\circ} 34' 22''$ East a distance of 10.00 feet to the centerline of Evergreen Avenue and the true point of beginning of this description; Thence South $89^{\circ} 21' 30''$ East along said centerline of Evergreen Avenue, parallel to and 10.00 feet distant southerly at right angles from the aforementioned north line of Section 19, a distance of 751.69 feet; thence South $0^{\circ} 34' 30''$ East a distance of 308.49 feet; thence North $89^{\circ} 21' 30''$ West a distance of 752.27 feet; thence North $0^{\circ} 34' 22''$ West a distance of 308.49 feet to the point of beginning.

Containing: 5.34 acres gross.

Ord. No. 1040-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 24th day of August, 1970, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Smith, Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Simon

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 23, 1970

**Ordinance 1040 C.S.
Exhibit A – Map**

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

AN ORDINANCE AMENDING THE PARKING METER ZONING MAP OF THE CITY OF MODESTO.

WHEREAS, Section 3-2.1501 of the Modesto Municipal Code provides that changes in the boundaries of the parking meter zones shall be made by ordinance adopting an amended Parking Meter Zoning Map, or section or unit thereof.

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

SECTION 1. PARKING METER ZONING MAP. The Parking Meter Zoning Map of the City of Modesto is hereby amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of August, 19 70, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Dixon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 24th day of August, 1970, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Simon

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 23, 1970

**Ordinance 1041 C.S.
Exhibit A – Map**

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

AN ORDINANCE AMENDING SECTION MAP 18-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(Ward Crump)

WHEREAS, a verified application for an amendment to Section 18-3-9 of the Zoning Map was filed by Ward Crump
Developments, Inc.

on June 15, 1970, to reclassify from One-Family
Residential Zone, R-1, to Two-Family
Residential Zone, R-2, the hereinafter described property, and

WHEREAS, after public hearing held on July 21,
1970, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 70-98, adopted on
July 21, 1970, the Planning Commission recommended to the Council that the application of Ward Crump Developments, Inc.

to amend Section 18-3-9 of the Zoning Map to reclassify the hereinafter described property from One-Family Residential
Zone, R-1, to Two-Family Residential
Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 18-3-9 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Residential Zone,

All that certain real property situate in portion of the Knapp Tract, according to the Official Map thereof, recorded in Volume 2 of Maps at Page 2, Stanislaus County Records, in the County of Stanislaus, State of California, described as follows:

BEGINNING at the Southeast corner of the North half of Lots 5 and 6 of said Knapp Tract, said corner being on the centerline of Carver Road; thence North 0° 46' 30" West along said centerline of Carver Road 495.06 feet to the centerline of Rumble Road; thence North 89° 03' 49" West along said centerline of Rumble Road 1975.60 feet; thence South 0° 38' 25" East 100.04 feet; thence South 89° 03' 49" East 250.10 feet; thence South 0° 38' 25" East 20.01 feet; thence South 89° 03' 49" East 275.60 feet; thence North 0° 56' 11" East 20.00 feet; thence South 89° 03' 49" East 250.00 feet; thence South 0° 56' 11" West 20.00 feet; thence South 89° 03' 49" East 544.00 feet; thence North 0° 56' 11" East 20.00 feet; thence South 89° 03' 49" East 250.00 feet; thence South 0° 56' 11" West 20.00 feet; thence South 89° 03' 49" East 276.12 feet; thence South 0° 46' 30" East 222.00 feet; thence South 66° 47' 12" West 14.74 feet; thence South 0° 54' 06" West 147.00 feet to the North line of Silvaire Drive; thence South 89° 05' 54" East along said North line of Silvaire Drive 147.99 feet to the point of beginning.

CONTAINING: 6.27 acres

Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of August, 1970, by Councilman Dixon, who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

APPROVED: LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY William J. Nichols
Planning Department

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of September, 1970, Councilman Simon moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: October 8, 1970

Ordinance 1042 C.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

AN ORDINANCE AMENDING SECTION MAP 28-3-9 OF
 THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
 CERTAIN PROPERTY LOCATED THEREON. (RONALD C. WHITE)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 28-3-9 of the Zoning Map is hereby amended to reclassify the following-described property from One-family Residential Zone, R-1,
 to Planned-Development Zone, P-D (76) :

All that certain real property situate in the County of Stanislaus, State of California, described as follows:

All that portion of Lot 43 of BROUGHTON COLONY TRACT, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on March 17, 1904 in Volume 1 of Maps, at page 78; (also known as a portion of Block 1002 of the CITY OF MODESTO, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 21, 1942 in Volume 15 of Maps, described as follows:

BEGINNING at the most Southwesterly corner of Lot 7 in Block 1002 of RE-SUBDIVISION OF ESGAR TRACT, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on March 21, 1941, in Volume 14 of Maps, at Page 14, (also known as Lot 7 in Block 1002 of the CITY OF MODESTO, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 21, 1942 in Volume 15 of Maps), said corner being on the North line of a 20-foot alley, as said alley is shown on the Map of TSCHANITZ-VAN HORN TRACT, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on April 16, 1954 in Volume 17 of Maps, at page 72; thence from said point of beginning North 0° 50' West, along the West line of Lots 7 to 14 inclusive in said Block 1002, and the Northerly extension thereof, 475.25 feet to the South line of Lucern Avenue, as said avenue is shown on said Map of RE-SUBDIVISION OF ESGAR TRACT, hereinabove referred to; thence North 89° 57' West, along said South line, 185 feet to the East line of El Vecino Avenue, as said avenue is shown on said Map of RE-SUBDIVISION OF ESGAR TRACT; thence South 0° 50' East, along said East line, 475.25 feet to the North line of said 20 foot alley hereinabove referred to; thence South 89° 59' 15" East along the North line of said 20 foot alley 185 feet to the point of beginning.

INCLUDING also, the southerly 20 feet of Lucern Avenue and the Easterly 20 feet of El Vecino Avenue all being immediately adjacent to the above described property.

SECTION 2. USES. The following uses shall be permitted in said P-D (76) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code:

- 12 duplex structures (24 dwelling units);
- 38 off-street parking spaces; and
- 1 swimming pool and recreation area.

SECTION 3. ZONING MAP. Section Map 28-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of August, 1970, by Councilman Simon, who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: Dixon

ABSENT: Councilmen: Mitchell, Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William J. Nichols
Planning Department

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of September, 1970, Councilman Simon moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: October 8, 1970

Ordinance 1043 C.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

AN ORDINANCE AMENDING SECTION MAP 29-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(SAN JOAQUIN BAKERIES)

WHEREAS, a verified application for an amendment to Section 29-3-9 of the Zoning Map was filed by San Joaquin Bakeries, Inc.

on June 1, 19 70, to reclassify from General Commercial Zone, C-2, to Commercial-Industrial Zone, C-M, the hereinafter described property, and

WHEREAS, after public hearing held on July 21, 19 70, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 70-102, adopted on July 21, 19 70, the Planning Commission recommended to the Council that the application of San Joaquin Bakeries, Inc.

to amend Section 29-3-9 of the Zoning Map to reclassify the hereinafter described property from General Commercial Zone, C-2, to Commercial-Industrial Zone, C-M, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 29-3-9 of the Zoning Map is hereby amended to reclassify the following described property from General Commercial Zone,

C-2 , to Commercial-Industrial Zone,

C-M :

A portion of Section 29, Township 3 South,
Range 9 East, Mount Diablo Base and Meridian,
Stanislaus County, described as follows:

All of Lots 1 through 16 of Block 62 in the
City of Modesto

Including also the south one-half of Needham
Street, the southwesterly one-half of 10th
Street, the northwesterly one-half of "O" Street,
and the northeasterly one-half of 20 foot alley
in said Block 62 and all being immediately
adjacent to the above described property.

SECTION 3. ZONING MAP. Section 29-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of August, 1970, by Councilman Dixon, who moved its introduction and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William D. Nichols
Planning Department

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of September, 1970, Councilman Simon moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED 
LEE H. DAVIES, Mayor

ATTEST: 
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: October 8, 1970

**Ordinance 1044 C.S.
Exhibit A – Map**

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

AN ORDINANCE AMENDING SECTION 9-6.07 OF CHAPTER 6 OF TITLE IX OF THE MODESTO MUNICIPAL CODE RELATING TO SIGN REGULATIONS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 9-6.07 of Chapter 6 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-6.07. SPECIFIC REQUIREMENTS FOR TYPE, AREA AND HEIGHT OF SIGNS BY ZONE. It shall be unlawful for any person to erect, construct or maintain on any lot or parcel any sign of a type or having an area and/or height in violation of the following specific requirements:

(a) R-1 Zone. (1) One for sale or rent sign, unlighted, not exceeding eight (8) square feet in area and six (6') feet in height.

(2) One name plate not exceeding one square foot in area.

(3) One bulletin board or identification sign not exceeding twelve (12) square feet in area and six (6') feet in height for uses permitted by conditional use permits and unclassified use permits.

(4) One construction sign not exceeding twenty (20) square feet in area and six (6') feet in height provided sign is removed not later than thirty (30) days after construction is completed.

(5) One subdivision sign not exceeding sixty-four (64) square feet in area or ten (10') feet in height for each recorded subdivision provided such sign is removed not later than two (2) years from the recording date of the subdivision.

(6) Political signs may be erected, maintained and displayed as follows:

(aa) On lots or parcels upon which there is located a residential structure, except that:

(i) The combined area of all of said signs shall not exceed four (4) square feet.

(ii) The overall height shall not exceed four (4') feet.

(ab) (On lots or parcels upon which there is not located a residential structure, except that:

(i) Each sign shall not exceed thirty-two (32) square feet in area.

(ii) The overall height shall not exceed six (6') feet.

(ac) Political signs shall not be attached to trees, fence posts or utility poles.

~~(ad) Political signs shall not be~~
lighted either directly or indirectly.

(ae) Political signs shall be erected no more than thirty (30) days prior to the date of the election.

(af) Political signs shall be removed within ten (10) days after the date of the election.

(7) Bench signs are not permitted.

(8) Temporary signs are not permitted.

(9) Window signs are not permitted.

(10) Outdoor advertising signs are not permitted.

(b) R-A and F Zones. Same as R-1 Zone.

(c) R-2 Zone. Same as R-1 Zone with the following addition:

(1) Area or group housing project signs not exceeding twelve (12) square feet in area or six (6') feet in height.

(d) R-3 Zone. Same as R-2 Zone with the following addition:

(1) One identification sign not exceeding twelve (12) square feet in area and six (6') feet in height for a boarding house, lodging house or multiple dwelling.

(e) P-0 Zone. Same as R-1 Zone with the following addition:

(1) On major streets one identification sign not exceeding twelve (12) square feet in area and forty-two (42") inches in height.

(2) On collector streets one identification sign not exceeding one square foot in area for each separate use on the premises, and not exceeding twelve (12) square feet in total area, and forty-two (42") inches in height.

(f) C-1 Zone. (1) Only one free-standing or projecting double-faced identification sign not exceeding one hundred fifty (150) square feet in area, thirty-five (35') feet in height, and thirty (30') feet in length is permitted for each use or occupancy.

(2) Canopy or wall identification signs are permitted on each wall of a building or structure provided:

(aa) That on the wall designated as principal frontage of a building or structure said signs may not exceed four (4) square feet in combined sign area for each lineal foot of that wall of the building or structure or portion thereof wherein the use or occupancy is conducted.

(ab) That on each of the other walls of the building or structure said signs may not exceed two (2) square feet in combined sign area for each lineal foot of each wall of the building or structure or portion thereof wherein the use or occupancy is conducted.

(3) Six (6) unlighted signs are permitted which do not exceed twelve (12) square feet in combined sign area; such signs may indicate credit cards honored, trading stamps available, or official public services provided on the premises.

(4) Directional or informational signs not exceeding twelve (12) square feet in area or six (6') feet in height are permitted provided they do not bear any advertising message and that such signs are located wholly on private property on the premises to which they pertain.

(5) One for sale or rent sign not exceeding sixty-four (64) square feet in area and ten (10') feet in height.

(6) One construction sign not exceeding sixty-four (64) square feet in area and ten (10') feet in height.

(7) One canopy sign not exceeding six (6) square feet in area may be hung from a canopy, providing such sign is not less than seven and one-half (7½') feet above a public or private sidewalk.

(8) Bench signs are permitted.

(9) Political signs not exceeding one hundred (100) square feet in area and eight (8') feet in height. Said signs may not be erected more than thirty (30) days prior to the date of the election, and shall be removed within ten (10) days after the date of the election.

(10) Temporary signs are not permitted.

(11) Outdoor advertising signs are not permitted.

(12) Window signs are permitted.

(g) M-P and H-1 Zones. Same as C-1 Zone except that in the H-1 Zone freestanding and projecting identification signs are not permitted.

(h) C-2 Zone. Same as C-1 Zone with the following addition:

(1) Outdoor advertising signs not exceeding three hundred (300) square feet in area, twenty-five (25') feet in height and thirty (30') feet in length, except that:

(aa) No outdoor advertising sign shall be located within two hundred (200') feet of an R-1, R-2, or R-3 Zone or a lot or parcel which has been approved for residential development in a P-O, H-1 or P-D Zone without first obtaining a conditional use permit therefor from the Board of Zoning Adjustment in accordance with the provisions of Article 20 of Chapter 2 of Title X of this Code.

(ab) The maximum combined area of outdoor advertising signs located within a family of circles with 250 foot radii measured from the point or points where the center lines of intersecting streets meet, shall not exceed 600 square feet.

(i) C-M, M-1 and M-2 Zones. Same as C-2 Zone.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of August, 1970, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

APPROVED: Lee H. Davies

LEE H. DAVIES, Mayor

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

ATTEST:

BY W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

Ord. No. 1045-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 24th day of August, 1970, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Simon

APPROVED 
LEE H. DAVIES, Mayor

ATTEST: 
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 23, 1970

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1970-71, AND REPEALING ORDINANCE NO. 984-C. S.

The City Council of the City of Modesto does ordain as follows:

SECTION 1. DEFINITION: TAX CODE AREA. A geographical area within the City of Modesto as established by the State Board of Equalization for the purpose of taxation and as shown on the tax code area maps on file in the Office of the Assessor of Stanislaus County, State of California.

SECTION 2. TAX RATE. There is hereby levied upon the assessed valuation of the property in the following described tax code areas situated in the City of Modesto, State of California, for the fiscal year beginning July 1, 1970, and ending June 30, 1971, the rates of taxation hereinafter specified, said rates being upon each One Hundred and no/100ths (\$100.00) Dollars of the valuation according to the equalized assessment roll, to wit:

(a) Tax Code Areas No. 2-1; 2-2; 2-7; 2-8; 2-9; 2-10; 2-11; 2-12; 2-13; 2-14; 2-15; and 2-18:

For the General Fund	\$ 1.37
For the Bond Redemption and Interest Fund.	\$.01

(1) Municipal Improvement Bonds of 1947 for the redemption of bonds and the payment of interest thereon that shall accrue during the said fiscal year:

For the Park Fund.	\$.05
For the Library Fund	<u>\$.07</u>
The aggregate of said sums, to wit	\$ 1.50

(b) Tax Code Areas No. 2-3 and 2-5:

For the General Fund	\$ 1.37
For the Park Fund.	\$.05
For the Library Fund	<u>\$.07</u>
The aggregate of said sums, to wit	\$ 1.49

SECTION 3. REPEALS. Ordinance No. 984-C. S., adopted by the Council of the City of Modesto on the 18th day of August, 1969,

is hereby repealed.

SECTION 4. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect and be in full force and operation upon adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of August, 1970, by Councilman Simon, who moved its introduction and adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Newton, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

APPROVED:

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

AN ORDINANCE AMENDING SECTION MAPS 4-3-9 AND 9-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO, PREZONING
CERTAIN PROPERTY LOCATED THEREON. (LANCE E. ELLIS)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Sections 4-3-9/ and 9-3-9
of the Zoning Map is hereby amended to prezone the following-described property to Planned-Development Zone, P-PD(75):

Beginning at the section corner common to Sections 3, 4, 9, and 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence North 1° 35' 45" West along the east line of said Section 4 a distance of 961.97 feet; thence North 89° 10' 30" West a distance of 1319.90 feet to the north-south quarter quarter section line; thence South 1° 36' 45" East along said north-south quarter quarter section line a distance of 962.25 feet to the south line of said Section 4; thence South 0° 48' 43" East along the north-south quarter quarter section line of Section 9 a distance of 540.76 feet; thence South 89° 11' 10" East a distance of 1319.50 feet to the east line of said Section 9; thence North 0° 48' West along said east line of Section 9 a distance of 540.76 feet to the point of beginning.

Containing: 45.498 acres gross.

SECTION 2. USES. The following uses shall be permitted in said P-PD(75) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code. Said uses are as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit:

1. A maximum of 290 mobilehome spaces
2. One recreation yard including a swimming pool
3. One 6,000 square foot recreation and utility building
4. One fenced-in boat, trailer, and camper storage area.

SECTION 3. ZONING MAP. Section Maps ⁹⁻³⁻⁹~~4-3-9~~ and/ of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of August, 1970, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Simon

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY William Nichols
Planning Department

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of September, 1970, Councilman Simon moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: October 8, 1970

Ordinance 1047 C.S.
Exhibit A – Map

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

AN ORDINANCE AMENDING SECTION MAP 15-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO, PREZONING
CERTAIN PROPERTY LOCATED THEREON. (MEMORIAL HOSPITAL
ASSOCIATION OF STANISLAUS COUNTY)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 15-3-9 of the Zoning Map is hereby amended to prezone the following-described and to Professional Office Zone, P-O, property to Planned-Development Zone, P-PD(73):

Prezone to P-O:

The Northerly 350.01 feet measured at right angles of the Southwest Quarter of the Southwest Quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

Prezone to P-D:

The Southwest Quarter of the Southwest Quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, excepting therefrom the Northerly 350.01 feet measured at right angles.

SECTION 2. USES. The following uses shall be permitted in said P-PD(73) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code. Said uses are as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit:

1. 5-story, 400-bed Stanislaus Memorial Hospital
2. 5-story, mental health center
3. 5-story convalescent hospital
4. Minimum parking spaces as follows:
 - (a) 400 bed hospital at 1 1/2 space per bed - 600 spaces
 - (b) Mental health center and convalescent hospital - 1 parking space per each 4 beds, 1 parking space for each 200 sq. ft. gross floor area of medical offices.

SECTION 3. ZONING MAP. Section Map 15-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of August, 1970, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Robinson, Simon

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Nichols
Planning Department

**Ordinance 1048 C.S.
Exhibit A – Map**

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of September, 1970, Councilman Simon moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: None

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: October 8, 1970

AN ORDINANCE ANNEXING UNINHABITED TERRITORY
KNOWN AS THE MEMORIAL HOSPITAL-NORTH ADDITION
TO THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by _____

Santo Mantarro, Anna Mantarro, Ralph C. Sanders, Phyllis K. Ayres,Robert B. Ayres, William M. Parker, Louise K. Parker, Williard J.Leuthardon July 22, 1970, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as theMEMORIAL HOSPITAL-NORTH ADDITION, situated in the County of Stanislaus, State of California, and contiguous to the City of Modesto, andWHEREAS, the City Council by resolution adopted on the 27th day of July, 1970, set said petition for hearing at the hour of 4:30 o'clock P.M. on the 21st day of September, 1970, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, andWHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation, to wit: The Modesto Bee, a newspaper published in the City of Modesto on July 30, 1970, and on August 6, 1970; and in The Riverbank News, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on August 7, 1970, and on August 14, 1970, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation

of Uninhabited Territory Act of 1939, as amended, have been complied with,
and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on July 17, 1970, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to the Government Code, and

WHEREAS, on the 21st day of September, 1970, at the hour of 4:30 o'clock P.M., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one-half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

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

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the MEMORIAL HOSPITAL-NORTH ADDITION, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California

as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of September, 1970, by Councilman Smith, who moved its adoption and passage to print, which motion being duly seconded by Councilman Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

APPROVED: Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By R. A. Hayward
Public Works Department

R.H.H.
8-5-70

All that real property in the State of California, County of Stanislaus, being portions of the Southwest quarter of Section 15, Southeast quarter of Section 16, Northeast quarter of Section 21, and the Northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the COFFEE NO. 2 ADDITION (205), as per description filed September 15, 1967, as Instrument 29181, Stanislaus County Records, said point being the center line of a 40.00 foot public road known as Norwegian Ave; thence along said center line and existing City Limits, South $89^{\circ} 12' 33''$ East, 65.24 feet, to the Northwestern corner of the COFFEE ADDITION (191), as per description filed June 14, 1966, as Instrument 21017, Stanislaus County Records; thence along the existing City Limits on the Western boundary of said ADDITION (191), South $3^{\circ} 47' 10''$ East, 1354.33 feet, to the Southwestern corner of said ADDITION (191); thence along the existing City Limits on the Southern boundary of said ADDITION (191), South $89^{\circ} 54' 40''$ East, 482.73 feet; thence North $00^{\circ} 30' 40''$ West, 20.13 feet; thence North $89^{\circ} 29' 20''$ East, 189.67 feet, to the Southeastern corner of said ADDITION (191) and the section line common to Sections 15 and 16; thence along the Eastern line of said ADDITION (191) and said section line, North $00^{\circ} 59' 40''$ West, 1237.67 feet, to the Southwestern corner of the SHERWOOD MEADOWS ADDITION (178), as per description filed July 13, 1965, as Instrument 27284, Stanislaus County Records; thence along the existing City Limits on the Southern boundary of said ADDITION (178), North $89^{\circ} 47' 15''$ East, 1311.70 feet, to the Southeastern corner of said ADDITION (178); thence leaving the existing City Limits and along the North-South quarter, quarter line of the Southwest quarter of Section 15, South $00^{\circ} 52' 30''$ East, 1320.03 feet, to the section line common to Sections 15 and 22; thence along said section line, South $89^{\circ} 56' 05''$ West, 1311.46 feet, to the center line of a 50 foot public road known as Coffee Road and the section corner common to Sections 15, 16, 21, and 22; thence along the East line of Section 21, South $00^{\circ} 36' 00''$ East, 1320.68 feet, to the center line of a 50.00 foot public road known as East Orangeburg Avenue which is also the East-West quarter, quarter line of the Northeast quarter of Section 21; thence along said quarter, quarter Section line, North $89^{\circ} 41' 30''$ West, 1652.73 feet, to the Eastern line of Geneva Heights as per map filed June 28, 1955 in Volume 18 of Maps, Page 29, Stanislaus County Records; thence along said Eastern line, North $00^{\circ} 39' 20''$ West, 1319.45 feet, to the most Southeastern corner of the EAST COOLIDGE ADDITION (244), as per description filed December 1, 1969 as Instrument 39360, Stanislaus County Records; thence along the existing City Limits on the Eastern boundary of said ADDITION (244), North $00^{\circ} 39' 20''$ West, 25.82 feet, to the most Northeastern corner of said ADDITION (244); thence along the existing City Limits on the Northeastern boundary of said ADDITION (244), North $69^{\circ} 35' 00''$ West, 376.75 feet, to the Southerly extension of the Eastern line of Regina Heights as per map filed January 20, 1953 in Volume 17 of Maps, Page 48, Stanislaus County Records; thence along said extension and Eastern line, North $00^{\circ} 34' 28''$ West, 1261.69 feet, to the center line of Norwegian Avenue; thence along said center line, South $89^{\circ} 12' 33''$ East, 1194.37 feet, to the point of beginning, containing 132.049 Acres, more or less.

AN ORDINANCE AMENDING CHAPTER 1 OF TITLE XI OF THE MODESTO MUNICIPAL CODE RELATING TO WATER RATES AND REGULATIONS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Chapter 1 of Title XI of the Modesto Municipal Code is hereby amended to read as follows:

CHAPTER 1 - WATER RATES AND REGULATIONS

SEC. 11-1.01. MANAGEMENT AND SYSTEM. The management, control and care of the municipal water system of the City shall be vested in the Director of Public Works under the general direction of the City Manager.

SEC. 11-1.02. ADMINISTRATION OF FUNDS. The Director of Finance shall be in charge of the collection of all moneys that may become due the City for water services and shall pay the same into the City Treasury and account for the same in the same manner as he pays into the Treasury and accounts for other funds received by him in his official capacity.

SEC. 11-1.03. WATER SERVICES. GENERAL. Water from the Municipal water works shall be delivered to the consumers thereof both within and without the corporate limits of the City in accordance with the terms of this chapter. The City will furnish the service complete from its main to the property line, in case of an alley; to the curb line from a street main when the sidewalk is adjacent to property line; and to the back of sidewalk from a street main when the sidewalk is adjacent to the curb line. The owner shall furnish, install, and maintain all piping to the City service.

SEC. 11-1.04. WATER SERVICE INSTALLATION CHARGES. The following charges shall be paid by consumers for water service installations:

1"	service.\$50.00
1 1/2"	service.\$60.00
2"	service.\$70.00

For installations by the City for services larger than two (2") inches, the City shall charge costs plus ten (10%) per cent. Such services shall be restricted to two (2") inch increments.

SEC. 11-1.05. WATER MAIN CONNECTION CHARGES. In addition to the water service installation charges imposed by Section 11-1.04 of this chapter, and in the case of metered services, the meter costs imposed by Section 11-1.06 of this chapter, the following water main connection charges shall apply:

a) Territory Within the City. For all water service in all areas within the City, minimum main connection charge to existing mains shall be One Hundred Twenty-Five and no/100ths (\$125.00) Dollars for each water connection to serve an area containing not more than

seven thousand square feet (7,000), and an additional one (1) cent for each square foot in excess of seven thousand square feet (7,000) so served.

b) Territory Outside the City. In territory outside the City limits, the minimum main connection charge to existing mains shall be Two Hundred and no/100ths (\$200.00) Dollars for each water connection to serve an area containing no more than seven thousand square feet (7,000) and an additional one (1) cent for each square foot in excess of seven thousand square feet (7,000) so served.

c) Main Extensions. Where water main extensions are required before water service can be provided outside the City, the City may require an agreement with the person desiring water service which shall provide the basis upon which water mains will be constructed and financed. Such an agreement, among other things, may include the requirement of annexation of any territory so served to the City at the earliest opportunity.

d) Allocation of Costs. Notwithstanding the provisions of Subsections (a), and (b) above, the Director of Public Works is hereby authorized to approve and process applications for water service to portions of parcels of land in accordance with the rates specified in the above subsections subject to all of the following terms and conditions:

(1) That the property involved can reasonably be served by the municipal water system.

(2) The total area of such parcels of land to be served shall be not less than twenty thousand square feet (20,000) and the portion of the parcel to be served shall be not less than six thousand square feet (6,000) in area.

(3) A fee of Ten and no/100ths (\$10.00) Dollars shall be paid to the City and shall accompany the application for the purpose of covering the costs of inspection of the premises to make the determination specified in subsections (1) and (2) above.

(4) Connection fees shall be payable based on the size of the portion of the parcel to be served and shall be paid in accordance with the applicable provisions of the Municipal Code.

(5) Water service fees shall be payable in accordance with the Municipal Code provisions relating to water service generally.

(6) The portion of the area to be served shall be recorded by means of a sketch map on the water service card filed in the Department of Public Works.

(7) In addition to the remedies for violations to the provisions of this Code, as an additional and alternate remedy, the Director of Public Works shall have the authority to immediately discontinue water service without requirement of notification in the event that he shall determine that water supplied to serve the area under the permit is used on other premises.

e) Water Connection Charges to Subdivisions. Each subdivision of land shall be served by the City water system only if the developer of said subdivision agrees that if the water main connection charges set forth in subsections (a), (b) and (c) above have not been paid for eighty (80%) per cent of all lots within said

from the date of recordation of the final map, or within three (3) years of the completion of installation of the water lines by the City, whichever is the longer period of time, developer, or his assignees, shall forthwith pay to City water main connection charges for all lots for which said fees have not been paid. Notwithstanding the provisions of this subsection, the City may enter into special agreements with developers of industrial subdivisions which shall provide the basis upon which water mains shall be constructed and financed.

SEC. 11-1.06 METERED SERVICES.

a) All hotels, lodging houses, two family dwellings, multiple family dwellings, camp grounds, office buildings, eating houses, commercial establishments, industrial plants, theaters, hospitals, laundries, dance halls, warehouses, bus stations, milk plants, manufacturing establishments, service stations, wash racks, cooling systems, and any or all other places offering services to the public or commodities for sale, as well as owners of gardens using water for irrigation or flowers and vegetables to be used commercially, must be equipped with meters and shall be charged for water on the metered rate as specified in Section 11-1.07 of this Chapter.

b) Where clusters of single-family dwellings are located on a single parcel of property, service may be provided by an unmetered connection for each individual unit or a single metered connection serving all units under one ownership. Where clusters of multiple family dwellings are located on a single parcel, a single metered connection may serve all units.

c) All buildings of any kind whatsoever, whether industrial, commercial, or residential, heretofore or hereafter equipped with water using heat pumps or refrigeration units shall be equipped with meters and shall be charged for water on the metered rate as specified in Section 11-1.07 of this Chapter.

d) Each swimming pool and bathing pool heretofore or hereafter constructed shall be metered except those located on residential property and equipped with a filtering system meeting the standards approved by the Director of Public Works; provided, further, that every swimming pool and bathing pool heretofore or hereafter constructed which is used commercially or by a closed membership association or corporation shall be metered. The connection fee and water rates for pools required to be metered shall be as provided for other metered connections.

e) For all metered services, the City will furnish, install and maintain all meters with the consumer to pay the cost of the meter. The cost of meters shall be in accordance with a schedule approved by the Council from time to time by resolution and on file in the offices of the City Clerk, Director of Public Works, and Director of Finance. In the case of existing meters under the ownership of the consumer, the City will assume responsibility for maintenance and replacement of the meters upon receipt of transfer of title from the owner. Said title shall be in a form satisfactory to the Director of Public Works.

f) Except as provided in Section 11-1.14(a), single family dwellings shall not be required to have metered services nor to pay for the cost of meters.

SEC. 11-107 CHARGES FOR METERED WATER SERVICES. All water delivered through the meter shall be charged as follows:

For the first six thousand (6,000) cubic feet per bi-monthly period, One and 35/100ths (\$1.35) Dollars per one thousand (1,000) cubic feet. For the next sixty thousand (60,000) cubic feet per bi-monthly period, One and 12 1/2 / 100ths (\$1.12 1/2) Dollars per one thousand (1,000) cubic feet. For the next thirty-four thousand (34,000) cubic feet per bi-monthly period, One and 05/100ths (\$1.05) Dollars per one thousand (1,000) cubic feet. For all over one hundred thousand (100,000) cubic feet per bi-monthly period, sixty-five (65¢) cents per one thousand (1,000) cubic feet; provided, however, that in any event, the following minimum rates shall be charged and paid:

CUBIC FEET FOR MINIMUM RATE

Size of Meter	Bi-Monthly Rate	Cubic Feet
5/8" and 3/4"	\$ 4.50	3,333
1"	6.00	4,444
1 1/4"	7.50	5,555
1 1/2"	7.50	5,555
2"	9.00	6,800
3"	12.00	9,466
4"	16.50	13,466
6"	24.00	20,133
8"	30.00	25,466

Independent fire sprinkler systems and private fire hydrant systems shall pay one-half (1/2) of the above minimum meter rate based upon the size of the service or services off the City main.

If a meter shall be found out of order, the bi-monthly charge shall be determined by the Director of Finance based upon previous water consumption.

If a consumer has more than one meter, a separate minimum charge will be made for each meter as well as the amount of water registered for each meter. Compound meters, however, shall be construed to be a single meter.

Charges for metered services will be due and payable when billed and no advance or partial payments of such charges will be accepted by the City without consent of the Director of Finance.

SEC. 11-1.08 USE OF FIRE HYDRANTS REGULATED. When it is necessary to use water temporarily in connection with any type of construction or other operation at a place where the water supply is inadequate for such purposes, application may be made to the Department of Public Works for a permit to use water from a fire hydrant. No person shall use water from, or connect any apparatus to, a fire hydrant without first obtaining a permit.

Each permit shall specify the terms and conditions of use and the fire hydrant or hydrants authorized to be used. No person shall attach to the operating stem or cap of a fire hydrant any wrench or tool that is not approved by the Department of Public Works for use on fire hydrants. In addition to any other remedy available to the City, any wrench, connecting apparatus, valve,

hose, or other item attached to a fire hydrant in violation of this section shall be subject to removal and confiscation by the City.

SEC. 11-1.09 CHARGES FOR USE OF FIRE HYDRANTS. Water used from a fire hydrant shall be metered when practicable, as determined by the Director of Public Works, with the meter to be provided by the City. Unmetered water shall be charged at the metered rate, based upon City estimates of the quantity of water used, and such estimates shall be conclusive. The charges shall be determined from Section 11-1.07 of this chapter plus a Ten and no/100ths (\$10.00) Dollar service charge.

SEC. 11-1.10 CHARGES FOR UNMETERED SERVICES. Charges for water delivered from an unmetered service shall be based upon the area of the property as established in Section 11-1.05 and shall be as follows:

Lot Area	Bi-Monthly
3,500 square feet or less.....	\$ 5.25
3,501 to 7,000 square feet.....	6.00
7,001 to 10,500 square feet.....	6.75
10,501 to 14,000 square feet.....	7.50
14,001 to 17,500 square feet.....	9.00
17,501 to 21,000 square feet.....	10.50
For each 3,500 square feet, or fraction thereof, over 21,000.....	1.50

When water is turned on or off at any time between the beginning and end of the bi-monthly period, the amount charged shall be pro-rated to the nearest one-half (1/2) month.

No partial payments of the above charges will be accepted by the City. A five (5%) per cent discount will be made in all billings on unmetered services paid one (1) year in advance.

SEC. 11-1.11 SPECIAL SITUATIONS. Anything to the contrary herein stated notwithstanding, the Council shall have the power to establish by agreement or resolution the rates to be charged for providing water services to government agencies, including school districts, private schools, and to any person outside the corporate limits of the City at rates different from those heretofore set forth and on a basis that is fair and equitable to all the parties concerned.

SEC. 11-1.12 WATER SERVICE CHARGES TO CHURCHES AND PARSONAGES.

a) Unmetered Basis. Charges for water service to churches may be paid in accordance with Section 11-1.10 of this Code. Where a residence used as a parsonage is located on the same property as a church and the unmetered schedule is used, the charge for said residence shall be Five and 25/100ths (\$5.25) Dollars bi-monthly. The charge for the church shall then be computed by area, less three thousand, five hundred (3,500) square feet.

b) Metered Basis. A church may request that water service be provided on a metered basis. In this event the metered rate contained in Section 11-1.07 of this Code shall apply. If a meter is installed, service will be furnished only on a metered basis for a period

of at least one year after installation.

SEC. 11-1.13 DEPOSIT FOR WATER SERVICE. An advance deposit of Fifteen and no/100ths (\$15.00) Dollars shall be required for each service, except that if the Director of Finance is of the opinion that a larger deposit is required in order to protect the interests of the City, he may require, an advance deposit in an amount not to exceed twice the amount of charges of a normal billing period. The advance deposit shall not be required where the consumer owns the real property being served.

Said advance deposit may be applied toward the non-payment of water and sewer service accounts after the service has been discontinued. Service shall not be resumed on such accounts until such time as the deposit is replaced to the satisfaction of the Director of Finance.

SEC. 11-1.14. RULES AND REGULATIONS. In addition to all other provisions and requirements of this Chapter the following additional rules and regulations for the use of water are hereby established:

(a) Consumers on the unmetered rate shall not waste water. The City shall have the right, after notifying the occupant in writing of such waste, to install a meter at the consumer's expense, if waste continues.

(b) All water services installed shall have a wheel valve where the service pipe enters the house and/or structure.

(c) In making plumbing connections, the consumer shall comply with the regulations of the State and County Departments of Public Health. Such regulations prohibit (1) unprotected cross-connections between a public supply and any unapproved source of water, and (2) water service to premises where there is a possibility of contaminated water backflowing into the public water system. In addition, approved double check valves or other protective devices shall be installed on water services when (1) another source of water, whether cross-connected or not, is in use or is available for use; or (2) contaminating liquid substances of any kind are used, produced, or processed. The Director of Public Works shall determine the type, design and layout of backflow control devices required at each premises and the devices shall be installed at the expense of the customer. The control devices shall be inspected, tested and approved by the Director of Public Works as a condition of service to the premises.

(d) Regulations of the California State Department of Public Health require the owner of any premises on or for which check valves or other protective devices are installed to inspect these devices for water tightness and reliability at least once per year. Double check valves and other protective devices may, in addition, be inspected and tested for water tightness by the City at any time. If the inspection cannot be made without undue difficulty because of an obstruction or other interference, the consumer will be notified and requested either to correct the condition or have the inspection made at his own expense and witnessed by the City. Any defects found in any backflow control device shall be corrected by the consumer within three (3) days. Failure to correct such defects is cause for discontinuance of water service.

(e) Water bills for unmetered services shall be issued on a bi-monthly basis for water service in the months immediately preceding and following the first of the month in which they are issued. The water bills are due and payable upon presentation, and if they are not paid at the end of the month in which they are billed, they shall be considered delinquent. If they are delinquent for more than ten (10) days and a delinquent notice issued by the Director of Finance has been delivered to the user or posted on the premises, a delinquent charge of Two (\$2.00) Dollars shall be added to the regular service charges, and service shall be subject to being disconnected. If the water service is disconnected because of non-payment, the service shall not be reconnected until the amount of the delinquent bill including the delinquent charge of Two (\$2.00) Dollars and an additional Two (\$2.00) Dollar charge for reconnection is paid except where a new owner has acquired title since the delinquent bill was incurred.

(f) Water bills for metered services shall be issued for the two (2) months immediately preceding the date of the meter reading and shall be due and payable upon presentation. If the water bills are not paid at the end of the month in which they are billed, they shall be considered delinquent and the same procedure and charges as for the unmetered service shall apply.

(g) No person shall supply water in any way for use outside of the premises to which the service is assigned or appurtenant, except by permission from the Director of Public Works.

(h) The water charges herein specified will be charged against vacant or untenanted buildings unless notice of the vacancy and a request for discontinuance of service is made to the office of the Director of Finance.

(i) Access to service connections and water meters must be provided at all times.

(j) All persons must keep the service pipes in good order at their own expense and may be held liable for damages which may result from their failure to do so. When leaky faucets or fixtures are discovered and not immediately repaired, the water service may be disconnected. Authorized employees of the City of Modesto shall be admitted at all reasonable hours to all parts of any premises supplied with water, except the interior of dwellings, but including the meter box, to see that the regulations contained in this chapter are observed and complied with.

(k) It shall be unlawful for any person to interfere with the City service lines, valves or meters or to construct a by-pass around a meter or service.

(l) Owners of property will be held responsible for water used on their premises, although payments will be accepted from tenants. In case the tenants do not pay in accordance with the provisions of this chapter, the service may be disconnected and shall not be restored until the delinquent water charges, including the cost of water delivered as well as the cost of reconnecting service, shall have been paid.

(m) All unpaid accounts for water delivered at any premises shall be a lien against the real property.

(n) All sprinkler systems installed for the irrigation of lawns and flowers shall be so designed and installed that the water shall not be sprayed or permitted to be sprayed over or upon a sidewalk. Portable sprinklers will not be permitted on the sidewalk, nor may they be placed in such a manner as to spray the water upon sidewalks or so as to prevent pedestrians from using the sidewalks at all times without being struck or wet by the spray from the sprinklers.

(o) Independent fire sprinkler systems and private fire hydrant systems shall have a check valve and bypass meter assembly supplied, installed, and maintained by the consumer in accordance with standard drawings on file in the office of the Director of Public Works.

SEC. 11-1.15 The Director of Public Works is hereby empowered to make interpretations of this chapter whenever a question may arise as to the necessity for, type of manner or method in which materials, meters, or backflow control devices shall be installed. Said interpretation shall be in writing and a copy thereof shall be filed in the office of the Director.

SEC. 11-1.16 RECORDS. The Director of Public Works shall keep complete records of all permits issued and other official work performed under the provisions of this chapter.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of September, 1970, by Councilman Mitchell,

who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Simon, Smith,
Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

APPROVED: *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST:

By *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By *Elwyn L. Johnson*
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 28th day of September, 1970, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Dixon, Mitchell, Newton, Robinson, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED *Lee H. Davies*
LEE H. DAVIES, Mayor

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: October 28, 1970