

AN ORDINANCE AMENDING SECTION MAP 19-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (KING DEVELOPMENT COMPANY)

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 Medium High Density Residential Zone, R-3, and a portion of Planned-Development Zone, P-D(128), to Planned-Development Zone, P-D(140):

All that certain real property situate in the Northwest quarter of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel 1 - R-3 to P-D

Commencing at the center line intersection of Orangeburg Avenue and Martin Avenue; thence North 89°38'45" West, along the center line of said Orangeburg Avenue, a distance of 195.67 feet to the point of beginning of this description; thence South 0°41'00" East, 443.65 feet; thence North 89°34'45" West, 71.16 feet more or less to the Northeasterly line of the property conveyed to the State of California by deed recorded in Volume 1412 of Official Records, at page 592, as Instrument No. 5325, Stanislaus County Records; thence along said Northeasterly line of said State of California property along a curve concave to the southwest having a radius of 2000.00 feet, through an angle of 1°20'22" a distance of 46.76 feet more or less to an angle point on said Northeasterly line on State of California property; thence continuing along said North-easterly line of State of California property the following (2) two courses; 1) North 44°51'49" West, 193.02 feet, 2) North 48°10'45" West, 16.30 feet; thence North 0°41'00" West, 219.07 feet to said South right-of-way line of Orangeburg Avenue; thence on a radial line North 3°13'08" East, 40.00 feet to said center line of Orangeburg Avenue, thence in an easterly direction along a curve concave to the north from a radial line bearing North 3°13'08" East, having a radius of 200.00 feet, through an angle of 2°51'53" and a distance of 10.00 feet; thence continuing along said center line of Orangeburg Avenue South 89°38'45" East, 232.99 feet to the point of beginning.

Containing 2.10 Acres

Parcel 2 - P-D(128) to P-D

Commencing at the center line intersection of Orangeburg Avenue and Martin Avenue; thence North 89°38'45" West, along the center line of said Orangeburg Avenue a distance of 195.67 feet; thence South 0°41'00" East, 443.65 feet to the point of beginning of this description; thence continuing South 0°41'00" East 62.86 feet; thence South 89°19'00" West 29.69 feet more or less to the Northeasterly line of the property conveyed to the State of California by deed recorded in Volume 1412 of Official Records, at Page 592, as Instrument No. 5325, Stanislaus County Records; thence along said Northeasterly line of said State of California property along a curve concave to the southwest having a radius of 2000.00 feet, through and angle of 2°11'25", a distance of 76.46 feet; thence South 89°34'45" East 71.16 feet to the point of beginning.

Containing 0.07 Acre

SECTION 2. USES. The following uses shall be permitted in said P-D(140)

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:

- a. A 100-unit motel
- b. A manager's living unit
- c. A parking area
- d. A swimming pool and recreation area

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 23rd day of February, 1976, by Councilmember Newton, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: 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

APPROVED AS TO DESCRIPTION:

By William D. Nichols
Department of Planning and Community
Development

Ordinance 1501 C.S.
Exhibit A – Map

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

Ord. No. 1501-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 1st day of March, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Newton

APPROVED 
LEE H. DAVIES, Mayor

ATTEST: 
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: March 31, 1976

AN ORDINANCE AMENDING SECTION MAP 28-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (P-D(139) - MODESTO CITY HOSPITAL, INC., OCTOMEDENT, INC., AND ANTASON'S)

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 Neighborhood Commercial Zone, C-1, General Commercial Zone, C-2, Professional Office Zone, P-0, and Medium High Density Residential Zone, R-3, to Planned-Development Zone, P-D(139):

All of that portion of Blocks 128, 129, and "M" of the City of Modesto as per map filed December 21, 1942, in Volume 15 of Maps, in the Stanislaus County Records, described as follows:

R-3 to P-D

All of lots 31, 32, and the southwest 46 feet 8 inches of Lots 1, 2, 3, and 4 all in said Block "M" and the Northeast 10 feet of the 20 foot alley immediately adjacent to said Lots 3 and 4, also all of the 20 foot alley immediately adjacent to said Lots 1 and 2, and also the northeast 40 feet of 17th Street immediately adjacent to said Lots 31 and 32 and also including the southeast 40 feet of "G" Street immediately adjacent to the above described property.

P-0 to P-D

All of Lots 1, 2, 3, and 4 of said Block 128 and the southwest 40 feet of 17th Street, the southeast 40 feet of "G" Street and the northeast 10 feet of the 20 foot alley of Block 128, all being immediately adjacent to Lots 1, 2, 3, and 4.

C-1 to P-D

All of Lots 5, 14, 15, and 16 in said Block 129 and the northeast 10 feet of the 20 foot alley and the southwest 40 feet of 18th Street all being immediately adjacent to said Lots 5, 14, 15, and 16. Including also the northwest 40 feet of "G" Street immediately adjacent to the above described property.

All of Lots 17 thru 28 inclusive in said Block 129 and the southwest 10 feet of the 20 foot alley and the northwest 40 feet of "G" Street and the northeast 40 feet of 17th Street all being adjacent to said Lots 17 thru 28 inclusive.

C-2 to P-D

All of Lots 1, 2, 3, 4, 29, 30, 31, and 32 in said Block 129 and all of the 20 foot alley immediately adjacent to said Lots 1, 2, 3, and 4, including the southwest 40 feet of 18th Street, the northeast 40 feet of 17th Street, and the southeast 40 feet of "H" Street, all being adjacent to the above described property.

Containing: 4.5 acres gross

SECTION 2. USES. The following uses shall be permitted in said P-D(139) 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:

- a. Hospital.
- b. Medical and dental offices and laboratories.
- c. Pharmacy.
- d. Off-street parking.

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 1st day of March, 1976, by Councilman Elliott, who moved its introduction and passage to print, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:


LEE H. DAVIES, Mayor

ATTEST:

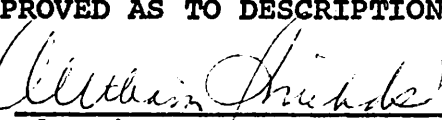

W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY 
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

BY 
Planning Department

Ordinance 1502 C.S.
Exhibit A – Map

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

Ord. No. 1502-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 8th day of March, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Newton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: April 7, 1976

ORDINANCE NO. 1503 -C.S.

AN ORDINANCE AMENDING SECTION MAP 18-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (P-D(138) - RULE DEVELOPMENT)

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

SECTION 1. ZONING CHANGE. Section 18-3-9 of the Zoning Map is hereby amended to reclassify the following-described property from Medium High Density Residential Zone, R-3, and Low Density Residential Zone, R-1, to Planned-Development Zone, P-D(138):

All that certain real property situate in a portion of the Southeast quarter of Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel 1 - R-1 to P-D

Beginning at the Southwest corner of Parcel B, as shown on Parcel Map recorded in Volume 6 of Parcel Maps, at Page 114, Stanislaus County Records; thence North 0° 33' 40" West along the Westerly line of said Parcel B, a distance of 165.38 feet to the Northwest corner of said Parcel B; thence North 89° 37' East long the Northerly line of said Parcel B, a distance of 127.20 feet; thence South 0° 34' East 157.80 feet; thence South 45° 04' 15" West 13.98 feet to the southerly line of said Parcel B; thence North 89° 17' 30" West along said Southerly line, a distance of 117.25 feet to the point of beginning.

Parcel 2 - R-3 to P-D

Commencing at the Southwest corner of Parcel B, as shown on Parcel Map recorded in Volume 6 of Parcel Maps, at Page 114, Stanislaus County Records; thence North 0° 33' 40" West along the Westerly line of said Parcel B, a distance of 165.38 feet to the Northwest corner of said Parcel B; thence North 89° 37' East along the Northerly line of said Parcel B, a distance of 127.20 feet to the point of beginning of this description; thence continuing North 89° 37' 00" East 172.80 feet to the center line of Tully Road; thence South 0° 33' 40" East along said center line a distance of 117.09 feet; thence North 89° 17' 30" West 172.82 feet; thence North 0° 34' 00" West 113.80 feet to the point of beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(138) 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:

- a. Offices permitted in the P-O Zone.
- b. Business offices not engaged in retailing or wholesaling and excluding banks and financial institutions.
- c. A parking area.

SECTION 3. ZONING MAP. Section Map 18-3-9 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 1st day of March, 1976, by Councilmember Newton, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: 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

APPROVED AS TO DESCRIPTION:

By Urban Smith
Department of Planning & Community Development

Ordinance 1503 C.S.
Exhibit A – Map

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

Ord. No. 1503-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 8th day of March, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Newton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: April 7, 1976

ORDINANCE NO. 1504-C. S.

AN ORDINANCE REPEALING ORDINANCE NO. 1054-C. S. OF THE CITY OF MODESTO, AND AMENDING SECTION MAP 15-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (U. S. BY-PRODUCTS, INC.)

WHEREAS, by Ordinance No. 1054-C.S., entitled "An Ordinance Amending Section Map 15-3-9 of the Zoning Map of the City of Modesto, Rezoning Certain Property Located Thereon. (U. S. By-Products, Inc.)," effective November 28, 1970, the Council of the City of Modesto rezoned to Planned Development Zone, P-PD(79), for a neighborhood shopping center, property located at the northwest corner of Floyd Avenue and Oakdale Road, described as follows:

A portion of the North 1/2 of the Northeast 1/4 of the Section 15, T. 3 S., R. 9 E., M. D. B. and M. more particularly described as follows:

Commencing at the southeast corner of said North 1/2 of Northeast 1/4 of Section 15, T. 3 S., R. 9 E. being the centerline of Floyd Avenue and Old Oakdale Road. The N 20' and West 20' to the true point of beginning and thence South 89° 44' West 430' along the North line of Floyd Avenue; thence North 0° 50' West 895'; thence North 89° 44' East 430' to the West line of Old Oakdale Road. Thence South 0° 50' East 895' to the point of beginning.

Including also the northerly 20 feet of Floyd and the Westerly 20 feet of Old Oakdale Road all being immediately adjacent to the above described property.

Containing 8.13 acres net,

and

WHEREAS, by Resolution No. 70-1005, entitled "A Resolution Approving a Development Plan for Rezoned Planned Development Zone, P-PD(79). (U. S. By-Products, Inc.)," adopted on October 13, 1970, the Council of the City of Modesto approved a Development Plan for P-PD(79) specifying that the entire construction program for the shopping center was to be accomplished in one phase with construction to begin on or before January 1, 1973, and

WHEREAS, the land area containing P-PD(79) was annexed to the City of Modesto in the Oakdale-Floyd Addition, which annexation became effective January 5, 1971, and in accordance with Section 10-2.1505 of the Modesto Municipal Code, P-PD(79) automatically became P-D(79), and

WHEREAS, the Planning Commission, by Resolution No. 72-162, adopted November 21, 1972, granted a three-year time extension for P-D(79) specifying that construction was to begin on or before January 1, 1976, and

WHEREAS, the owner of the above described property has failed to commence construction by January 1, 1976, 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 Commission shall initiate proceedings under Article 21 of this chapter 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 January 6, 1976, by Resolution 76-2, the Planning Commission initiated proceedings to repeal P-D(79) and rezone to Low Density Residential Zone, R-1, the 8-acre site described above, and set a public hearing for February 17, 1976, and

WHEREAS, after a public hearing held on February 17, 1976, the Planning Commission found and determined that rezoning of the above-described property, as initiated, is required for the following reasons:

1. The owner or applicant has been unable to commence development of the P-D(79) shopping center within the time limits as extended.
2. The policy of the City of Modesto provides that neighborhood shopping center development must commence within three years or zoning must be repealed to allow another developer of another property at the same intersection the opportunity to develop.
3. Repeal of P-D(79) and rezoning to R-1, as initiated, would comply with the City's one corner commercial policy and in addition would not prejudice the City against ultimate utilization of a good portion of the subject property for alternate uses such as medium-high density residential development,

and

WHEREAS, after a public hearing held on March 22, 1976, the Council found and determined that rezoning of the above-described property, as initiated by the Planning Commission, is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 76-32 and quoted above,

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

SECTION 1. REPEAL OF PRESENT ZONE CLASSIFICATION.

Section 15-3-9 of the Zoning Map of the City of Modesto is hereby amended to repeal Planned Development Zone, P-D(79).

SECTION 2. ZONING MAP. Section 15-3-9 of the Zoning Map

of the City of Modesto is amended to rezone said above-described property to Low Density Residential Zone, R-1, as shown on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 3. REPEALS. Ordinance No. 1054-C.S., adopted by

the Council of the City of Modesto is 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 22nd day of March, 1976, by Councilmember Elliott, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Dunlap, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: 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

APPROVED AS TO DESCRIPTION:

By John R. Casey
Department of Planning and
Community Development

Ordinance 1504 C.S.
Exhibit A – Map

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

Ord. No. 1504-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 5th day of April, 1976, Councilmember Newton moved its final adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

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

EFFECTIVE DATE: May 5, 1976

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

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 property to Planned-Development Zone, P-PD (141):

ALL that certain real property situate in the County of Stanislaus, State of California, being the East half of the North half of the Southeast quarter of the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Northeast corner of the East half of the North half of the Southeast quarter of the Northeast quarter of said Section 15, said corner being the center line intersection of Floyd Avenue with Oakdale Road; thence South $89^{\circ} 56' 40''$ West, along the East-West quarter-quarter section line, and the center line of Floyd Avenue, a distance of 656.27 feet to the Northwest corner of the East half of the North half of the Southeast quarter of the Northeast quarter of Section 15; thence south along the west line of the East half of the North half of the Southeast quarter of the Northeast quarter of Section 15, a distance of 660.42 feet to the East-West quarter-quarter-quarter section line of said Section 15; thence North $89^{\circ} 57' 35''$ East, along said quarter-quarter-quarter line, a distance of 663.67 feet to the East line of said Section 15, and the center line of Oakdale Road; thence North $0^{\circ} 38' 30''$ West, along said East line of Section 15, and said center line of Oakdale Road, a distance of 660.63 feet to the point of beginning.

Containing 10.01 Acres

SECTION 2. USES. The following uses shall be permitted in said P-PD (141) 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 neighborhood shopping center with only those uses permitted within the C-1 Zone.
2. An off-street parking area.

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 22nd day of March, 19 76, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: 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

APPROVED AS TO DESCRIPTION:

By William D. Richards
Planning Department

Ordinance 1505 C.S.
Exhibit A – Map

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

Ord. No. 1505-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 5th day of April, 1976, Councilmember Newton moved its final adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None


ABSENT: Councilmembers: Kullijian

APPROVED



LEE H. DAVIES, Mayor

ATTEST:



W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: May 5, 1976

AN ORDINANCE AMENDING SECTION MAP 8-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(RULE AND DALE)

WHEREAS, a verified application for an amendment to Section
8-3-9 of the Zoning Map was filed by Jerold C. Rule and
Ronald C. Dale
on January 15, 1976, to reclassify from Low-Density Residential
Zone, R-1, to Highway Frontage
Zone, H-1, the hereinafter described
property, and

WHEREAS, after public hearing held on February 17, 1976,
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. 76-34, adopted on February 17,
1976, the Planning Commission recommended to the Council that the
application of Jerold C. Rule and Ronald C. Dale

to amend Section 8-3-9 of the Zoning Map to reclassify the herein-
after described property from Low-Density Residential
Zone, R-1, to Highway Frontage
Zone, H-1, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on
March 22, 1976, 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
for the following reasons:

SECTION 2. ZONING CHANGE. Section 8-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Low-Density Residential Zone, R-1, to Highway Frontage Zone, H-1:

All that certain real property situate in the Southeast Quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the intersection of the centerlines of McHenry Avenue and Woodrow Avenue; thence North 89°04'15" West along said centerline of Woodrow Avenue 425.22 feet to the Point of Beginning of this description; thence South 0°55' East parallel with and 425.00 feet Westerly of said centerline of McHenry Avenue a distance of 821.24 feet to a point on the North line of Parcel 1 as shown on Parcel Map filed for record in Book 11 of Parcel Maps at Page 1, Stanislaus County Records; thence North 89°01'45" West along the North line of said Parcel 1 a distance of 26.77 feet to the Northwest corner thereof; thence North 0°55' West 158.90 feet; thence North 89°01'45" West 2.52 feet to the Southeast corner of Northwood Manor according to the Official Map thereof filed for record in Volume 22 of Maps at Page 59, Stanislaus County Records; thence North 0°44'45" East along the East line of said Northwood Manor and the Northerly extension thereof, a distance of 661.98 feet to said centerline of Woodrow Avenue; thence South 89°04'15" East along said centerline of Woodrow Avenue 10.07 feet to the point of beginning.

Containing 0.397 acres

SECTION 3. ZONING MAP. Section 8-3-9 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 March, 1976, by Councilman Siefkin, 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: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, 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

APPROVED AS TO DESCRIPTION:

By William Orville
Planning Department

Ordinance 1506 C.S.
Exhibit A – Map

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

Ord. No. 1506-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 5th day of April, 1976, Councilmember Newton moved its final adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Mensinger, Newton, Siefkin, Mayor Davies
NOES: Councilmembers: None
ABSENT: Councilmembers: Kullijian

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

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

EFFECTIVE DATE: May 5, 1976

AN ORDINANCE AMENDING SECTION 10-2.2905 OF ARTICLE 29 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE; AMENDING SECTIONS 10-2.3001, 10-2.3002, 10-2.3002.1, 10-2.3002.2 AND 10-2.3003 OF ARTICLE 30 OF CHAPTER 2 OF TITLE X; AND ADDING SECTION 10-2.2005.1 TO ARTICLE 20 OF CHAPTER 2 OF TITLE X RELATING TO THE ZONING REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 10-2.2905 of Article 29 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.2905. PLOT PLAN. The applicant for a use authorized in the H-1 Zone is required to provide a complete plot plan drawn to a scale of not less than one (1") inch for each twenty (20') feet to assist the staff, Board of Zoning Adjustment and Planning Commission in evaluating the proposed development.

(a) The plot plan shall include but not be limited to:

- (1) The location of all proposed buildings, facilities, and open spaces.
- (2) The location of on-site vehicular and pedestrian circulation.
- (3) The location of all off-street parking.
- (4) The location of all land to be dedicated to or reserved for public use.
- (5) The location and extent of street improvements as determined in consultation with the Public Works Department.
- (6) The location of all garbage and refuse facilities.
- (7) Elevations and/or perspective drawings of proposed structures. Such drawings need not be the result of final architectural decisions and need not be in detail. The purpose of such drawings is to indicate within stated limits the height of proposed buildings and the general appearance of the proposed structures to the end that the development will have architectural unity and be in harmony with surrounding developments.
- (8) The plot plan shall include all dimensions pertinent to any requirement of the Municipal Code.

(b) In reviewing the proposed development, the Board of Zoning Adjustment or Planning Commission may utilize design review guidelines as it may adopt from time to time. Such guidelines may include site layout (including location of open spaces), building design and siting, and compatibility with surrounding land and development.

SECTION 2. AMENDMENT OF CODE. Sections 10-2.3001, 10-2.3002, 10-2.3002.1, 10-2.3002.2 and 10-2.3003 of Article 30 of Chapter 2 of Title X of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 10-2.3001. PURPOSE. The Professional Office (P-O) Zone permits the location of business and professional offices, institutional uses and related service uses on major streets as designated in the General Plan adjacent to a related center of activity, such as a hospital, a shopping center or adjacent to the downtown commercial area; and as part of compact professional office districts.

Because of the above locational characteristics of this zone, the setback, lot coverage, and sign standards are non-commercial in nature and are compatible with residential uses. The landscaped areas which are required will also contribute to the overall amenity of the institutional uses around which this zone could be located.

SEC. 10-2.3002. PERMITTED USES UPON APPROVAL OF THE BOARD OF ZONING ADJUSTMENT. In the P-O Zone the following uses are permitted as are hereinafter specifically provided and allowed:

(a) Subject to plot plan approval by the Board of Zoning Adjustment as outlined in Section 10-2.3002.3.

(1) Medical and dental offices and laboratories, not including the manufacture, sale or distribution of pharmaceutical or other similar products.

(2) Professional offices for any of the following: accountants, architects, attorneys, chiropractors, optometrists, chiropodists, engineers.

(3) On parcels having frontage on major streets which are designated on the General Plan, the following additional uses are permitted in a P-O Zone;

(aa) Business offices not engaged in on-premise retail sales or wholesale sales and excluding banks and financial institutions.

(ab) Nonprofit membership organizations, private clubs, fraternities, sororities, lodges.

(ac) Professional offices for any of the following: real estate sales and management, insurance sales and services, surveyors, stockbrokers.

(ad) Public and quasi-public uses except corporation yards, storage or repair yards or warehouses.

(4) Storm drainage basins and related facilities.

(b) Subject to securing a conditional use permit and plot plan approval from the Board of Zoning Adjustment in accordance with Article 20 of this chapter.

(1) Churches.

(2) Convalescent hospitals.

(3) Rest homes, nursing homes.

(4) Pharmacies.

(5) Veterinarians.

(6) Laboratories including the manufacture, sale and distribution of pharmaceuticals and other similar products.

(7) Ambulance service.

(8) Florists.

(9) Commercial schools.

(10) Hospital supplies.

(11) Nonprofit educational and scientific agencies.

(12) Off-street parking accessory to uses permitted in this chapter.

SEC. 10-2.3002.1. PERMITTED USES UPON APPROVAL OF PLANNING COMMISSION.

(a) In any Professional Office Zone the following uses are permitted subject to plot plan review and approval by the Planning Commission pursuant to Section 10-2.604 and Section 10-2.704.

(1) Residential uses of R-2 density or less. Such development shall be subject to the provisions of Article 5 or Article 6 (whichever is appropriate) of this chapter.

(2) Residential uses of R-3 density or less on parcels having frontage on major streets which are designated on the General Plan. Such development shall be subject to the provisions of Article 5, Article 6 or Article 7 (whichever is appropriate) of this chapter.

SEC. 10-2.3002.2. PLOT PLAN. The applicant for a use authorized in the P-O Zone is required to provide a complete plot plan drawn to a scale of not less than one (1") inch for each twenty (20') feet to assist the staff, Board of Zoning Adjustment, and Planning Commission in evaluating the proposed development.

(a) The plot plan shall include but not be limited to:

(1) The location of all proposed buildings, facilities, and open spaces.

(2) The location of on-site vehicular and pedestrian circulation.

(3) The location of all off-street parking.

(4) The location of all land to be dedicated to or reserved for public use.

(5) The location and extent of street improvements as determined in consultation with the Public Works Department.

(6) The location of all garbage and refuse facilities.

(7) Elevations and/or perspective drawings of proposed structures. Such drawings need not be the result of final architectural decisions and need not be in detail. The purpose of such drawings is to indicate within stated limits the height of proposed buildings and the general appearance of the proposed structures to the end that the development will have architectural unity and be in harmony with surrounding developments.

(8) The plot plan shall include all dimensions pertinent to any requirement of the Municipal Code.

(b) In reviewing the proposed development the Board of Zoning Adjustment or Planning Commission may utilize design review guidelines as it may adopt from time to time. Such guidelines may include site layout (including location of open spaces), building design and siting, and compatibility with surrounding land and development.

SEC. 10-2.3003. HEIGHT. In a Professional Office Zone fronting on a major street no building or structure shall exceed two (2) stories or thirty (30') feet, whichever is the lesser height. A building may exceed said limits if approved in accordance with Section 10-2.3002.1 or upon issuance of a conditional use permit by the

Board of Zoning Adjustment. In a Professional Office Zone fronting on a collector street no building or structure shall exceed two (2) stories or thirty (30') feet, whichever is the lesser height.

SECTION 3. AMENDMENT OF CODE. Section 10-2.2005.1 is hereby added to Article 20 of Chapter 2 of Title X of the Modesto Municipal Code to read as follows:

SEC. 10-2.2005.1. PLOT PLAN. The applicant for a variance or conditional use permit in any zone is required to provide a complete plot plan drawn to a scale of not less than one (1") inch for each twenty (20') feet to assist staff, Board of Zoning Adjustment, and Planning Commission in evaluating proposed development.

(a) The plot plan shall include but not be limited to:

- (1) The location of all proposed buildings, facilities, and open spaces.
- (2) The location of on-site vehicular and pedestrian circulation.
- (3) The location of all off-street parking.
- (4) The location of all land to be dedicated to or reserved for public use.
- (5) The location and extent of street improvements as determined in consultation with the Public Works Department.
- (6) The location of all garbage and refuse facilities.
- (7) Elevations and/or perspective drawings of proposed structures. Such drawings need not be the result of final architectural decisions and need not be in detail. The purpose of such drawings is to indicate within stated limits the height of proposed buildings and the general appearance of the proposed structures to the end that the development will have architectural unity and be in harmony with surrounding developments.
- (8) The plot plan shall include all dimensions pertinent to any requirement of the Municipal Code.

(b) In reviewing the proposed development the Board of Zoning Adjustment or Planning Commission may utilize design review guidelines as it may adopt from time to time. Such guidelines may include site layout (including location of open spaces), building design and siting, and compatibility with surrounding land and development.

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 March, 1976, by Councilmember Elliott, who moved its introduction and

passage to print, which motion being duly seconded by Councilmember
Dunlap, was upon roll call carried and ordered printed and published
by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger,
Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: 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

Ord. No. 1507-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 5th day of April, 1976, Councilmember Newton moved its final adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

APPROVED 
LEE H. DAVIES, Mayor

ATTEST: 
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: May 5, 1976

AN ORDINANCE AMENDING SECTIONS 9-6.06 AND 9-6.07 OF CHAPTER 6 OF TITLE IX OF THE MODESTO MUNICIPAL CODE RELATING TO SIGNS.

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

SECTION 1. AMENDMENT OF CODE. Sections 9-6.06 and 9-6.07 of Chapter 6 of Title IX of the Modesto Municipal Code are hereby amended to read as follows:

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 except as allowed by resolution of the City Council for the United States Bicentennial Celebration.

(k) Bench Signs. It shall be unlawful for any person to erect, install or maintain any bench sign, except on public property pursuant to a franchise granted by the City of Modesto.

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) Three (3) unlighted open house directional signs, which do not exceed three (3) square feet in area each and forty-two (42") inches in height, are permitted during daylight hours only, for each house or group of houses offered for sale by the same realtor at the same location, provided they do not bear any advertising message, and that such signs are located wholly on private property with permission of the property owner on whose property they are located.

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

(4) 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.

(5) 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.

(6) 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 must be removed not later than three (3) years from the recording date of the subdivision, except as follows:

(aa) Where building permits have been taken out for more than one-half (1/2), but less than sixty-five (65%) per cent, of the lots in such subdivision at the end of said three (3) year period, such sign may remain for an additional one year period.

(ab) Where building permits have been taken out for one-half (1/2) or less of the lots in such subdivision at the end of said three (3) year period, such sign may remain for an additional two (2) year period.

(7) Unlighted subdivision directional signs not exceeding sixteen (16) square feet in area and six (6') feet in height are permitted for each recorded subdivision as follows:

(aa) When the boundaries of any recorded subdivision or any part thereof abut a major street or expressway, one subdivision directional sign is permitted, which sign may be located as follows:

(i) On any vacant lot or parcel which is owned by the subdivision owner.

(ab) When the boundaries of any recorded subdivision or any part thereof do not abut a major street or expressway but include or abut a collector street which directly connects to a major street or expressway, two (2) subdivision directional signs are permitted, which signs may be located as follows:

(i) One may be located on property not owned by the subdivision owner.

(ii) The other sign or signs may be located only on property owned by the subdivision owner.

(ac) When the boundaries of any recorded subdivision or any part thereof, do not abut a major street or expressway and do not include or abut a collector street which directly connects to a major street or expressway, three (3) subdivision directional signs are permitted, which signs may be located as follows:

(i) One may be located on property not owned by the subdivision owner.

(ii) The other signs may be located only on property owned by the subdivision owner.

Such signs must be removed not later than three (3) years from the recording date of the subdivision, except as follows:

(ad) Where building permits have been taken out for more than one-half (1/2), but less than sixty-five (65%) percent of the lots in such subdivision at the end of said three (3) year period, such signs may remain for an additional one year period.

(ae) Where building permits have been taken out for one-half (1/2) or less of the lots in such subdivision at the end of said three (3) year period, such signs may remain for an additional two (2) year period.

(8) 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.

(9) Temporary signs are not permitted.

(10) Window signs are not permitted.

(11) Outdoor advertising signs are not permitted.

(12) Two (2) unlighted garage sale signs not exceeding three (3) square feet each in area may be displayed as follows:

(aa) Said signs may be displayed only during such times as the garage sale being advertised is actually being held or conducted.

(ab) Said signs may only be erected and displayed on private property, with the consent of the owner thereof. They may not be erected or displayed on street trees, utility poles, or elsewhere in public rights-of-way.

(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 multiple family 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 additions:

(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 freestanding 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, except that a shopping center, as defined below, shall not be deemed to be a use or occupancy for purposes of this paragraph.

(2) Subject to securing a conditional use permit from the Board of Zoning Adjustment in accordance with Article 20 of Chapter 2 of Title X of this Code, a shopping center, as herein defined, shall be entitled to erect one freestanding shopping center identification sign, hereinafter referred to as a "shopping center sign", for each separate frontage of the shopping center, subject to the following provisions:

hundred fifty (150) square feet in area, thirty-five (35') feet in height, and thirty (30') feet in length.

(ab) The identification on each shopping center sign shall be limited to the shopping center name and either a reader board or a listing of uses within the center. The lettering for the reader board or the listing of such uses shall be of a size not greater than one-half (1/2) the size of the lettering of the shopping center name on such sign.

(ac) Any freestanding or projecting double-faced identification sign or signs erected at said shopping center on or after July 1, 1972, whether identifying said shopping center or any use or occupancy therein, shall be removed prior to obtaining a building permit for the erection of a shopping center sign.

(ad) After the erection of a shopping center sign at a shopping center, no additional freestanding or projecting double-faced identification sign shall be erected at such shopping center for any use or occupancy therein.

In granting an application for a conditional use permit for a shopping center sign, the Board of Zoning Adjustment may impose such additional conditions as it deems appropriate to insure conformity with purposes of this chapter and to insure compatibility with the surrounding area. Such conditions may include, but are not limited to, restrictions on area, height, length, and lighting, and requirements for landscaping and other beautification of the area immediately adjacent to the shopping center sign.

In granting an application for a conditional use permit for a shopping center sign, the Board of Zoning Adjustment shall determine whether the applicant is a shopping center, and what uses or occupancies are included within such shopping center, after consideration of the following factors:

(i) A shopping center is usually comprised of a cluster of retail uses at one location held out to the public as a distinct shopping area and having at least one retail use with a minimum area for that use of twenty thousand (20,000) square feet, and having a minimum of five (5) other retail uses on the same or adjacent sites.

(ii) A shopping center is not normally traversed by any public streets.

(iii) The existence of and extent of membership of any merchants association.

(iv) The existence of any common advertising program for such center, or any uses or occupancies conducted therein, and the number of uses or occupancies therein which participate in such program.

(3) 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.

(4) 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.

(5) 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.

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

(7) One construction sign not exceeding sixty-four (64) square feet in area and ten (10') feet in height, provided sign is removed not later than thirty (30) days after construction is completed.

(8) 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.

(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 except as allowed by resolution of the City Council for the United States Bicentennial Celebration.

(11) Outdoor advertising signs are not permitted.

(12) Window signs are permitted.

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

(h) H-1 Zone.

(1) Any signs allowed in the C-1 Zone are permitted in the H-1 Zone for uses permitted in Section 10-2.2903 and Section 10-2.2903.1 excepting that freestanding and projecting identification signs as allowed in Section 10-2.807 (a) are not permitted in an H-1 Zone; provided, however, that the Board of Zoning Adjustment may, by a conditional use permit granted in accordance with the provisions of Article 20 of Chapter 2 of Title X of this Code, allow one freestanding sign per use or occupancy. Before any such conditional use permit may be granted by the Board of Zoning Adjustment, both of the following must be shown:

(aa) That the use or occupancy is a freestanding use. For the purposes of this section, a freestanding use is defined as a use or occupancy that does not attract customers by its proximity to another business or businesses and is not part of a shopping center or any group of businesses that jointly attract customers through their proximity to each other or through common advertising.

(ab) That the use or occupancy cannot be adequately identified by the other signs permitted in the H-1 Zone.

(2) Any signs allowed in the R-3 Zone are permitted in the H-1 Zone for uses permitted in Section 10-2.2903.2.

(i) 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 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.

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

SECTION 2. EMERGENCY PROVISIONS. DECLARATION OF URGENCY.

The United States is celebrating its 200th anniversary during the year 1976, with many major activities occurring prior to as well as on or around July 4, 1976. During this Bicentennial year, citizens and communities are being encouraged to participate in the celebration through the use of appropriate signs, banners and displays. Unless the Modesto Municipal Code's prohibition of temporary signs is amended without delay to allow the use of temporary signs, banners and displays to celebrate the Bicentennial, the citizens of Modesto will be denied the opportunity of using such temporary signs, banners and displays to celebrate their Nation's 200th anniversary in activities which are presently underway.

SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall go into effect and be in full force and operation as of the date of its adoption.

SECTION 4. PUBLICATION. 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 5th day of April, 1976, by Councilmember Dunlap, who moved its adoption and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED: Robert T. Elliott
~~KEE HOX DAVIES, Mayor~~
ROBERT T. ELLIOTT, Vice 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

AN ORDINANCE AMENDING SECTION 10-2.807 OF ARTICLE 8 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 10-2.807 of Article 8 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended 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, except that a shopping center, as defined below, shall not be deemed to be a use or occupancy for purposes of this paragraph.

(b) Subject to securing a conditional use permit from the Board of Zoning Adjustment in accordance with Article 20 of Chapter 2 of Title X of this Code, a shopping center, as herein defined, shall be entitled to erect one free-standing shopping center identification sign, hereinafter referred to as a "shopping center sign", for each separate frontage of the shopping center, subject to the following provisions:

(1) Each shopping center sign shall not exceed one hundred fifty (150) square feet in area, thirty-five (35') feet in height, and thirty (30') feet in length.

(2) The identification on each shopping center sign shall be limited to the shopping center name and either a reader board or a listing of uses within the center. The lettering for the reader board or the listing of such uses shall be of a size not greater than one-half (1/2) the size of the lettering of the shopping center name on such sign.

(3) Any free-standing or projecting double-faced identification sign or signs erected at said shopping center on or after July 1, 1972, whether identifying said shopping center or any use or occupancy therein, shall be removed prior to obtaining a building permit for the erection of a shopping center sign.

(4) After the erection of a shopping center sign at a shopping center, no additional free-standing or projecting double-faced identification sign shall be erected at such shopping center for any use or occupancy therein.

In granting an application for a conditional use permit for a shopping center sign, the Board of Zoning Adjustment may impose such additional conditions as it deems appropriate to insure conformity with the purposes of this chapter and to insure compatibility with the surrounding area. Such conditions may include, but are not limited to, restrictions on area, height, length, and lighting, and requirements for landscaping and other beautification of the area immediately adjacent to the shopping center sign.

In granting an application for a conditional use permit for a shopping center sign, the Board of Zoning Adjustment shall determine whether the applicant is a shopping center, and what uses or occupancies are included within such shopping center, after

consideration of the following factors:

(1) A shopping center is usually comprised of a cluster of retail uses at one location held out to the public as a distinct shopping area and having at least one retail use with a minimum area for that use of twenty thousand (20,000) square feet, and having a minimum of five (5) other retail uses on the same or adjacent sites.

(2) A shopping center is not normally traversed by any public streets.

(3) The existence of and extent of membership of any merchants association.

(4) The existence of any common advertising program for such center, or any uses or occupancies conducted therein, and the number of uses or occupancies conducted therein, and the number of uses or occupancies therein which participate in such program.

(c) 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.

(d) 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.

(e) 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.

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

(g) One construction sign not exceeding sixty-four (64) square feet in area and ten (10') feet in height, provided sign is removed not later than thirty (30) days after construction is completed.

(h) 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.

(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 except as allowed by resolution of the City Council for the United States Bicentennial Celebration.

(k) Outdoor advertising signs are not permitted.

(l) Window signs are permitted.

SECTION 2. EMERGENCY PROVISIONS. DECLARATION OF URGENCY. The United States is celebrating its 200th anniversary during the year 1976, with many major activities occurring prior to as well as on or around July 4, 1976. During this Bicentennial year, citizens and communities are being encouraged to participate in the celebration through the use of appropriate signs, banners and displays. Unless the Modesto Municipal Code's prohibition of temporary signs is amended without delay to allow the use of temporary signs, banners and displays to celebrate the Bicentennial, the citizens of Modesto will be denied the opportunity of using such temporary signs, banners and displays to celebrate their Nation's 200th anniversary in activities which are presently underway.

SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall go into effect and be in full force and operation as of the date of its adoption.

SECTION 4. PUBLICATION. 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 5th day of April, 1976, by Councilmember Dunlap, who moved its adoption and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers; Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED: Robert T. Elliott
~~XXXXXXXXXXXXXXXXXXXX~~
ROBERT T. ELLIOTT,
Vice 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

AN ORDINANCE AMENDING ARTICLE 2 OF CHAPTER 2 OF TITLE VIII OF THE MODESTO MUNICIPAL CODE RELATING TO ADMISSION TAX.

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

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

ARTICLE 2.

ADMISSION TAX

SEC. 8-2.201. PURPOSE. This article is enacted solely to raise revenue for municipal purposes, and is not intended for the purpose of regulation.

SEC. 8-2.202. DEFINITIONS. The following words and phrases whenever used in this article shall be construed as defined in this section, unless from the context a different meaning is intended or unless a different meaning is specifically defined:

(a) ADMISSION FEE. The phrase "admission fee" means any charge or remuneration made or received for the right or privilege to attend or be present at any show, performance, display or exhibition and includes but is not limited to the following: all charges for seats, chairs, tables, benches, space to stand or sit, and other similar accommodations, reserved or otherwise, and including, but not limited to the following type of events: basketball, softball, baseball, football, or wrestling exhibits, circuses, carnivals or other similar exhibits, ice or roller skating shows, museums, public hall, club room, assembly hall, theatre, auditorium or concert hall where any type of entertainment, amusement, concert or performance is given or held, motion picture theatres, horse shows, rodeos, air show, etc.

(b) DIRECTOR. The word "Director" means Director of Finance of the City of Modesto, or his duly authorized deputies or assistants who may be charged with the collection of taxes.

(c) PERSON. The work "person" means any individual, firm, corporation, company, partnership, association, society or group acting alone or in concert, including any person acting as an agent or in any other capacity therefor.

SEC. 8-2.203. PASSES OR COMPLIMENTARY TICKETS. For the purpose of this article, a "pass" or "complimentary" ticket shall be considered the same as a ticket.

SEC. 8-2.204. UNIFORMED MILITARY PERSONNEL EXCEPTED. The provisions of this article shall not apply to tickets or admission fees for persons in the enlisted military personnel of the United States when appearing in uniform.

SEC. 8-2.205. CHILDREN UNDER TWELVE YEARS EXCEPTED. The provisions of this article shall not apply to tickets or admission fees for persons under twelve (12) years of age.

SEC. 8-2.206. SCHOOLS EXCEPTED. The provisions of this article shall not apply to tickets or admission fees issued by or charged by any public school, or agency or instrumentality thereof, if the proceeds therefrom inure exclusively to the benefit of such public school, or agency or instrumentality thereof.

SEC. 8-2.207. STUDENT ORGANIZATIONS EXCEPTED. The provisions of this article shall not apply to tickets or admission fees issued by or charged by associated student organizations connected with public and private schools.

SEC. 8-2.208. NON-PROFIT ORGANIZATIONS EXCEPTED. The provisions of this article shall not apply to tickets or admission fees issued by or charged by any non-profit institution or organization which is conducted, managed or carried on wholly for non-profit purposes if the proceeds inure exclusively to the benefit or use of such non-profit institution or organization.

SEC. 8-2.209. TAX IN ADDITION TO OTHERS. The tax imposed by this article is in addition to all other taxes or fees imposed or provided for by the laws and ordinances of the City of Modesto or any other governmental agency.

SEC. 8-2.210. AMOUNT OF TAX. Every person conducting, managing, or carrying on any show, performance, display or exhibition, to which a ticket is sold or an admission fee is charged, and whether for amusement or education, shall collect a tax of a sum of money equal to Three (\$0.03) Cents for each ticket sold or admission fee charged.

SEC. 8-2.211. COLLECTION OF TAX. Every person receiving any payment for a ticket sold or an admission fee charged for admission to any show, performance, display or exhibition on which a tax is levied under the provisions of this article shall collect the amount of tax imposed from the person making the admission payment at the time of the payment of such admission, or from a person using a pass or complimentary ticket at the time of admission. If tickets or other evidence of right of admission are issued prior to the time of a show, performance, display or exhibition, the tax shall be collected at the time of the issuance of such tickets or other evidence of right of admission. The taxes required to be collected under the provisions of this article shall be deemed to be held in trust for the City of Modesto until remitted by the person required to collect the same.

SEC. 8-2.212. CASH DEPOSIT REQUIREMENT. Prior to the sale of any tickets or other evidence of right of admission for any show, performance, display, or exhibition, every person conducting such an event shall file a statement with the Director indicating the total number of tickets or other evidences of right of admission to be sold, the price or prices to be charged therefor and the number of tickets or evidences of right of admission in each category. The Director shall determine whether or not a cash deposit shall be required from the person conducting the event in an amount sufficient to cover the admission taxes required to be collected by such person. Said deposit shall be security for the collection of and remittance to the City of the admission taxes required to be collected and remitted pursuant to the provisions of this article and may be credited by the Director against any taxes and penalties due the City. The Director shall determine the amount of such cash deposit or may waive the cash deposit when in his opinion the person conducting such event has a continuing relationship with the City or has been a contracting party with the City of sufficient time duration or maintains such audit practices as would indicate to the Director that the taxes required to be collected and remitted pursuant to the provisions of this article will be collected and remitted.

Any cash deposit or portion thereof that has not been credited against taxes and penalties due to the City shall be refunded by the Director when all statements for the event required by this article are filed and all taxes collected for the event pursuant to the provisions of this article are remitted to the City.

SEC. 8-2.213. FILING FORMS. Every person collecting taxes imposed by this article shall file a statement with the Director and remit the taxes collected as follows:

(a) For ongoing events, statements shall be filed and the taxes remitted quarterly on or before the tenth calendar day of the months of January, April, July and October for the taxes collected during the preceding calendar quarter.

(b) For events of limited duration, statements shall be filed and the taxes remitted daily.

Said statements shall be on forms provided by the Director of Finance and shall indicate the amount of taxes collected for the event and such further information as the Director of Finance may deem necessary to determine the amount of taxes due to the City.

The Director shall have authority to determine which events are ongoing events and which events are of limited duration and such determination by the Director shall be final and conclusive.

SEC. 8-2.214. FAILURE TO COLLECT OR REMIT TAX. Every person required to collect a tax imposed by this article who fails to collect the same or fails to remit the tax to the City shall be personally liable to the City for the amount of the tax. Any person required to collect and remit a tax imposed by this article who fails to remit the amount of the tax when due shall, in addition to any other penalties, pay a penalty of ten (10%) percent of the amount due. For each successive day elapsing thereafter before payment there shall be added an additional penalty of one half (1/2) of one (1%) percent which shall be computed upon the total of principal and penalties previously accrued. The maximum penalty imposed on any one delinquency shall not exceed twenty-five (25%) percent of the principal amount due.

In addition to the penalties imposed hereby, the amount of taxes due shall also be subject to interest at the rate of seven (7%) percent per annum until paid.

SEC. 8-2.215. DETERMINATION OF TAX DUE BY DIRECTOR. If any person required to collect and remit a tax imposed by this article fails to file a statement and a remittance, or if the Director has reasonable cause to believe that an erroneous statement has been filed, he may proceed to determine the amount of taxes due to the City and in connection therewith shall make such investigations and take such testimony and other evidence as may be necessary; provided, however, that reasonable notice and opportunity to be heard be given any person who may become liable for the amount owing prior to any final determination by the Director. Thereafter the determination of the Director of the amount of taxes due the City shall be final and conclusive.

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 April, 1976, by Councilmember Newton, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

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 NO. 1511 -C.S.

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

WHEREAS, a verified application for an amendment to
Section 9-3-9 of the Zoning Map was filed by C.A. Tallent
and William Homer Drake on February 13
1976, to prezone to Medium Density Residential Zone,
R-2, the hereinafter described property, and

WHEREAS, after public hearing held on March 16,
1976, it was found and determined by the Planning Commission that
prezoning of the property as requested is required by public necessity,
convenience and general welfare, and

WHEREAS, by Resolution No. 76-52, adopted on
March 16, 1976, the Planning Commission recommended to the
Council that the application of C.A. Tallent and William Homer Drake
to amend Section 9-3-9 of the
Zoning Map to prezone the hereinafter described property to Medium Density 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 held on
April 26, 1976, this Council finds and determines that the
requested prezoning 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 9-3-9 of the
Zoning Map is hereby amended to prezone the following described
property to Medium Density Residential Zone, R-2:

All that certain real property situate in the Northeast Quarter of Section 9, 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 9; thence South 89°17' East along the East-West quarter section line and the centerline of Sylvan Avenue a distance of 534.53 feet; thence North 0°45'15" West 367.12 feet; thence North 89°17' West 404.53 feet; thence South 0°45'37" East 29.41 feet; thence South 89°14'23" West 130.00 feet; thence South 0°45'37" East 334.36 feet to the point of beginning.

Containing 4.41 acres.

SECTION 3. ZONING MAP. Section 9-3-9 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.

Ordinance 1511 C.S.
Exhibit A – Map

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

AN ORDINANCE AMENDING SECTION MAP 21-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JEAN CAMPI)

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by Jean Campi on February 11, 1976, to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the hereinafter described property, and

WHEREAS, after public hearing held on March 16, 1976, 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. 76-51, adopted on March 16, 1976, the Planning Commission recommended to the Council that the application of Jean Campi to amend Section 21-3-9 of the Zoning Map to reclassify the hereinafter described property from Low Density Residential Zone, R-1, to Medium Density 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 held on April 26, 1976, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, 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 for the following reasons:

1. The subject property, by virtue of its location, possesses many characteristics suitable for Medium Density Residential development including nearness to a vast and diversified share of McHenry Avenue shopping areas, a nearness to Doctor's Hospital and complete medical-dental services, and City bus service.
2. The requested R-2 zoning will provide a transition from R-3 zoning and P-0 zoning to the west and north.
3. The requested R-2 zoning would allow the property a maximum of 38 dwelling units, subject to Planning Commission approval of any development plans prior to construction, thus offering neighborhood compatibility assurances.

SECTION 2. ZONING CHANGE. Section 21-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2:

All that portion of the South 1/2 of Lots 1 and 2 of the Coolidge Colony as per map filed November 15, 1910, in Volume 5 of Maps, Page 17, Stanislaus County Records, lying in the Northwest 1/4 of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Commencing at the Southwest corner of said Lot 1; thence running North and along the West line of said Lot 1, 20 feet to the true point of beginning of this description; thence continuing North along said West line 55 feet; thence running West and parallel to the South line of said Lot 2, 165 feet; thence running North and parallel to the West line of said Lot 2, 45 feet; thence running West and parallel to the South line of said Lot 2, 115 feet; thence running South and parallel to the West line of said Lot 2, 100 feet; thence running West and parallel to the South line of said Lot 2, 50 feet; thence running North along the west line of said Lot 2, 310 feet; thence running East and parallel to the North line of said Lots 1 and 2, 500.78 feet; thence running South and parallel to the East line of said Lot 1, 200 feet; thence running West and parallel to the South line of said Lot 1 145.78 feet; thence running South and parallel to the East line of said Lot 1, 110 feet; thence running West and parallel to the South line of said Lot 1, 25 feet to the true point of beginning and the end of this description.

Containing 2.64 acres net

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 16th day of April, 1976, by Council-member Elliott, who moved its introduction and passage to print, which

motion being duly seconded by Councilmember Dunlap, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: **Dunlap, Mensinger, Newton, Siefkin, Vice Mayor Elliott**

NOES: Councilmembers: **None**

ABSENT: Councilmembers: **Kullijian, Mayor Davies**

APPROVED: *Robert T. Elliott*
~~XXXXXXXXXXXXXXXXXXXX~~
ROBERT T. ELLIOTT
Vice Mayor

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

(SEAL)

APPROVED AS TO FORM:
By *Elwin L. Johnson*
ELWIN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:
By *John R. Alvey*
Department of Planning and Community Development

Ordinance 1512 C.S.
Exhibit A – Map

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

Ord. No. 1512-C.S.

FINAL ADOPTION CLAUSE

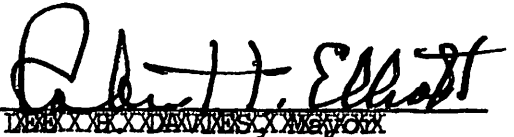
The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: ^{Vice Mayor} Dunlap, Elliott, Mensinger, Newton, Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Mayor Davies

APPROVED



~~DECK XXX DAVIES, MAYOR~~
ROBERT T. ELLIOTT, Vice Mayor

ATTEST:



W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: June 2, 1976

AN ORDINANCE AMENDING SECTION MAP 12-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (DONALD AND FREIDA BEACHLER)

WHEREAS, a verified application for an amendment to Section 12-3-8 of the Zoning Map was filed by Donald and Freida Beachler on January 21, 1976, to reclassify from Low Density Residential Zone, R-1, to Professional Office Zone, P-0, and Medium Density Residential Zone, R-2, property located at the northeast corner of Dale Road and Veneman Avenue, and

WHEREAS, after a public hearing held on March 16, 1976, it was found and determined by the Planning Commission as follows:

1. That rezoning of the area requested for P-0 zoning is required by public necessity, convenience and general welfare for the following reasons:

- a. The property is located across the street from the Vintage Faire Regional Shopping Center.
- b. The property has frontage on a 4-lane major street and two 2-lane collector streets.
- c. The adopted Zoning and Development Plan for the McKinney Colony Neighborhood designates the subject property as being suitable for P-0 zoning.
- d. Use of the described parcel will be subject to plot plan review by the Board of Zoning Adjustment (if the Planning Commission recommendation for plot plan review is adopted by the City Council at its hearing on March 22, 1976.)

2. That rezoning of the area requested for R-2 zoning is not required by public necessity, convenience, and general welfare for the following reasons:

- a. The subject area is designated as being suitable for R-1 rather than R-2 zoning by the adopted Zoning and Development Plan for the McKinney Colony Neighborhood.
- b. R-2 zoning of the subject area would permit an unwarranted intrusion of higher density residential dwellings into an area more properly reserved for low density residential uses,

and

WHEREAS, by Resolution No. 76-55, adopted on March 16, 1976, the Planning Commission recommended to the Council that the application of Donald and Freida Beachler to amend Section 12-3-8 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Professional Office Zone, P-0, property located at the northeast corner of Dale Road and Veneman Avenue, and more particularly hereinafter described be approved for the reasons set forth above, and

WHEREAS, by said Resolution No. 76-55, adopted on March 16, 1976, the Planning Commission denied the application of Donald and Freida Beachler to amend Section 12-3-8 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located at the northeast corner of Dale Road and Veneman Avenue, for the reasons set forth above,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on April 26, 1976, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, this Council finds and determines that rezoning of the hereinafter described area from Low Density Residential Zone, R-1, to Professional Office Zone, P-O, as recommended by the Planning Commission, 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 for the following reasons:

- a. The property is located across the street from the Vintage Faire Regional Shopping Center.
- b. The property has frontage on a 4-lane major street and two 2-lane collector streets.
- c. The adopted Zoning and Development Plan for the McKinney Colony Neighborhood designates the subject property as being suitable for P-O zoning.
- d. Use of the described parcel will be subject to plot plan review by the Board of Zoning Adjustment.

SECTION 2. ZONING CHANGE. Section 12-3-8 of the Zoning Map is hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Professional Office Zone, P-O:

Beginning at the Southwest corner of said Northwest quarter of Section 12; thence North along the West line of said Northwest quarter 993.23 feet; thence North 89°36'27" East 550.00 feet; thence South 993.10 feet to the South line of said Northwest quarter of Section 12; thence South 89°35'37" West along said South line 550.00 feet to the point of beginning.

Containing 12.54 Acres.

SECTION 3. ZONING MAP. Section 12-3-8 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.

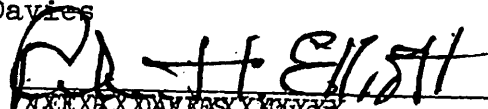
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of April, 1976, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Mensinger, Newton, Siefkin,
Vice Mayor Elliott

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Mayor Davies

APPROVED:


~~ALICE K. X. DANBERRY, Mayor~~
ROBERT T. ELLIOTT,
Vice Mayor

ATTEST:

By 
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
ELWYN JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By 
Department of Planning and Community
Development

**Ordinance 1513 C.S.
Exhibit A – Map**

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

Ord. No. 1513-C.S.

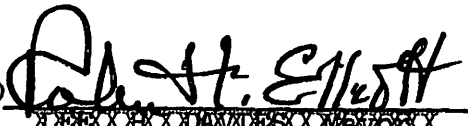
FINAL ADOPTION CLAUSE

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 3rd day of May, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, ^{Vice Mayor} Elliott, Mensinger, Newton, Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Mayor Davies

APPROVED 
~~ROBERT T. ELLIOTT, Vice Mayor~~
ROBERT T. ELLIOTT, Vice Mayor

ATTEST: 
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: June 2, 1976

AN ORDINANCE AMENDING SECTION MAP 18-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ELMO WILSON, SR., - NORTHWEST CORNER BRIGGSMORE AND TULLY)

WHEREAS, a verified application for an amendment to Section 18-3-9 of the Zoning Map was filed by Elmo Wilson, Sr., on February 13, 1976, to reclassify from Low Density Residential Zone, R-1, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-0, the hereinafter described property, and

WHEREAS, after public hearing held on March 16, 1976, 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 for the reasons set forth in Planning Commission Resolution No. 76-53 adopted on March 16, 1976, and

WHEREAS, by said Resolution No. 76-53, the Planning Commission recommended to the Council that the application of Elmo Wilson, Sr., to amend Section 18-3-9 of the Zoning Map to reclassify the hereinafter described property from Low Density Residential Zone, R-1, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-0, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on April 26, 1976, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, 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 for the following reasons:

1. The property is located at a busy intersection, being at the corner of a major street and an expressway.
2. Office development as permitted in the P-0 Zone is also permitted by existing Planned Development zones at the northeast and southwest corners of this intersection.
3. P-0 zoning would be compatible with the uses surrounding the subject site.
4. Use of the described parcel will be subject to plot plan review by the Board of Zoning Adjustment.

SECTION 2. ZONING CHANGE. Section 18-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Low Density Residential

Zone, R-1, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-0:

All that certain real property situate in a portion of the Southeast quarter of Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel 1 - R-3 to P-0

Beginning at the center line intersection of Tully Road and Briggsmore Avenue; thence North $89^{\circ}06'$ West along said center line of Briggsmore Avenue, a distance of 270.00 feet to a point on the East line of property conveyed to Lloyd C. Overholtzer, et ux, by Deed recorded in Volume 1296 of Official Records, Page 644, Stanislaus County Records; thence North $0^{\circ}30'$ East, along said East line of Overholtzer property, a distance of 226.94 feet to the Southwest corner of property conveyed to Richard C. Smith, et ux, by Deed recorded in Volume 1251 of Official Records, Page 168, Stanislaus County Records, thence South $88^{\circ}55'14''$ East, along the South line of said Smith property, a distance of 270.00 feet to the intersection with said center line of Tully Road; thence South $0^{\circ}30'$ West, along said center line of Tully Road, a distance of 226.09 feet to the point of beginning.

Including also, that portion of Briggsmore Avenue, Modesto Irrigation District Lateral No. 3, and Tully Road described as follows: Beginning at the center line intersection of Tully Road and Briggsmore Avenue; thence North $89^{\circ}06'$ West along the center line of Briggsmore Avenue, a distance of 270.00 feet to a point on the East line of property conveyed to Lloyd C. Overholtzer et ux, by Deed recorded in Volume 1296 of Official Records, Page 644, Stanislaus County Records; thence South $0^{\circ}30'$ West 60.00 feet; thence South $89^{\circ}06'$ East 270.00 feet to a point on the center line of Tully Road; thence North $0^{\circ}30'$ East along the center line of Tully Road 60.00 feet to the point of beginning.

Parcel 2 - R-1 to P-0

Commencing at the center line intersection of Tully Road and Briggsmore Avenue; thence North $89^{\circ}06'$ West, along said center line of Briggsmore Avenue, a distance of 270.00 feet to a point on the East line of property conveyed to Lloyd C. Overholtzer, et ux, by Deed recorded in Volume 1296 of Official Records, Page 644, Stanislaus County Records and the point of beginning of the description; thence continuing along said center line of Briggsmore Avenue North $89^{\circ}06'$ West, 10.13 feet to a tangent curve concave to the North; thence Northwesterly 238.14 feet along said tangent curve having a radius of 1559.10 feet and a central angle of $8^{\circ}45'05''$ to a point on the West line of said Overholtzer property; thence North $0^{\circ}30'$ East along said West line of Overholtzer property a distance of 131.85 feet; thence South $89^{\circ}06'$ East, 247.22 feet to a point on said East line of Overholtzer property; thence South $0^{\circ}30'$ West along said East line of Overholtzer property, a distance of 150.00 feet to the point of beginning.

SECTION 3. ZONING MAP. Section 18-3-9 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 adption.

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 26th day of April, 1976, by Council-member Mensinger, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Mensinger, Newton, Siefkin, Vice Mayor Elliott

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Mayor Davies

APPROVED: Robert T. Elliott
~~FOR MAYOR DAVIES, MAYOR~~
ROBERT T. ELLIOTT, Vice 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 John L. Long
Department of Planning and Community Development

Ordinance 1514 C.S.
Exhibit A – Map

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

Ord. No. 1514-C.S.

FINAL ADOPTION CLAUSE

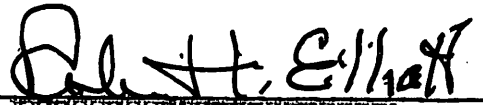
The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of May, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, ^{Vice Mayor} Elliott, Mensinger, Newton, Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Mayor Davies

APPROVED



~~ROBERT T. ELLIOTT, Mayor~~
ROBERT T. ELLIOTT, Vice Mayor

ATTEST:

W. T. Chynoweth City Clerk

EFFECTIVE DATE: June 2, 1976

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 26th day of April, 1976, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: S Dunlap, Mensinger, Newton, Siefkin, Vice Mayor Elliott

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Mayor Davies

APPROVED: Robert T. Elliott
~~THE HONORABLE ROBERT T. ELLIOTT, Mayor~~
ROBERT T. ELLIOTT,
Vice Mayor

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

(SEAL)

APPROVED AS TO FORM:

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

**Ordinance 1515 C.S.
Exhibit A – Map**

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

AN ORDINANCE AMENDING SECTION MAP 16-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (RULE DEVELOPMENT CO., SOUTHEAST BRIGGSMORE AND SUNRISE)

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

SECTION 1. ZONING CHANGE. Section 16-3-9 of the Zoning Map is hereby amended to reclassify the following-described property from Professional Office Zone, P-0, to Planned-Development Zone, P-D(142):

All that portion of the Southeast quarter of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the quarter Section corner between Sections 16 and 21, Township 3 South, Range 9 East; thence along the South line of said Section 16, South 88°38'30" East 30.00 feet to the East line of Sunrise Avenue; thence along the East line of said Sunrise Avenue, North 0°07' East 275.95 feet to the true point of beginning of this description, said point of beginning being the beginning of a curve to the right, having a radius of 15.00 feet and a central angle of 110°13'; thence along said curve a distance of 28.88 feet to a point; said point being on the Southerly line of Northern Boulevard; thence along Southerly line of said Northern Boulevard South 69°35' East 303.90 feet to the beginning of a curve to the right, said curve having a radius of 15.00 feet and a central angle of 90°00'; thence along said curve a distance of 23.56 feet to a point on the westerly line of Ford Avenue; thence South 20°25' West 30.87 feet to the beginning of a curve to the left, said curve having a radius of 125.00 feet and a central angle of 1°52'50"; thence along said curve a distance of 4.10 feet; thence leaving West line of said Ford Avenue and run North 89°53' West 302.02 feet to a point on the East line of Sunrise Avenue; thence along East line of said Sunrise Avenue North 0°07' East 143.46 feet to the true point of beginning of this description.

Including also, the Easterly 30 feet of Sunrise Avenue, the Southerly 60 feet of Briggsmore Avenue and the Westerly 25 feet of Ford Avenue all being immediately adjacent to the above described property.

SECTION 2. USES. The following uses shall be permitted in said P-D(142) 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. Offices permitted in the P-0 Zone
2. A parking area

SECTION 3. ZONING MAP. Section Map 16-3-9 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 3rd day of May, 1976, by Councilmember Elliott, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: 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

APPROVED AS TO DESCRIPTION:

By John R. Casey
Department of Planning and Community
Development

**Ordinance 1516 C.S.
Exhibit A – Map**

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

Ord. No. 1516-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 10th day of May, 1976, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap, Newton

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

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

EFFECTIVE DATE: June 9, 1976

AN ORDINANCE AMENDING SECTION MAP 15-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (HARLEY D. BRANNAN)

WHEREAS, a verified application for an amendment to Section 15-3-9 of the Zoning Map was filed by Harley D. Brannan on February 13, 1976, to reclassify from Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-0, the hereinafter described property, and

WHEREAS, after public hearing held on March 16, 1976, 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. 76-54, adopted on March 16, 1976, the Planning Commission recommended to the Council that the application of Harley D. Brannan to amend Section 15-3-9 of the Zoning Map to reclassify the hereinafter described property from Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-0, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on May 3, 1976, 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 for the following reasons:

1. The subject property has frontage on a major street and is immediately across a collector street from a neighborhood shopping center, thus the proposed rezoning is consistent with the locational standards set forth in the P-0 Zone.
2. The configuration of the subject property proposed for rezoning causes a transitional or tapering off in land use intensity between the shopping center to the south and the church and medium density residential property to the north and west respectively, resulting in a buffer to the single family residential developments beyond.

SECTION 2. ZONING CHANGE. Section 15-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-0:

All that certain real property situate in a portion of Briggsmore Place, Volume 25 of Maps, Page 42, Stanislaus County Records, and in a portion of the Southeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel 1 - R-3 to P-0

Beginning at the Northwest corner of Lot 18, Block 12717, in said Briggsmore Place; thence South 89°20'41" East along the North line, and its Easterly prolongation, of said Lot 18, a distance of 350.00 feet to the center line of Oakdale Road; thence South 0°01'26" West along said center line of Oakdale Road a distance of 179.45 feet to the center line of Lancey Drive; thence North 89°58'34" West along said center line of Lancey Drive a distance of 238.46 feet to a tangent curve concave to the Southeast; thence Southwesterly 104.79 feet along said tangent curve having a radius of 500.00 feet and a central angle of 12°00'29" to a point from which a radial line bears South 11°59'03" East; thence North 11°59'03" West along the Northwesterly prolongation of said radial line a distance of 36.03 feet to the Southwest corner of aforementioned Lot 18; thence North 0°01'26" East along the Westerly line of said Lot 18 a distance of 159.01 feet to the point of beginning.

Containing: 1.465 Acres

Parcel 2 - R-2 to P-0

Beginning at the Northeast corner of Lot 17, Block 12717, in said Briggsmore Place; thence South 0°01'26" West along the Easterly line of said Lot 17, a distance of 159.01 feet to the Northerly right-of-way of Lancey Drive; thence South 11°59'03" East 36.03 feet to a point on the center line of said Lancey Drive, said point being a point on a curve concave to the Southeast from which a radial line bears South 11°59'03" East; thence Southwesterly 132.76 feet along said curve having a radius of 500.00 feet and a central angle of 15°12'46" to a tangent line; thence continuing along said center line of Lancey Drive and said tangent line, South 62°48'11" West 35.92 feet; thence North 27°11'49" West 114.73 feet; thence North 0°39'19" East 155.30 feet to the Northerly line of said Lot 17; thence South 89°20'41" East along said Northerly line of Lot 17, a distance of 199.91 feet to the point of beginning.

Containing: 1.010 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 3rd day of May, 1976, by Councilmember Newton, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger,
Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: 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

APPROVED AS TO DESCRIPTION:

By William Nichols
Department of Planning and Community
Development

Ordinance 1517 C.S.
Exhibit A – Map

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

Ord. No. 1517-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 10th day of May, 1976, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Mensing, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap, Newton

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: June 9, 1976

AN ORDINANCE AMENDING SECTION MAP 8-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(NORMAN WINSOR)

WHEREAS, a verified application for an amendment to Section
8-3-9 of the Zoning Map was filed by Norman Winsor

on February 11, 19 76, to reclassify from Low Density
Residential Zone, R-1, to Medium Density
Residential Zone, R-2, the hereinafter described
property, and

WHEREAS, after public hearing held on March 16, 19 76,
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. 76-56, adopted on March 16,
19 76, the Planning Commission recommended to the Council that the
application of Norman Winsor

to amend Section 8-3-9 of the Zoning Map to reclassify the herein-
after described property from Low Density Residential
Zone, R-1, to Medium Density 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 held on
May 3, 19 76, 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
for the following reasons:

1. The proposed R-2 zoning as requested by Norman Winsor et al., being located on a major street, conforms to the standard locational criteria for medium density development applied to current Planning Commission's Zoning and Development Policy Plans.
2. The proposed R-2 zoning as requested is an integral part of the tentatively approved Hollywood Park No. 1 Subdivision, and the requested R-2 zoning would serve to insulate the single-family residential area from Tully Road, the major street.

SECTION 2. ZONING CHANGE. Section 8-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2:

All that certain parcel of land situate in the Northwest quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being more particularly described as follows:

Commencing at the Northwest corner of said Section 8, thence south 1°14'15" east 1073.53 feet to the true point of beginning; thence north 69°19'45" east 234.63 feet; thence south 20°40'15" east 86.17 feet; thence along a curve concave to the North, having a radius of 50.00 feet and a central angle of 28°29'37", 24.86 feet; thence along a curve concave to the North, having a radius of 299.34 feet and a central angle of 3°50'07", 20.04 feet; thence south 20°40'15" East 50.00 feet; thence along a curve concave to the North, having a radius of 349.34 feet and a central angle of 0°29'09", 2.96 feet; thence south 7°40'56" east 102.64 feet; thence south 1°14'15" east 176.49 feet; thence south 89°40'11" east 6.00 feet; thence south 1°14'15" east 160.00 feet; thence north 89°40'11" west 306.00 feet; thence north 1°14'15" west 482.25 feet to the point of beginning.

SECTION 3. ZONING MAP. Section 8-3-9 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 3rd day of May, 1976, by Councilman Mensing, who moved its introduction and passage to print, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, 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

APPROVED AS TO DESCRIPTION:

BY

William Smith
Planning Department

Ordinance 1518 C.S.
Exhibit A – Map

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

Ord. No. 1518-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 10th day of May, 1976, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap, Newton

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

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

EFFECTIVE DATE: June 9, 1976

AN ORDINANCE AMENDING SECTION 10-2.1801 OF ARTICLE 18 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE RELATING TO OFF-STREET PARKING REQUIREMENTS.

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

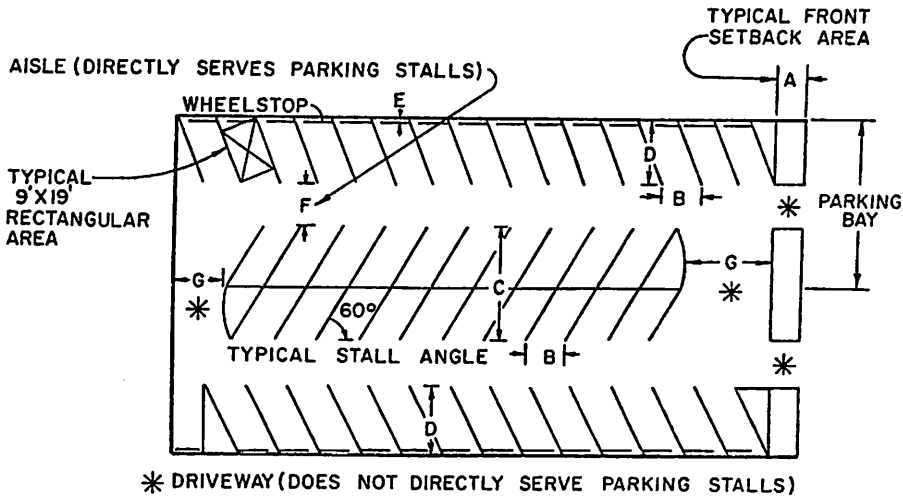
SECTION 1. AMENDMENT OF CODE. Section 10-2.1801 of Article 18 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.1801. DESIGN REQUIREMENTS. Every lot or parcel used as a public or private parking area shall be developed in accordance with the following general requirements.

(a) Size and Access: Each parking space shall contain a rectangle with a minimum width of nine (9') feet and a minimum length of nineteen (19') feet. When the required parking space for a one or two family structure is not provided in a covered garage, such space shall contain a rectangle with a minimum width of ten (10') feet and a minimum length of twenty (20') feet and located so that it may later be covered by a garage structure in accordance with the provisions of this chapter.

The following typical parking area diagram and parking stall and aisle dimension table shall determine the minimum requirements for a parking area plan:

TYPICAL PARKING AREA DIAGRAM
REQUIRED LANDSCAPING NOT SHOWN



PARKING STALL AND AISLE DIMENSION TABLE

		Parking Angle to Aisle						
		45°	50°	55°	60°	70°	80°	90°
Stall Width	B	12.7'	11.8'	11.0'	10.4'	9.6'	9.1'	9.0'
Stall depth	D	19.8'	20.3'	20.7'	21.0'	20.9'	20.3	19.0'
Stall depth	C	33.2'	34.8	36.3'	37.5'	38.7'	39.0'	38.0'
Aisle width	F	8.8'	9.4'	11.6'	15.0'	18.2'	22.4'	27.0'
Bay width (D, F, D)								
one way aisle		48.4'	50.0'	53.0'	57.0'	60.0'	63.0'	65.0'
two way aisle		59.6'	60.6'	61.4'	62.0'	61.8'	63.0'	65.0'

For any given parking angle between 45° and 90° not specifically listed in the above table, use a table angle nearest the given angle.

Any parking plan showing parking stalls at an angle less than 45° to the driveway or any other plan for which the above table is not applicable, must be approved by the Planning Director and the Director of Parking and Traffic.

The minimum aisle width (F) at any parking stall angle less than 45° including parallel stalls, is eight and eight-tenths (8.8) feet.

When two (2) rows of stalls use the same aisle for access, requiring two-way traffic because of stall layout, the aisle shall either be a minimum of twenty (20') feet in width or that which is called for in the table above, whichever is greater.

The turnaround or end driveway width (G) shall be a minimum of eighteen (18') feet.

The wheel stop setback dimension (E) shall be a minimum of two (2') feet for any parking area. See Section 10-2.1808 (d) of this article.

The required front setback dimension (A) is as specified in this chapter for the zoning district in which the parking area is to be located and as required by the landscaping provisions of Section 10-2.1808 of this article.

Any driveway used for both ingress and egress to and from a parking area and not directly serving the parking stalls shall have a minimum width of twenty (20') feet. Any driveway used only for either ingress or egress to or from a parking area and not directly serving parking stalls shall be a minimum of ten (10') feet in width. All driveways connecting public rights-of-way to off-street parking areas shall comply with the improvement standards of Section 10-2.1808 of this article.

No parking stall shall be so located as to require a vehicle, while exiting therefrom, to back onto any public street right-of-way, except stall serving one and two-family dwelling structures may back onto any street, and stalls serving three-family dwelling structures may back onto any street other than a major street as shown on the City's Select Street System Map adopted from time to time by the City Council. However, alleyways may be used for ingress and egress to and from parking stalls provided the stalls are set back the proper distance from the property line so that the aisle width is sufficient, as required in the Parking Stall and Aisle Dimension Table.

Every parking area shall have adequate internal circulation in which no backing movement, except that required to leave a parking stall, is allowed. It should be possible to maneuver within any parking area without use of the public rights-of-way and to maneuver within the parking area so that a car enters the street in a forward manner.

If desired, one of each five (5) required parking stalls may be designated for parking small cars. Small car stalls shall contain a rectangular area of exactly seven and one-half (7.5) feet in width and exactly fifteen (15') feet in length. Each small car space shall be identified with the words "small car" painted on the pavement.

Every parking area serving commercial, industrial, and public uses shall include parking stalls for the physically handicapped. Parking stalls for the handicapped shall contain a rectangular area exactly twelve (12') feet in width and exactly nineteen (19') feet in length. The number of handicapped parking stalls required shall be 2 percent of the total number of stalls provided in any such parking area. In no case shall a parking area contain less than one such stall. Handicapped stalls shall be situated so that the handicapped person will not be required to wheel behind parked cars other than parked cars for the handicapped while entering or exiting the parking area. Each parking stall for the physically handicapped shall be identified by a sign bearing the accepted International Symbol of Access for the handicapped. The sign shall be fastened to a post located at the back of each stall.

Ramped access ways shall be provided between off-street parking areas and adjacent walk ways. Ramping of access ways shall meet the requirements of the Chief Building Official.

Any dwelling, boarding house, lodging house, motel or hotel which may provide accommodations specifically for the physically handicapped shall also provide parking for the handicapped on not less than a 1 to 1 ratio, one physically handicapped stall to each specially equipped living unit.

(b) Location: Off-street parking areas shall be located as hereinafter specified. Where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking area to the nearest point of the building that such parking area is required to serve.

(1) For one, two or multiple-family dwellings, parking areas shall be located on the same lot or building site as the buildings they are required to serve.

(2) For hospitals, sanitariums, rest homes, asylums, orphanages, rooming houses, lodging houses, fraternity and sorority houses, parking areas shall not be located more than one hundred fifty (150') feet from the buildings they are required to serve.

(3) For uses other than those specified above, parking areas shall not be located over four hundred (400') feet from the building they are required to serve.

(c) Plans: The plan of the proposed parking area shall be submitted to the Building Department at the time of the application for the building permit for the building to which the parking area is accessory. The plans shall clearly indicate the proposed development, including the location, size, shape, design, curb cuts, lighting, landscaping and other features and appurtenances of the proposed parking area. All parking areas shall be subject to the same restrictions governing accessory buildings as specified in the zoning district in which said parking areas are located.

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 May, 1976, by Councilmember Elliott, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap

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. 1519-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 May, 1976, Councilmember Newton moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap

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

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

EFFECTIVE DATE: June 23, 1976

AN ORDINANCE AMENDING SECTION 5-4.201 OF ARTICLE 2 OF CHAPTER 4 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO LICENSING OF DOGS.

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

SECTION 1. AMENDMENT OF CODE. Section 5-4.201 of Article 2 of Chapter 4 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-4.201. LICENSING AND FEES. Every person who owns, controls, harbors, possesses or keeps in the City any dog over the age of five (5) months shall, annually between June 1st and August 31st of each year, procure a license from the Director of Finance for said dog, which license shall be valid for the period commencing on July 1st of said year and ending on June 30th of the succeeding year. The annual fee for said licenses shall be Eight and no/100ths (\$8.00) Dollars for each such dog; provided, however, that if a certificate is presented from a licensed veterinarian that the dog has been spayed or neutered, the license fee shall be Four and no/100ths (\$4.00) Dollars; provided further, that no license fee shall be required to be paid for guide dogs for the blind. Thereafter, during the period from September 1st of each year to May 31st of the succeeding year within fifteen (15) days after a dog reaches the age of five (5) months, or within fifteen (15) days after any dog over the age of five (5) months is acquired or brought into the City, its owner shall procure a license for said dog and shall be required to pay the fee herein required, provided, however, that said fee shall be prorated quarterly unless the owner fails to procure said license and pay the required fee within the time allowed in which case the full fee plus applicable penalties shall be required. Any owner who fails to procure a dog license and pay the required fee within the time allowed, shall, in addition to any other penalty provided by this Code, be subject to a penalty of one hundred (100%) percent of the amount due, and said penalty shall be added to the license fee hereinabove provided for and shall be collected therewith.

SECTION 2. DECLARATION OF EMERGENCY. The Council of the City of Modesto hereby finds and declares that the foregoing ordinance is necessary as an emergency measure for preserving the public peace, health and safety. The following is a statement of the facts showing its urgency: It is necessary to increase the license fees for dogs in order to raise additional funds to provide means of controlling the number of dogs in the City of Modesto and to provide additional funds for the enforcement of the provisions of the municipal code relating to dogs. In order for said increased fees to be effective for the 1976-77 licensing year they must be enacted prior to June 1, 1976.

SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption but shall not become operative until on and after June 1, 1976.

SECTION 4. PUBLICATION. 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 17th day of May, 1976, by Councilmember Siefkin, who moved its adoption and passage to print, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Mensinger, Newton, Siefkin,
Mayor Davies


NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap

APPROVED:


LEE H. DAVIES, Mayor

ATTEST:

By 
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
ELWYN L. JOHNSON, City Attorney

ORDINANCE NO. 1521-C.S.
(As Amended)

AN ORDINANCE AMENDING SECTION 5-4.201 OF ARTICLE 2 OF CHAPTER 4 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO LICENSING OF DOGS.

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

SECTION 1. AMENDMENT OF CODE. Section 5-4.201 of Article 2 of Chapter 4 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-4.201. LICENSING AND FEES. Every person who owns, controls, harbors, possesses or keeps in the City any dog over the age of five (5) months shall, annually between June 1st and August 31st, of each year, procure a license from the Director of Finance for said dog, which license shall be valid for the period commencing on July 1st of said year and ending on June 30th of the succeeding year. The annual fee for said licenses shall be Eight and no/100ths (\$8.00) Dollars for each such dog; provided, however, that if a certificate is presented from a licensed veterinarian that the dog has been spayed or neutered, the license fee shall be Two and no/100ths (\$2.00) Dollars; provided further, that no license fee shall be required to be paid for guide dogs for the blind. Thereafter, during the period from September 1st of each year to May 31st of the succeeding year within fifteen (15) days after a dog reaches the age of five (5) months, or within fifteen (15) days after any dog over the age of five (5) months is acquired or brought into the City, its owner shall procure a license for said dog and shall be required to pay the fee herein required, provided, however, that said fee shall be prorated quarterly unless the owner fails to procure said license and pay the required fee within the time allowed in which case the full fee plus applicable penalties shall be required. Any owner who fails to procure a dog license and pay the required fee within the time allowed, shall, in addition to any other penalty provided by this Code, be subject to a penalty of one hundred (100%) percent of the amount due, and said penalty shall be added to the license fee hereinabove provided for and shall be collected therewith.

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 May, 1976, by Councilmember Siefkin, who moved its introduction and passage to print,

which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap

APPROVED: _____
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

The foregoing ordinance was amended at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1976, by Councilmember Mensinger, who moved its amendment, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered reprinted and republished in full at least once at least one (1) day prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto, by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap

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. 1521-C.S. as amended

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 7th day of June, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies
NOES: Councilmembers: None
ABSENT: Councilmembers: Newton

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

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

EFFECTIVE DATE: July 7, 1976

AN ORDINANCE AMENDING SECTION MAP 24-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(RULE DEVELOPMENT COMPANY)

WHEREAS, a verified application for an amendment to Section
24-3-9 of the Zoning Map was filed by Rule Development Company

on March 15, 1976, to reclassify from Planned Development
Zone, P-D(124), to Medium Density
Residential Zone, R-2, the hereinafter described
property, and

WHEREAS, after public hearing held on April 20, 1976,
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. 76-73, adopted on April 20,
1976, the Planning Commission recommended to the Council that the
application of Rule Development Company

to amend Section 24-3-9 of the Zoning Map to reclassify the herein-
after described property from Planned Development
Zone, P-D(124), to Medium Density 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 held on
May 24, 1976, 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
for the following reasons:

Commission's Zoning and Development Plan as being a
density averaging the site represents a proper location
for R-2 zoning.

2. The proposed R-2 zoning as requested is an integral part of the proposed Lakewood Park Subdivision, and the requested R-2 zoning would serve to insulate the single-family residential area to the east from Lakewood Avenue, a major street.

SECTION 2. ZONING CHANGE. Section 24-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(124), to Medium Density Residential Zone, R-2:

All that portion of property in Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

All of Lot 10 in Block 1655 as shown on the subdivision map titled Old Orchard No. 3 and filed February 26, 1974, in Book 24 of Maps at Page 66 in the Stanislaus County Records.

Including also, the Southerly 30 feet of Mulholland Drive, the Easterly 50 feet of Lakewood Avenue and the Northerly 30 feet of East Orangeburg Avenue, all being immediately adjacent to the above described property.

Excepting therefrom, the South 163.90 feet of the East 150.00 feet of said Lot 10.

Excepting also, the Northerly 30.00 feet of East Orangeburg Avenue immediately adjacent to the South line of the East 150.00 feet of said Lot 10.

SECTION 3. ZONING MAP. Section 24-3-9 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 May, 1976, by Councilman Elliott, who moved its introduction and passage to print, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

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 Mills
Planning Department

Ordinance 1522 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 7th day of June, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Newton

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

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

EFFECTIVE DATE: July 7, 1976

AN ORDINANCE AMENDING SECTION MAP 33-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSI-
FYING CERTAIN PROPERTY LOCATED THEREON. (GARY
SHARAR)

The Council of the City of Modesto does ordain as fol-
lows:

SECTION 1. ZONING CHANGE. Section 33-3-9 of the
Zoning Map is hereby amended to reclassify the following-described
property from General Commercial Zone, C-2,
to Planned-Development Zone, P-D (143):

Lot 30 and the Southeast 1/2 of Lot 31, Block 97,
City of Modesto

SECTION 2. USES. The following uses shall be permitted in said P-D (143) 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 radiator shop and automotive repair and maintenance facility.
2. A minimum of three off-street parking spaces.

SECTION 3. ZONING MAP. Section Map 33-3-9 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.

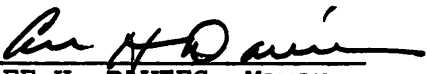
SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of May, 1976, by Councilman Elliott, who moved its introduction and passage to print, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Elliott, Kullijian, Mensinger, Newton Siefkin, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Dunlap

APPROVED: 
LEE H. DAVIES, Mayor


ATTEST: 
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By 
Planning Department

Ordinance 1523 C.S.
Exhibit A – Map

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

Ord. No. 1523-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 7th day of June, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies
NOES: Councilmembers: None
ABSENT: Councilmembers: Newton

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

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

EFFECTIVE DATE: July 7, 1976

AN ORDINANCE AMENDING SECTION 5-4.201 OF ARTICLE 2 OF CHAPTER 4 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO LICENSING OF DOGS.

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

SECTION 1. AMENDMENT OF CODE. Section 5-4.201 of Article 2 of Chapter 4 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-4.201. LICENSING AND FEES. Every person who owns, controls, harbors, possesses or keeps in the City any dog over the age of five (5) months shall, annually between June 1st and August 31st of each year, procure a license from the Director of Finance for said dog, which license shall be valid for the period commencing on July 1st of said year and ending on June 30th of the succeeding year. The annual fee for said licenses shall be Eight and no/100ths (\$8.00) Dollars for each such dog; provided, however, that if a certificate is presented from a licensed veterinarian that the dog has been spayed or neutered, the license fee shall be Two and no/100ths (\$2.00) Dollars; provided further, that no license fee shall be required to be paid for guide dogs for the blind. Thereafter, during the period from September 1st of each year to May 31st of the succeeding year within fifteen (15) days after a dog reaches the age of five (5) months, or within fifteen (15) days after any dog over the age of five (5) months is acquired or brought into the City, its owner shall procure a license for said dog and shall be required to pay the fee herein required, provided, however, that said fee shall be prorated quarterly unless the owner fails to procure said license and pay the required fee within the time allowed in which case the full fee plus applicable penalties shall be required. Any owner who fails to procure a dog license and pay the required fee within the time allowed, shall, in addition to any other penalty provided by this Code, be subject to a penalty of one hundred (100%) percent of the amount due, and said penalty shall be added to the license fee hereinabove provided for and shall be collected therewith.

SECTION 2. DECLARATION OF EMERGENCY. The Council of the City of Modesto hereby finds and declares that the foregoing ordinance is necessary as an emergency measure for preserving the public peace, health and safety. The following is a statement of the facts showing its urgency: It is necessary to increase the license fees for dogs in order to raise additional funds to provide means of controlling the number of dogs in the City of Modesto and to provide additional funds for the enforcement of the provisions of the municipal code relating to dogs. In order for said increased fees to be effective for the 1976-77 licensing year they must be enacted prior to June 1, 1976.

SECTION 3. REPEALS. Ordinance No. 1520-C. S. adopted by the Council of the City of Modesto on the 17th day of May, 1976, is hereby repealed.

SECTION 4. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption but shall not become operative until on and after June 1, 1976.

SECTION 5. PUBLICATION. 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 24th day of May, 1976, by Councilmember Mensinger, who moved its adoption and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Mensinger, Newton, Siefkin,
Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap

APPROVED: 
LEE H. DAVIES, Mayor

ATTEST:

By 
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
ELWYN L. JOHNSON, City Attorney

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

WHEREAS, a verified application for an amendment to Section 10-3-9 of the Zoning Map was filed by Stone Brothers on February 18, 1976, to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and Professional Office Zone, P-0, certain property described in said application, and

WHEREAS, a public hearing on said application was held by the Planning Commission on April 20, 1976, at which time the applicant requested and was granted approval to withdraw without prejudice certain portions of the property described in said application for rezoning, which withdrawn property is comprised of land located along the north side of the Beyer Community Park and Beyer High School site, along the west side of the Beyer Community Park site, and an area comprised of two tentative lots located on the north side of Sylvan Meadows Drive, and

WHEREAS, after the above mentioned public hearing, it was found and determined by the Planning Commission that rezoning the property as requested, excluding the properties mentioned above which were withdrawn from the application, is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 76-72, adopted on April 20, 1976, the Planning Commission recommended to the Council that the application of Stone Brothers to amend Section 10-3-9 of the Zoning Map to reclassify the hereinafter described property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and Professional Office Zone, P-0, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on June 14, 1976, 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 for the following reasons:

1. The R-2 portion of the amended rezoning request is in conformity with the Beyer Neighborhood Zoning and Development Policy.
2. The areas requested for P-0 zoning possess good locational characteristics for a transitional or tapering off of intensity of land use between the P-D(53) commercial area and the residential developments to the north and east.

SECTION 2. ZONING CHANGE. Section 10-3-9 of the Zoning

Map is hereby amended to reclassify the following described property

from Low Density Residential Zone, R-1,

to Medium Density Residential Zone, R-2,

and Professional Office Zone, P-0:

R-1 to R-2

Beginning at the intersection of Coffee Road and Sylvan Meadows Drive, as shown on map of Sylvan Meadows East No. 1, filed for record in Volume 25 of Maps at Page 8, Stanislaus County Records; thence North $0^{\circ}48'$ West 171.15 feet; thence North $89^{\circ}23'27''$ East 319.41 feet to the Northeast corner of Lot 3, Block 12575, in said Sylvan Meadows East No. 1; thence South $16^{\circ}56'15''$ East along the East line of said Lot 3 and the Southerly extension thereof, a distance of 162.660 feet to the intersection with a normal curve, said curve being the centerline of said Sylvan Meadows Drive; thence Northeasterly 265.57 feet along said normal curve, concave to the Northwest, having a radius of 500.00 feet and a central angle of $30^{\circ}25'55''$; thence continuing along said centerline of Sylvan Meadows Drive being a tangent line North $42^{\circ}37'50''$ East 31.70 feet; thence South $48^{\circ}29'26''$ East 452.64 feet; thence South $26^{\circ}37'16''$ East 66.19 feet; thence South $48^{\circ}27'51''$ East 300.83 feet to a point on non-tangent curve from which a radial line bears North $50^{\circ}34'24''$ West to the center; thence Southwesterly 9.20 feet along said non-tangent curve, concave to the Northwest, having a radius of 250.00 feet and a central angle of $2^{\circ}06'33''$; thence South $41^{\circ}32'09''$ West along a tangent line 130.80 feet; thence North $48^{\circ}27'51''$ West 260.03 feet; thence South $41^{\circ}30'34''$ West 140.33 feet; thence North $48^{\circ}29'26''$ West 508.65 feet; thence South $41^{\circ}30'34''$ West 192.57 feet to a point of cusp with a tangent curve; thence Northeasterly 256.90 feet along said tangent curve, concave to the Northwest, having a radius of 250.00 feet and a central angle of $58^{\circ}52'37''$ to a point on a non-tangent curve from which a radial line bears North $16^{\circ}56'15''$ West to the center; thence Westerly 154.21 feet along said non-tangent curve, concave to the North, having a radius of 500.00 feet and a central angle of $17^{\circ}40'15''$; thence North $89^{\circ}16'$ West 212.35 feet to the point of beginning.

Containing: 6.34 Acres

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

Parcel 1

Beginning at the intersection of Coffee Road and Sylvan Meadows Drive, as shown on map of Sylvan Meadows East No. 1, filed for record in Volume 25 of Maps at Page 8, Stanislaus County Records; thence South 89°16' East 212.35 feet; thence Easterly 154.21 feet along a tangent curve, concave to the North, having a radius of 500.00 feet and a central angle of 17°40'15" to a point on a non-tangent curve, from which a radial line bears South 72°37'57" West to the center; thence Southwesterly 464.99 feet along said non-tangent curve, concave to the Northwest, having a radius of 250.00 feet and a central angle of 106°34'03"; thence South 89°12' West 125.00 feet; thence North 0°48' West 307.44 feet to the point of beginning.

Containing: 2.32 acres

Parcel 2

Commencing at the West Quarter Section corner of said Section 10, being the centerline intersection of Coffee Road and Sylvan Avenue; thence North 89°26'10" East along said centerline of Sylvan Avenue 580.00 feet to the point of beginning of this description; thence North 0°33'50" West 110.00 feet; thence Northeasterly 183.58 feet along a tangent curve, concave to the Southeast, having a radius of 250.00 feet and a central angle of 42°04'24"; thence North 41°30'34" East along a tangent line 393.03 feet; thence South 48°27'51" East 357.52 feet; thence South-easterly 207.77 feet along a tangent curve, concave to the Southwest, having a radius of 250.00 feet and a central angle of 47°37'06"; thence South 0°50'45" East 145.31 feet; thence South 89°26'10" West 676.16 feet to the point of beginning.

Containing: 6.15 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 14th day of June, 1976, by Councilman Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Siefkin, Vice Mayor Elliott

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

APPROVED: Robert T. Elliott

~~CITY CLERK~~
ROBERT T. ELLIOTT,
Vice 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 Brubaker
Planning Department

Ordinance 1525 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 21st day of June, 1976, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies
- NOES: Councilmembers: None
- ABSENT: Councilmembers: Newton, Siefkin

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

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

EFFECTIVE DATE: July 21, 1976

AN ORDINANCE AMENDING SECTION MAP 5-4-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(RANDALL K. ANDERSON)

WHEREAS, a verified application for an amendment to Section
5-4-9 of the Zoning Map was filed by Randall K. Anderson

on April 16, 1976, to reclassify from
Light Industrial Zone, M-1, to
Heavy Industrial Zone, M-2, the hereinafter described
property, and

WHEREAS, after public hearing held on May 18, 1976,
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. 76-91, adopted on May 18,
1976, the Planning Commission recommended to the Council that the
application of Randall K. Anderson

to amend Section 5-4-9 of the Zoning Map to reclassify the herein-
after described property from
Light Industrial Zone, M-1, to
Heavy Industrial Zone, M-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on
June 14, 1976, 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
for the following reasons:

1. The subject property is surrounded by City M-2 Zoning
and County Heavy Industrial "M" Zoning.
2. The requested M-2 Zoning would allow land development
compatible with surrounding land uses.

3. The requested M-2 Zoning corresponds with the industrial designation of the subject property on the Modesto Urban Area General Plan.

SECTION 2. ZONING CHANGE. Section 5-4-9 of the Zoning Map is hereby amended to reclassify the following described property from Light Industrial Zone, M-1, to Heavy Industrial Zone, M-2:

All that certain real property situate in a portion of the Northeast quarter of Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the Northeast corner of said Section 5; thence South along the East line of said Section 5 and the centerline of Crows Landing Road, a distance of 902.02 feet to the City of Modesto city limits and the POINT OF BEGINNING of this description; thence continuing South along said centerline a distance of 1010 feet, more or less, to a point on a curve, said curve being the median centerline of California State Highway 99; thence Northwesterly 1175 feet, more or less, along said median centerline, to a point on the City of Modesto city limit line; thence South 89° 31' East along said city limit line, a distance of 553 feet, more or less, to the point of beginning.

Containing 7.7 acres more or less

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 14th day of June, 1976, by Councilman Newton, who moved its introduction and passage to print, which motion being duly seconded by Councilman Siefkin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dunlap, Kullijian, Mensinger, Newton, Siefkin, Vice Mayor Elliott

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Davies

APPROVED:

Robert T. Elliott
~~Robert T. Davies, Mayor~~
ROBERT T. ELLIOTT
Vice 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. Smith
Planning Department

Ordinance 1526 C.S.
Exhibit A – Map

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

Ord. No. 1526-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 21st day of June, 1976, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies


NOES: Councilmembers: None

ABSENT: Councilmembers: Newton, Siefkin

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: July 21, 1976

AN ORDINANCE AMENDING SECTION 9-6.04 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 9-6.04 of Chapter 6 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

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 Sign.

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 signs.

(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 established by the Council from time to time by resolution and on file in the office of the City Clerk and the City Building Official. The required fees are in addition to the fees prescribed in and payable under the Building and Electrical Codes of the City of Modesto. The required fees shall be doubled 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.

(l) 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.

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.

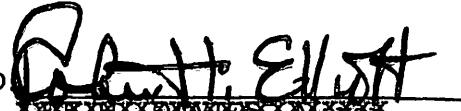
SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of June, 1976, by Councilmember Dunlap, who moved its

introduction and passage to print, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Mensinger, Newton, Siefkin, Vice Mayor Elliott
NOES: Councilmembers: None
ABSENT: Councilmembers: Mayor Davies

APPROVED


~~Mayor Davies, Mayor~~
ROBERT T. ELLIOTT,
Vice Mayor

ATTEST:

By 
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
ELWYN T. JOHNSON, City Attorney

Ord. No. 1527-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 21st day of June, 1976, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Newton, Siefkin

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

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

EFFECTIVE DATE: July 21, 1976

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 19 77, AND PROVIDING FOR CERTAIN TRANSFERS OF FUNDS.

WHEREAS, pursuant to the Charter of the City of Modesto, a proposed budget for the 19 76 - 77 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 76 - 77", presented by the City Manager to the City Council at its meeting held May 3, 1976, 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, 19 77, 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 21st day of June, 1976, by Councilmember Elliott, who moved its adoption and passage to print, which motion being duly seconded by Councilmember Dunlap, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Mensinger, Newton, Mayor Davies

NOES: Councilmembers: Kullijian

ABSENT: Councilmembers: Siefkin

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

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

By *Elmer Johnson*
City Attorney

AN ORDINANCE AMENDING SECTION MAP 22-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(JOE WYLIE)

WHEREAS, a verified application for an amendment to Section
22-3-9 of the Zoning Map was filed by Joe Wylie

on April 16, 1976, to reclassify from _____
Low Density Residential Zone, R-1, to Medium Density Residential
_____ Zone, R-2, the hereinafter described
property, and

WHEREAS, after public hearing held on May 18, 1976,
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. 76-92, adopted on May 18,
1976, the Planning Commission recommended to the Council that the
application of Joe Wylie

to amend Section 22-3-9 of the Zoning Map to reclassify the herein-
after described property from Low Density Residential
_____ Zone, R-1, to Medium Density 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 held on
June 28, 1976, 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
for the following reasons:

1. The proposed R-2 zoning will provide a medium density residential
transition between the higher density and commercial developments
to the south and southeast, respectively.

2. The proposed R-2 zoning is in conformance with the East Half Rose Park Neighborhood Zoning and Development Policy adopted by the Planning Commission on January 18, 1972.
3. The proposed R-2 zoning complies with the Medium Density Residential Criteria as outlined in the Modesto Urban Area General Plan.

SECTION 2. ZONING CHANGE. Section 22-3-9 of the Zoning Map is hereby amended to reclassify the following described property
 from Low Density Residential Zone, R-1,
 to Medium Density Residential Zone, R-2:

All that certain real property situate in Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, Stanislaus County, State of California, more particularly described as follows:

Beginning at the intersection of centerlines of Muirswood Way and Wylie Drive as shown on Map of Wyldewood Grove No. 1 as filed in Volume 25 of Maps, Page 57, Stanislaus County Records; thence North 00° 43' 08" West along the centerline of Muirswood Way a distance of 127.00 feet; thence North 89° 59' 45" East a distance of 763.81 feet; thence South 00° 45' East a distance of 127.00 feet to a point on the centerline of said Wylie Drive; thence South 89° 59' 45" West along the said centerline of Wylie Drive, a distance of 763.88 feet to the point of beginning.

Excepting therefrom, the southerly 10 feet of the above described property.

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 28th day of June, 1976, by Councilman Elliott, who moved its introduction and passage to print, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger,
Newton, Siefkin, 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

APPROVED AS TO DESCRIPTION:

By Alteair Nichols
Planning Department

Ordinance 1529 C.S.
Exhibit A – Map

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

Ord. No. 1529-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 6th day of July, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None


ABSENT: Councilmembers: Elliott, Newton

APPROVED



LEE H. DAVIES, Mayor

ATTEST:



W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 5, 1976

ORDINANCE NO. 1530 -C. S.

AN ORDINANCE AMENDING SECTION MAP 27-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO TO REPEAL A P-D ZONE AND REZONE TO LOW DENSITY RESIDENTIAL ZONE (R-1) THE PROPERTY LOCATED BETWEEN DRY CREEK AND SCENIC DRIVE, EAST OF COFFEE ROAD. (GLADYS CASKEY)

WHEREAS, the Modesto City Council by Ordinance No. 791-C. S., effective July 20, 1966, rezoned from Low Density Residential Zone (R-1) to Planned Development Zone, P-D(26) for a low density, one-story, single-family cottage development, property located between Dry Creek and Scenic Drive, east of Coffee Road, hereinafter described, and

WHEREAS, Resolution 66-426, adopted by the City Council on June 6, 1966, originally specified that the entire construction program of P-D(26) was to be accomplished in one phase, construction to begin on or before October 1, 1966, and be completed not later than October 1, 1968, and

WHEREAS, by Planning Commission Resolutions No. 66-97, 67-110 and 69-111, a series of three time extensions were granted to allow commencement of construction for P-D(26), and

WHEREAS, a fourth request for a time extension was received after the deadline for such requests and the Planning Commission by Resolution No. 72-143 initiated proceedings to repeal P-D(26) and held a public hearing on February 20, 1973, at which time the Planning Commission, by Resolution No. 73-23, denied the reversion back to Low Density Residential Zone, (R-1), and granted a revised development schedule specifying that development was to begin on or before October 1, 1975, and

WHEREAS, the Planned Development Zone, P-D(26) has again expired and the owner or developer has failed to commence construction by the time limit imposed as a condition of said Planned Development Zone, P-D(26), 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, the Planning Commission, by Resolution No. 76-62, adopted on April 6, 1976, initiated proceedings to repeal P-D(26) and rezone the property to Low Density Residential Zone, (R-1), and

WHEREAS, after a public hearing held on May 18, 1976, it was found and determined by the Planning Commission that repeal of P-D(26) and rezoning the property back to Low Density Residential Zone (R-1) is required by public necessity, convenience and general welfare for the following reasons:

1. The owner or developer of P-D(26) has failed to develop the project within the limits of the development schedule even as extended four (4) times.
2. The rezoning is as specified in Section 10-2.2709(c) of the Municipal Code.
3. The owner has expressed to the City interest in pursuing development of the hereinafter described property under the standard subdivision procedures in the R-1 Zone, to which this rezoning would revert,

and

WHEREAS, by Resolution No. 76-88, adopted on May 18, 1976, the Planning Commission recommended to the City Council that Section 27-3-9 of the Zoning Map be amended to repeal P-D(26) and rezone the property hereinafter described to Low Density Residential Zone, R-1, and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers, 801 11th Street, in the City of Modesto, at 7:40 o'clock P.M. on June 28, 1976, 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 a public hearing, this Council finds and determines that the recommended rezoning of Planned Development Zone, P-D(26), back to Low Density Residential Zone, R-1, is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 76-88.

SECTION 2. ZONING CHANGE. Section 27-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(26), to Low Density Residential Zone, R-1:

Commencing at the Northwest corner of said Section 27;
thence South 0° 03' West 1372.00 feet to the South line of

a 50 foot County Road known as Scenic Drive; thence North 68° 32' 30" East 15.39 feet along the South line of said Scenic Drive; thence North 69° 31' East 125.11 feet along the South line of said Scenic Drive; thence South 89° 24' East 168.30 feet to the true point of beginning of this description; thence continue South 89° 24' East 1020.00 feet to the East line of the Southwest quarter of Northwest quarter of said Section 27; thence South 0° 04.5' West 111.01 feet along quarter quarter line to the center line of Beard Brook; thence continue downstream along said center line following course and distances; South 74° 07' West 167.72 feet; South 63° 07' West 129.67 feet; South 82° 40' West 208.10 feet; North 89° 23' West 404.65 feet; South 81° 29' West 133.29 feet; thence leaving said center line of said Beard Brook, North 268.17 feet to the true point of beginning.

SECTION 3. ZONING MAP. Section 27-3-9 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 28th day of June, 1976, by Councilmember Kullijian, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: 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

APPROVED AS TO DESCRIPTION:

By William Smith
Department of Planning and Community Development

**Ordinance 1530 C.S.
Exhibit A – Map**

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

Ord. No. 1530-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 6th day of July, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Mensinger, Siefkin, Mayor Davies


NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Newton

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 5, 1976

AN ORDINANCE AMENDING SECTION MAP 24-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(DOROTHY BEARDEN)

WHEREAS, a verified application for an amendment to Section
24-3-9 of the Zoning Map was filed by Dorothy Bearden

on April 13, 1976, to reclassify from Low Density
Residential Zone, R-1, to Medium Density
Residential Zone, R-2, the hereinafter described
property, and

WHEREAS, after public hearing held on May 18, 1976,
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. 76-90, adopted on May 18,
1976, the Planning Commission recommended to the Council that the
application of Dorothy Bearden

to amend Section 24-3-9 of the Zoning Map to reclassify the herein-
after described property from Low Density Residential
Zone, R-1, to Medium Density Residential Zone
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 held on
June 28, 1976, 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
for the following reasons:

1. The area proposed for R-2 zoning, coupled with the area
recommended for R-2 zoning by Planning Commission
Resolution No. 76-73, is shown on the Planning
Commission's Zoning and Development Plan as being
property suited for R-3 and R-1 development and through the

use of density averaging the joint sites represent a proper location for R-2 zoning.

2. The proposed R-2 zoning as requested is an integral part of the proposed Lakewood Park Subdivision, and the requested R-2 zoning would serve to insulate the single-family residential area to the east from Lakewood Avenue, a major street.

SECTION 2. ZONING CHANGE. Section 24-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2:

All that portion of property in Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

All of the south 163.90 feet of the east 150.00 feet of Lot 10 in Block 1655 as shown on the Subdivision Map titled Old Orchard No. 3 and filed February 26, 1974, in Book 24 of Maps at Page 66 in the Stanislaus County Records.

Including also the northerly 30 feet of East Orangeburg Avenue immediately adjacent to the above described property.

SECTION 3. ZONING MAP. Section 24-3-9 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 28th day of June, 1976, by Councilman Mensinger, who moved its introduction and passage to print, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, 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

APPROVED AS TO DESCRIPTION:

BY Albert Nichols
Planning Department

Ordinance 1531 C.S.
Exhibit A – Map

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

Ord. No. 1531-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 6th day of July, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Newton

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

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

EFFECTIVE DATE: August 5, 1976

AN ORDINANCE AMENDING SECTIONS 3-2.1401 AND 3-2.1401.1 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. Sections 3-2.1401 and 3-2.1401.1 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 3-2.1401. CHANGE IN SPEED LIMITS SET BY STATE LAW. Pursuant to authority contained in the California Vehicle Code Sections 22357 and 22358, it is hereby determined upon the basis of an engineering and traffic survey that the prima facie speed limits hereinafter set forth would facilitate the orderly movement of vehicular traffic and would be reasonable and safe, except when passing school grounds, and it is hereby determined that a speed limit greater than those hereinafter set forth would be more than is reasonable or safe. It is hereby declared that the prima facie speed limits hereinafter set forth are established according to law.

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
ALICE STREET, between Sycamore Avenue and McHenry Avenue	25 miles per hour
BLUE GUM AVENUE, between North 9th Street and Prichard Avenue	40 miles per hour
BRIGGSMORE AVENUE, (eastbound) between 1,000 feet west of Coffee Road and Coffee Road	40 miles per hour
BRIGGSMORE AVENUE, (westbound) between 1,000 feet east of Coffee Road and Coffee Road	40 miles per hour
BRIGGSMORE AVENUE, (eastbound) between Coffee Road and Oakdale Road	50 miles per hour
BRIGGSMORE AVENUE, (westbound) between Oakdale Road and 1,000 feet east of Coffee Road	50 miles per hour
BRIGHTON AVENUE, between Wylie Drive and Coffee Road	25 miles per hour
CARPENTER ROAD, between Blue Gum Avenue and Maze Boule- vard within the City limits	50 miles per hour
CARPENTER ROAD, between Cali- fornia Avenue and Maze Boule- vard	40 miles per hour
CARPENTER ROAD, between the Tuolumne River and Robertson Road	35 miles per hour

CENTER STREET, between Rosedale Avenue and Calaveras Avenue	25 miles per hour
CONANT AVENUE, between North 9th Street and Rumble Road	35 miles per hour
DEL VALE AVENUE, between Del Vista Avenue and Greenwood Drive	25 miles per hour
EMERALD AVENUE, between Maze Boulevard and Kansas Avenue within the City limits	25 miles per hour
ENCINA AVENUE, between Covena Avenue and Santa Ana Avenue	25 miles per hour
ENSLLEN AVENUE, between Granger Avenue and Orangeburg Avenue	25 miles per hour
FAIRMONT AVENUE, between Virginia Avenue and McHenry Avenue	25 miles per hour
FRANKLIN STREET, between Maze Boulevard and Laurel Avenue	25 miles per hour
GRAPE AVENUE, between Pearl Street and Evergreen Avenue	25 miles per hour
GRISWOLD AVENUE, from Virginia Avenue to McHenry Avenue	25 miles per hour
HADDON AVENUE, between La Loma Avenue and Conejo Avenue	25 miles per hour
HATCH ROAD, within the City limits	35 miles per hour
JEFFERSON STREET, from Paradise Road to 8th Street	25 miles per hour
K STREET, between Washington Street and 9th Street	25 miles per hour
LA LOMA AVENUE, between Burney Street and Buena Vista	25 miles per hour
LEGION PARK ROAD, between Santa Cruz Avenue and Conejo Avenue	25 miles per hour
LEVELAND LANE, between College Avenue and TSRR tracks	25 miles per hour
LUCERN AVENUE, between Johnson Street and Coffee Road	25 miles per hour
MADISON STREET, between Paradise Avenue and Laurel Avenue	25 miles per hour
MORTON BOULEVARD, between 9th Street and Downey Avenue	25 miles per hour
NEECE DRIVE, between Tuolumne Boulevard and Sunset Avenue	25 miles per hour

ORANGEBURG AVENUE, between Martin Avenue and Prescott Road	25 miles per hour
PEARL STREET, between Carver Road and west end of Pearl Street	25 miles per hour
RIVER ROAD, between Herndon Avenue and 1,200 feet west of Herndon Avenue	35 miles per hour
ROBLE AVENUE, between Santa Ana Avenue and Rosina Avenue	25 miles per hour
RUMBLE ROAD, between Dale Road and Conant Avenue	35 miles per hour
SCENIC DRIVE, between 300 feet west of Rose Avenue and Oakdale Road	35 miles per hour
SHERWOOD AVENUE, between Orangeburg Avenue and Brigsmore Avenue	25 miles per hour
STODDARD AVENUE, between McHenry Avenue and Virginia Avenue	25 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour
WHITMORE AVENUE, between Tidewater Southern Railroad and 592' west of Tidewater Southern Railroad Tracks	50 miles per hour
WRIGHT STREET, between Sycamore Avenue and McHenry Avenue	25 miles per hour
7TH STREET, between Sierra Drive and the Tuolumne River	25 miles per hour
9TH STREET, on the Tuolumne River Bridge	40 miles per hour
9TH STREET, between north end of the Tuolumne River Bridge and D Street	30 miles per hour
9TH STREET, between P Street and Tully Road	35 miles per hour
9TH STREET, between Tully Road and Shoemaker Avenue	50 miles per hour

SEC. 3-2.1401.1. CHANGE IN SPEED LIMITS SET BY STATE LAW: FOR PURPOSES OF ENFORCEMENT USING RADAR OR OTHER ELECTRONIC DEVICE. By authority contained in California Vehicle Code Sections 22357 and 22358, upon the basis of engineering and traffic surveys conducted pursuant to Vehicle Code Sections 627 and 40802, and Chapter 8 (dated January 1971) of the Traffic Manual of the Department of Public Works, Business and Transportation Agency, State of California, issued by the Division of Highways, it is hereby determined that the prima facie speed limits hereinafter set forth would facilitate the orderly movement of vehicular traffic and would be reasonable and safe, except when passing school grounds, and it is hereby determined that a speed limit greater than those hereinafter set forth would be more than is reasonable or safe. It is hereby declared the prima facie speed limits hereinafter set forth are established according to said Traffic Manual Provisions at or near the 85th percentile speed as calculated by the engineering and traffic survey for each street on the date indicated.

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>	<u>DATE SURVEYED</u>
BOWEN AVENUE, between Tully Road and McHenry Avenue	35 miles per hour	July 26, 1973
BRIGGSMORE AVENUE, west- bound between Coffee Road and McHenry Avenue	45 miles per hour	May 16, 1973
BRIGGSMORE AVENUE, east- bound between McHenry Avenue and 1,000 feet west of Coffee Road	45 miles per hour	May 16, 1973
W. BRIGGSMORE AVENUE, (east and westbound) between McHenry Avenue and Tully Road	40 miles per hour	August 16, 1975
W. BRIGGSMORE AVENUE, (east and westbound) between Tully Road and Prescott Road	45 miles per hour	August 16, 1975
CARVER ROAD, between 9th Street and Roseburg Avenue	30 miles per hour	July 26, 1973
CARVER ROAD, between Roseburg Avenue and Standiford Avenue	35 miles per hour	July 26, 1973
CELESTE DRIVE, between Oakdale Road and Coffee Road	30 miles per hour	February 28, 1974
COFFEE ROAD, between Scenic Drive and Briggsmore Avenue	35 miles per hour	November 8, 1974
COFFEE ROAD, between Briggsmore Avenue and Floyd Avenue	35 miles per hour	November 8, 1974
COFFEE ROAD, between Floyd Avenue and Rumble Road	35 miles per hour	October 19, 1974
COFFEE ROAD, between Rumble Road and Sylvan Avenue	45 miles per hour	November 8, 1974
COLLEGE AVENUE, between Princeton Avenue and Bowen Avenue	35 miles per hour	July 19, 1973

COLLEGE AVENUE, between W. Rumble Road and Bowen Avenue	35 miles per hour	May 27, 1976
EICHER AVENUE, between Conant Avenue and Goldie Avenue	30 miles per hour	June 4, 1976
EL VISTA AVENUE, between Yosemite Boulevard and Scenic Drive	35 miles per hour	July 26, 1973
EMERALD AVENUE, between Maze Boulevard and California Avenue within the City limits	30 miles per hour	May 1, 1974
EVERGREEN AVENUE, between W. Orangeburg Avenue and Carver Road	35 miles per hour	May 6, 1976
FAIRMONT AVENUE, between Sunrise Avenue and Coffee Road	30 miles per hour	February 5, 1974
FLOYD AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	July 26, 1973
FLOYD AVENUE, between Coffee Road and 1,600' west of Oakdale Road	35 miles per hour	January 23, 1974
FRANKLIN STREET, between California Avenue and Maze Boulevard	30 miles per hour	July 28, 1973
GRANGER AVENUE, between Tully Road and Sunrise Avenue	30 miles per hour	April 30, 1974
KEARNEY AVENUE, between Cold- well Avenue and Glenwood Drive	30 miles per hour	May 28, 1976
KELLER STREET, between Sylvan Avenue and Rumble Road (excluding County portion)	30 miles per hour	September 26, 1974
LA LOMA AVENUE, between Buena Vista and Yosemite Boulevard	30 miles per hour	August 2, 1973
LINCOLN AVENUE, between Yosemite Boulevard and 650' north of MID Lateral #2	35 miles per hour	August 7, 1975
MILLER AVENUE, between La Loma Avenue and El Vista Avenue	30 miles per hour	July 28, 1973
MITCHELL ROAD, between Finch Road and 1,326' south of Finch Road	50 miles per hour	May 22, 1973
MORRIS AVENUE, between McHenry Avenue and Coffee Road	30 miles per hour	July 27, 1973
MT. VERNON AVENUE, between Prescott Road and College Avenue	30 miles per hour	May 1, 1974

NORWEGIAN AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	May 1, 1974
OAKDALE ROAD, between Scenic Drive and Briggsmore Avenue	35 miles per hour	May 27, 1976
ORANGEBURG AVENUE, between Carver Road and McHenry Avenue	35 miles per hour	May 18, 1973
E. ORANGEBURG AVENUE, between McHenry Avenue and Coffee Road within the City limits	35 miles per hour	April 30, 1974
E. ORANGEBURG AVENUE, between Oakdale Road and Peppertree Lane	35 miles per hour	July 24, 1975
PRESCOTT ROAD, between Briggsmore Avenue and Rumble Road	35 miles per hour	October 9, 1974
RIVERSIDE DRIVE, between Edgebrook Drive and Yosemite Boulevard	35 miles per hour	May 28, 1976
ROSE AVENUE, between Scenic Drive and Briggsmore Avenue	35 miles per hour	July 26, 1973
ROSE AVENUE, between Briggsmore Avenue and Floyd Avenue	30 miles per hour	July 26, 1973
ROSEBURG AVENUE, between Carver Road and McHenry Avenue	30 miles per hour	April 30, 1974
E. RUMBLE ROAD, between McHenry Avenue and Coffee Road within the City limits	35 miles per hour	March 13, 1974
W. RUMBLE ROAD, between Conant Avenue and Tully Road	30 miles per hour	April 8, 1974
W. RUMBLE ROAD, between Tully Road and McHenry Avenue	35 miles per hour	May 27, 1976
STANDIFORD AVENUE, between Carver Road and Tully Road	40 miles per hour	September 26, 1974
STANDIFORD AVENUE, between Tully Road and McHenry Avenue	40 miles per hour	June 3, 1976
SUNRISE AVENUE, between Lucern Avenue and Floyd Avenue	30 miles per hour	March 19, 1974
SURREY AVENUE, between Oakdale Road and Eastridge Drive	25 miles per hour	July 9, 1975
SUTTER AVENUE, between Paradise Avenue and Robertson Road	30 miles per hour	July 28, 1973
SYLVAN AVENUE, between McHenry Avenue and Oakdale Road within the City limits	45 miles per hour	March 8, 1974
TULLY ROAD, between Coldwell Avenue and Standiford Avenue	35 miles per hour	May 16, 1973

TUOLUMNE BOULEVARD, between 7th Street and Paradise Avenue	35 miles per hour	May 21, 1973
VENEMAN AVENUE, between Dale Road and Standiford Avenue	45 miles per hour	June 11, 1976
VIRGINIA AVENUE, between Needham Street and Roseburg Avenue	35 miles per hour	April 12, 1974
WOODROW AVENUE, between McHenry Avenue and Tully Road within the City limits	30 miles per hour	February 4, 1974

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 28th day of June, 1976, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger,
Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: 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

Ord. No. 1532-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 6th day of July, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Newton

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

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

EFFECTIVE DATE: August 5, 1976

AN ORDINANCE AMENDING SECTION 5-6.02 OF CHAPTER 6 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO SEWER SERVICE CHARGES.

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

SECTION 1. AMENDMENT OF CODE. Section 5-6.02 of Chapter 6 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-6.02. SEWER SERVICE CHARGES. Each person owning property within the Sewer District shall pay a sewer service charge to the City in accordance with rates and charges as established by the Council from time to time by resolution and on file in the office of the City Clerk and the Director of Public Works.

Anything to the contrary contained in this chapter notwithstanding the Council shall have the power to establish, by agreement or resolution, the rate or rates to be charged for furnishing sewer services to governmental agencies, and to any user outside the boundaries of the Sewer District at rates different from those established for persons owning property within the Sewer District.

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 28th day of June, 1976, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Mensingher, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies
- NOES: Councilmembers: None
- ABSENT: Councilmembers: 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

Ord. No. 1533-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 6th day of July, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Newton

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

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

EFFECTIVE DATE: August 5, 1976

AN ORDINANCE AMENDING SECTION MAP 25-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO PREZONING CERTAIN PROPERTY LOCATED THEREON TO PLANNED DEVELOPMENT ZONE, P-D(144) AND PROFESSIONAL OFFICE ZONE (P-O). (THE ESTATE OF GEORGE KOUNIAS)

WHEREAS, a verified application for an amendment to Section 25-3-9 of the Zoning Map was filed by the Estate of George Kounias on April 15, 1976, to prezone to Professional Office Zone, P-O, and Planned Development Zone, P-D(144), to permit construction of a neighborhood shopping center, property located at the northeast corner of Lincoln Avenue and Yosemite Boulevard, and

WHEREAS, a public hearing was held by the Planning Commission on May 18, 1976, and continued to June 1, 1976, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearings evidence both oral and documentary was received and considered, and

WHEREAS, the applicant, subsequent to the May 18, 1976, public hearing by the Planning Commission submitted a revised plot plan and boundaries for the proposed Planned Development Zone, P-D(144) and also revised the boundaries of the proposed Professional Office Zone, P-O, providing for two (2) professional office zone areas as hereinafter described, and

WHEREAS, by Resolution No. 76-97 adopted on June 1, 1976, the Planning Commission found and determined that the prezoning as requested in the revised descriptions hereinafter set forth was required by public necessity, convenience and general welfare and recommended to the Council that the requested prezoning of the property, as revised, be approved for the following reasons:

1. A neighborhood shopping center is shown on the General Plan map at the corner of Lincoln Avenue and Yosemite Boulevard and zoning for such a center does not currently exist at this intersection.
2. P-O Zoning, both north and east of the proposed shopping center, makes an ideal buffer between the shopping center and residential uses proposed farther north and east from the shopping center.

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

SECTION 1. ZONING CHANGE. Section 25-3-9 of the Zoning Map is hereby amended to prezone the hereinafter described property to Planned-Development Zone, P-D(144).

All that certain real property situate in a portion of the Southwest quarter of Section 25, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Prezone to P-D - Parcel 1

Commencing at the Southwest corner of said Section 25; thence North 89° 34' 28" East along the South line of said Section 25, a distance of 20.00 feet to the intersection of the center line of Lincoln Avenue with the center line of Yosemite Boulevard and the point of beginning of this description; thence North 0° 32' 24" West along said center line of Lincoln Avenue a distance of 527.00 feet; thence North 89° 34' 28" East 901.98 feet to the Westerly line of Parcel A, as shown on the Parcel Map filed in Volume 22 of Parcel Maps, at Page 79, Stanislaus County Records; thence South 0° 32' 24" East along said Westerly line of Parcel A and the westerly line of Parcel C, a distance of 160.00 feet; thence South 89° 34' 28" West 130.00 feet; thence South 0° 32' 24" East 367.00 feet to said center line of Yosemite Boulevard; thence South 89° 34' 28" West along said center line a distance of 771.98 feet to the point of beginning.

Containing: 9.82 Acres Gross

SECTION 2. USES. The following uses shall be permitted in said P-D(144) 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 neighborhood shopping center with land uses as permitted in the C-1 Zone.

2. An off-street parking area.

SECTION 3. ZONING CHANGE. Section 25-3-9 of the Zoning Map is hereby amended to prezone the hereinafter described property to Professional Office Zone, P-O.

All that certain real property situate in a portion of the Southwest quarter of Section 25, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Prezone to P-O (North P-O) Parcel 2

Commencing at the Southwest corner of said Section 25; thence North 89° 34' 28" East along the South line of said Section 25, a distance of 20.00 feet to the intersection of the center line of Lincoln Avenue with the center line of Yosemite Boulevard; thence North 0° 32' 24" West along said center line of Lincoln Avenue a distance of 527.00 feet to the point of beginning of this description; thence continuing North 0° 32' 24" West along said center line 260.00 feet; thence North 89° 34' 28" East 400.00 feet; thence South 0° 32' 24" East a distance of 260.00 feet; thence South 89° 34' 28" West 400.00 feet to the point of beginning.

Containing 2.39 Acres Gross

Prezone to P-O (East P-O) Parcel 3

Commencing at the Southwest corner of said Section 25; thence North 89° 34' 28" East along the South line of said Section 25, a distance of 20.00 feet to the intersection of the center line at Lincoln Avenue with the center line of Yosemite Boulevard; thence North 89° 34' 28" East along said center line of Yosemite Boulevard a distance of 771.98 feet to the point of beginning of this description; thence North 0° 32' 24" West 367.00 feet; thence North 89° 34' 28" 130.00 feet East to the Westerly line of Parcel A, as shown on the Parcel Map filed in Volume 22 of Parcel Maps, at Page 79, Stanislaus County Records; thence South 0° 32' 24" East along said Westerly line of Parcel A and the Westerly line of Parcel C, a distance of 139.13 feet to a jog in the boundary of said Parcel C; thence continuing along said boundary of Parcel C, South 89° 33' 48" West 9.00 feet; thence South 0° 32' 24" East 227.87 feet to said center line of Yosemite Boulevard; thence South 89° 34' 28" West along said center line a distance of 121.00 feet to the point of beginning.

Containing: 1.05 Acres Gross

SECTION 4. ZONING MAP. Section Map 25-3-9 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, 1976, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers Dunlap, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

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 John L. Kelly
Planning Department

**Ordinance 1534 C.S.
Exhibit A – Map**

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

Ord. No. 1534-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 19th day of July, 1976, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Newton

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

Norrine Coyle
~~XXXXXXXXXXXX~~, City Clerk
NORRINE COYLE,

EFFECTIVE DATE: August 18, 1976

AN ORDINANCE AMENDING SECTION 4-1.108 OF ARTICLE 1 OF CHAPTER 1 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO AMUSEMENT MACHINES.

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

SECTION 1. AMENDMENT OF CODE. Section 4-1.108 of Article 1 of Chapter 1 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-1.108. LIMITATION ON NUMBER AND LOCATION OF MACHINES.

(a) There shall not be placed, kept and/or maintained more than eight (8) amusement machines in each business location unless otherwise permitted by conditional use permit or a planned development zone. This restriction shall not be construed to allow each person who holds a Permit to Operate Amusement Machines eight (8) amusement machines in each business location but is intended to limit the total number of amusement machines to eight (8) 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 which conducts classes for any of the grades from kindergarten through the twelfth grade.

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, 1976, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Mensinger, Newton, Mayor Davies

NOES: Councilmembers: Kullijian

ABSENT: Councilmembers: Elliott, Siefkin

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 12th day of July, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Mensinger, Mayor Davies

NOES: Councilmembers: Kullijian

ABSENT: Councilmembers: Newton, Siefkin

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

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

EFFECTIVE DATE: August 11, 1976

AN ORDINANCE GRANTING W. R. TOMSON, DOING BUSINESS AS THE TRANSADTISE COMPANY, AN EXCLUSIVE FRANCHISE FOR THE RIGHT, PRIVILEGE AND PERMISSION TO PLACE, CONSTRUCT AND MAINTAIN BENCHES WITH ADVERTISING THEREON AT DESIGNATED LOCATIONS ON THE STREETS AND SIDEWALKS IN THE CITY OF MODESTO.

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

SECTION 1. DEFINITIONS.

(a) Bench: A seat located upon public property along the public way for the accommodation of passersby or persons awaiting transportation.

(b) Street: Any public throughfare or way including the sidewalk, the parkway and other public property fronting upon a public way.

(c) Quarterly period: A period of three (3) consecutive months. The quarters begin on the first day of January, April, July and October of each year.

SECTION 2. BENCHES PROHIBITED. No person shall install or maintain any bench with advertising thereon upon any street in the City except in accordance with the provisions of this franchise.

SECTION 3. FRANCHISE GRANTED. The City of Modesto hereby grants to W. R. TOMSON, doing business as The Transadtise Company, for a term commencing on January 1, 1977, and ending on December 31, 1981, the exclusive franchise for the right, privilege and permission to place, construct and maintain benches with advertising thereon at designated locations on the streets and sidewalks in the City of Modesto.

SECTION 4. PAYMENT. For the privilege herein granted, the Grantee shall pay to the City of Modesto Three and no/100ths (\$3.00) Dollars per quarter per bench installed and in place. No later than the tenth day of the month following the close of each quarterly period, Grantee shall submit a report to the Director of Finance stating the total number of benches on location on the last day of the preceding month and the number installed during the preceding quarterly period. The fee shall be paid according to the number of benches in place on the last day of the quarterly period, whether or not there is advertising thereon and shall be paid on or before the tenth day of the month following the close of the quarterly period. These payments shall be in lieu of payment to the City of a percentage of gross receipts or other license fees under the provisions of Chapter 1 of Title VI of the Modesto Municipal Code.

SECTION 5. PLACEMENT OF BENCHES. No benches shall be placed or installed under the provisions of this franchise until the insurance policy and performance bond required by Sections 14 and 15, respectively, of this franchise shall be filed with the City Clerk.

SECTION 6. MINIMUM NUMBER OF BENCHES. Grantee shall maintain a minimum of one-hundred and twenty-five (125) benches in place during the term of this franchise.

SECTION 7. GENERAL CONDITIONS. This franchise is granted upon and subject to each and all of the conditions set forth in the following sections.

SECTION 8. ADVERTISING SPACE. No advertising matter or sign whatever shall be displayed upon any bench except upon the front surface of the backrest. No advertisement or sign on any bench shall display the words, "Stop", "Look", "Drive-in", "Danger" or any other word, phrase, symbol or character that might interfere with, mislead or distract traffic. Bus schedules shall be placed on every bus bench. No advertising other than bus schedules shall be placed on any benches erected and maintained in areas zoned as residential by the zoning regulations of the City. Commercial advertising shall not be placed on any bench where such advertising is prohibited by the laws of the City. No advertising which does not meet with the approval of the City Manager shall be placed or maintained on any of said benches. Bus schedules shall be of a maximum size of nine inches by twelve inches (9" x 12") and shall be placed on the front of the bench back.

SECTION 9. APPROVAL OF LOCATION. Benches shall be placed, maintained and relocated as required by the City Manager. The benches contemplated are designed for the convenience of those using the buses in the City and shall be placed upon the streets traversed by any public transit buses in the City. The benches may not be installed at any place except public carrier stops except with the express approval of the Council. No bench shall be installed or maintained:

(a) In any alley;

(b) At any location where the distance from the face of the curb to the property line is less than ten (10') feet; provided that whenever, in the opinion of the City Manager, observance of this requirement would result in inconvenience or hardship, this requirement may be waived by the City Manager; or

(c) At any location distant more than fifty (50') feet from the nearest intersecting street; provided that whenever, in the opinion of the City Manager, observance of this requirement would result in inconvenience or hardship, this requirement may be waived by the City Manager; or

(d) At any location when the owner or the person in lawful possession or control of the property abutting upon the public street at the place where the bench is proposed to be located, requests in writing to the City Manager that the bench not be placed or maintained at such location; provided that whenever in the opinion of the City Manager, observance of this requirement would result in inconvenience or hardship, this requirement may be waived by the City Manager.

SECTION 10. RATIO OF BENCHES BETWEEN COMMERCIAL AND RESIDENTIAL AREAS. For each seven (7) benches installed in areas zoned for commercial uses, at least one bench shall be installed in areas zoned for residential uses.

SECTION 11. MAINTENANCE OF BENCHES. All benches must be cleaned regularly and when needed, and must be maintained in good repair in a safe and sightly condition. The City Manager's decision as to the state of repair and condition shall be conclusive. Grantee shall inspect each bench periodically to assure full compliance with the provisions of this section.

SECTION 12. REMOVAL OF BENCHES. No bench after being installed on the streets or sidewalks of the City shall be removed by the Grantee during the term of this franchise except with the consent of the City Manager. The City Manager may, for a cause considered by him reasonable, order the Grantee to remove any bench. When the City Manager orders the bench removed, the Grantee shall remove it within thirty (30) days at his own expense. If he shall fail to do so, the City Manager may order the removal of the bench, and destroy or sell it at his discretion, and may, in addition, bill the Grantee for the removal or destruction in a sum not in excess of Ten and no/100ths (\$10.00) Dollars per bench.

SECTION 13. LOCATION OF BENCHES. The front of all benches shall be placed not less than eighteen (18") inches nor more than thirty (30") inches from the curb line and parallel thereto; provided that whenever, in the opinion of the City Manager, observance of this requirement would result in inconvenience or hardship, this requirement may be varied by the City Manager. No bench shall seat fewer than four (4) people. No bench shall be placed so

as to injuriously obstruct passage on the sidewalk or street. No bench shall be placed within fifteen (15') feet of any fire hydrant. No bench shall be more than forty-two (42") inches high nor more than thirty (30") inches wide, nor more than eight (8') feet long, except that, with the consent of the City Manager, two (2) eight (8') foot long benches may be attached together.

SECTION 14. HOLD HARMLESS AND INSURANCE. The Grantee shall indemnify and save harmless the City, its officers, boards, commissions, agents and employees from and against any and all liability claims, demands, actions, suits and proceedings by others, for loss or damage for personal injury, death or property damage, occasioned by the operations of Grantee under this franchise; and the Grantee shall, at all times during the existence of this franchise, maintain in full force and effect, at its own cost and expense, a general comprehensive liability insurance policy protecting the City and all persons against liability for loss or damage for personal injury, death or property damage, occasioned by the operations of Grantee under this franchise, with minimum liability limits of One Hundred Thousand and no/100ths (\$100,000.00) Dollars for personal injury or death of any one person, and Three Hundred Thousand and no/100ths (\$300,000.00) Dollars for personal injury or death of two or more persons in any one occurrence and Fifty Thousand and no/100ths (\$50,000.00) Dollars for damage to property resulting from any one occurrence.

The liability policy and the certificate of insurance which is to be furnished the City shall contain a contractual liability endorsement stating that the policy is extended to cover the liability assumed by the Grantee under the terms of this franchise, and shall also contain a cancellation endorsement that the insurance coverage may not be cancelled nor the amount of coverage reduced until ten (10) days after receipt by the City Clerk of the City of Modesto of a written notice of such cancellation or reduction in coverage.

SECTION 15. PERFORMANCE BOND. The Grantee shall post a performance bond in the sum of One Thousand and no/100ths (\$1,000.00) Dollars guaranteeing its performance of the conditions of this franchise and stating that the said sum of One Thousand and no/100ths (\$1,000.00) Dollars shall be forfeited to the City as liquidated damages in the event that Grantee shall fail to perform the conditions of its franchise. Said bond shall be furnished by a surety company authorized to do business in the State of California and shall be approved by the City Attorney.

SECTION 16. ACCEPTANCE OF FRANCHISE. Grantee shall be required to file in the Office of the City Clerk of the City an acceptance in writing of the provisions of this franchise and shall agree to perform all the conditions thereof. Said acceptance in writing shall be filed on or before thirty (30) days following the adoption of this ordinance.

SECTION 17. DEFAULT. In the event that either party shall fail or neglect to do or perform each and all of the terms and conditions of this franchise on his or its part to be performed, the aggrieved party may give the party in default thirty (30) days' written notice to correct the conditions in default, and if the party in default refuses or neglects to make such corrections within the thirty (30) day period, the aggrieved party may terminate this franchise. Should Grantee herein default, it will remove all benches within thirty (30) days of the termination of this franchise if requested to do so by City.

SECTION 18. INSPECTION OF BOOKS. The City shall have the right at all reasonable times to examine all books, papers, and records of the Grantee for the purpose of verifying the statements or reports required and for any other purpose whatsoever connected with this franchise.

SECTION 19. DEFACING BENCHES PROHIBITED. No person shall tamper with or deface any bench placed under the franchise granted by this ordinance.

SECTION 20. PENALTY. It shall be unlawful for any person to violate the provisions of Section 19 of this franchise, or to cause, permit or suffer the same to be done; and any person who does shall be deemed guilty of a misdemeanor, and upon conviction of any such violation, such person shall be punished by a fine of not more than One Thousand and no/100ths (\$1,000.00) Dollars or by imprisonment for not more than one year or by both such fine and imprisonment.

SECTION 21. TRANSFER OR ASSIGNMENT. This franchise may not be sold, transferred, assigned or otherwise disposed of, in whole or in part, without the prior written consent of the City Council. The Council may grant or deny any such request and may impose such conditions as it may deem to be in the public interest. Any attempted disposition made without such consent shall be void.

SECTION 22. 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 23. 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 12th day of July, 1976, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies
NOES: Councilmembers: None
ABSENT: Councilmembers: None

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

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

(SEAL)

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

Agreed
W. P. Johnson

Ord. No. 1536-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 19th day of July, 1976, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None


ABSENT: Councilmembers: Newton

APPROVED



LEE H. DAVIES, Mayor

ATTEST:


~~XXXXXXXXXXXXXXXXXXXX~~, City Clerk
NORRINE COYNE,

EFFECTIVE DATE: August 18, 1976

AN ORDINANCE AMENDING SECTION MAP 19-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(ALBERT ANDRADE)

WHEREAS, a verified application for an amendment to Section
19-3-9 of the Zoning Map was filed by Albert Andrade
on May 13, 1976, to reclassify from Low Density
Residential Zone, R-1, to Professional Office
Zone, P-0, the hereinafter described
property, and

WHEREAS, after public hearing held on June 15, 1976,
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. 76-110, adopted on June 15,
1976, the Planning Commission recommended to the Council that the
application of Albert Andrade

to amend Section 19-3-9 of the Zoning Map to reclassify the herein-
after described property from Low Density Residential
Zone, R-1, to Professional Office
Zone, P-0, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on
July 19, 1976, 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
for the following reasons:

1. The subject property is located on a major street, near the
intersection of a cross-town collector street, adjoining a series
of C-1 land uses and the proposed P-0 Zone would allow for a land
use intensity transition between these C-1 uses and residential
uses to the east.

2. The proposed P-0 Zoning complies with the office locational criteria as outlined in the Modesto Urban Area General Plan and to the stated purpose of the P-0 Zone itself as found in the Modesto Municipal Code.

SECTION 2. ZONING CHANGE. Section 19-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Professional Office Zone, P-0:

The east 45.21 feet of Lots 4 and 5 in Block 6082 of Wilen Tract, according to the Official Map thereof filed in the office of the Recorder of Stanislaus County, California on April 27, 1945, in Volume 14 of Maps, at Page 32.

Including also the northerly 30 feet of West Orangeburg Avenue immediately adjacent to the above described property.

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 19th day of July, 1976, by Councilman Kullijian, who moved its introduction and passage to print, which motion being duly seconded by Councilman Dunlap, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY John R. Long
Planning Department

Ordinance 1537 C.S.
Exhibit A – Map

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

Ord. No. 1537-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 26th day of July, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Newton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED Lee H. Davies
LEE H. DAVIES, Mayor

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

EFFECTIVE DATE: August 25, 1976

AN ORDINANCE AMENDING SECTION MAP 16-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(ARLIE RALLS)

WHEREAS, a verified application for an amendment to Section
16-3-9 of the Zoning Map was filed by Arlie Ralls
on April 26, 1976, to reclassify from Low Density Residential
Zone, R-1, to Professional Office
Zone, P-0, the hereinafter described
property, and

WHEREAS, after public hearing held on June 15, 1976,
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. 76-109, adopted on June 15,
1976, the Planning Commission recommended to the Council that the
application of Arlie Ralls

to amend Section 16-3-9 of the Zoning Map to reclassify the herein-
after described property from Low Density Residential
Zone, R-1, to Professional Office
Zone, P-0, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on
July 19, 1976, 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
for the following reasons:

1. The property fronts upon Coffee Road, a 4-lane major street.
2. The property lies immediately south of C-1 zoned and commercially developed property and across Coffee Road from the C-1 zoned Coffee Plaza Shopping Center.

3. The application meets the standards for P-0 zoning as set forth in the Modesto Urban Area General Plan and in the zoning ordinance.

SECTION 2. ZONING CHANGE. Section 16-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Professional Office Zone, P-0:

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

The South 100 feet of that portion of Lot 21 of Coffee Colony as per map thereof filed January 13, 1906 in Volume 2 of Maps, Page 22, Stanislaus County Records, described as follows:

BEGINNING at a point in the West line of the County Road known as Coffee Road, at its intersection with the South line of Floyd Avenue as shown on said map, running thence South 0 degrees 50' East along the West line of Coffee Road, a distance of 484 feet; thence North 89 degrees 26 1/2' West parallel to the South line of Floyd Avenue a distance of 506 feet; thence North 0 degrees 50' West parallel to the West line of said Coffee Road, a distance of 484 feet to the South line of said Floyd Avenue thence South 89 degrees 26 1/2' East along the South line of Floyd Avenue a distance of 506 feet to the point of beginning.

EXCEPTING THEREFROM all that portion described as follows to wit:

The West 346 feet of the South 100 feet of the following:

That portion of Lot 21 of Coffee Colony, as per Map filed January 13, 1906 in Volume 2 of Maps, Page 22, Stanislaus County Records, described as follows:

Beginning at a point in the West line of the County Road known as Coffee Road, at its intersection with the South line of Floyd Avenue, as shown on said map running thence South 0 degrees 50' East along the West line of Coffee Road, a distance of 484 feet thence North 89 degrees 26 1/2' West parallel to the South line of Floyd Avenue a distance of 506 feet; thence North 0 degrees 50' West parallel to the West line of said Coffee Road, a distance of 484 feet to the South line of said Floyd Avenue; thence South 89 degrees 26 1/2' East along the South line of Floyd Avenue, a distance of 506 feet to the point of beginning.

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 19th day of July, 1976, by Councilman Newton, who moved its introduction and passage to print, which motion being duly seconded by Councilman Elliott, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY John R. Oney
Planning Department

Ordinance 1538 C.S.
Exhibit A – Map

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

Ord. No. 1538-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 26th day of July, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Newton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

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

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

EFFECTIVE DATE: August 25, 1976

AN ORDINANCE AMENDING SECTION MAP 26-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO TO REZONE A PORTION OF P-D(77) TO MEDIUM DENSITY RESIDENTIAL ZONE, R-2, AND MEDIUM HIGH DENSITY RESIDENTIAL ZONE, R-3, PROPERTY LOCATED ON THE NORTH SIDE OF YOSEMITE BOULEVARD, EAST OF CAPISTRANO DRIVE EXTENDED. (ALLEN GRANT, INC.)

WHEREAS, the City Council, by Ordinance No. 1056-C.S., effective December 23, 1970, prezoned to Planned Development Zone, P-D(77), to allow Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3, uses but with a specific collector street alignment, property located on the north side of Yosemite Boulevard, on both sides of Capistrano Drive extended, the following described property:

Parcel 1

A portion of the Southwest Quarter of Section 26, Township 3 South, Range 9 East, M. D. B. & M. in Stanislaus County, California, described as follows:

Beginning at a point on the North line of Yosemite Avenue on the Northerly prolongation of the centerline of Beard Avenue, which said point of beginning is located North 0° 33' 30" West 33.00 feet and South 89° 53' 24" East 1321.00 feet from the South Quarter corner of said Section 26, and proceeding thence from said point of beginning along the said Northerly line of Yosemite Avenue North 89° 53' 24" West 491.00 feet; thence North 0° 33' 30" West 667.00 feet; thence South 89° 53' 24" East 552.57 feet; thence South 27° 27' West 31.16 feet; thence 195.46 feet along the arc of a 400-foot radius curve concave to the East, subtended by a central angle of 27° 59' 50" and having a chord bearing of South 13° 27' 05" West with a chord length of 182.21 feet; thence South 0° 32' 50" East 451.01 feet, more or less to the point of beginning, containing 7.62 acres.

Parcel 2

Beginning at a point on the North line of Yosemite Avenue on the Northerly prolongation of the centerline of Beard Avenue which said point of beginning is located North 0° 33' 30" West 33.00 feet and South 89° 53' 24" East 1321.00 feet from the South Quarter corner of said Section 26, and proceeding thence from said point of beginning North 0° 32' 50" West 451.01 feet; thence 195.46 along the arc of a 400-foot radius curve, concave to the East and subtended by a central angle of 27° 59' 50" and having a chord bearing of North 13° 27' 05" East with a chord length of 182.21 feet; thence North 27° 27' East 103.42 feet; thence South 62° 33' East 42.53 feet; thence 195.46 feet along the arc of a 400-foot radius curve, concave to the North and having a central angle of 27° 59' 50" and having a chord bearing of South 76° 42' 55" East with a chord length of 182.21 feet; thence South 0° 32' 50" East 667.00 feet more or less to a point on the Northerly line of Yosemite Avenue; thence along said Northerly line North 89° 53' 24" West 320.71 feet to the point of beginning, containing 4.94 acres.

Parcel 3

Beginning at a point located South 89° 53' 24" East 1641.71 feet and North 0° 32' 50" West 1290.33 feet from the South Quarter corner of said Section 26 and proceeding thence from said point of beginning South 0° 32' 50" East 590.33 feet; thence 195.46 feet along the arc of a 400-foot radius curve, concave to the North with a central angle of 27° 59' 50" and having a chord bearing of North 76° 42' 55" West with a chord length of 182.21 feet; thence North 62° 33' West 42.53 feet thence North 27° 27' East 380.28 feet; thence 195.46 feet along the arc of a 400-foot radius curve, concave to the West with a central angle of 27° 59' 50" and having a chord bearing of North 13° 27' 05" East with a chord length of 182.21 feet to the point of beginning, containing 1.33 acre.

and

WHEREAS, a verified application for an amendment to Section 26-3-9 of the Zoning Map of the City of Modesto was filed by Alan Grant, Inc. on May 17, 1976, to rezone a portion of Planned Development Zone, P-D(77) to Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3, property located on the north side of Yosemite Boulevard and on the east side of Capistrano Drive extended, the following described property:

Portion P-D(77) to R-3

BEGINNING at a point of the North line of Yosemite Boulevard on the Northerly prolongation of the centerline of Beard Avenue, which said point of beginning is located North 0° 33' 30" West 33.00 feet and South 89° 53' 24" East 1321.00 feet from the South Quarter corner of said Section 26, and proceeding thence from said point of beginning North 0° 32' 50" West 451.01 feet;

THENCE 195.46 feet along the arc of a 400.00-foot radius curve concave to the East and subtended by a central angle of 27° 59' 50" and having a chord bearing of North 13° 27' 05" East with a chord length of 182.21 feet;

THENCE North 27° 27' East 311.23 feet;

THENCE 133.13 feet along the arc of a 278.29-foot radius curve concave to the North subtended by a central angle of 27° 24' 33" and having a chord bearing of South 76° 15' 17" East with a chord length of 131.86 feet;

THENCE South 0° 32' 50" East 884.72 feet;

THENCE North 89° 53' 24" West 320.71 feet to the point of beginning, containing 5.854 acres.

Total acreage to be rezoned equals 6.435 acres.

Portion P-D(77) to R-2

COMMENCING at point on the North line of Yosemite Boulevard on the northerly prolongation of the centerline of Beard Avenue, which said point of commencing is located North 0° 33' West 33.00 feet and South 89° 53' 24" East 1321.00 feet from the South Quarter corner of said Section 26, and proceeding thence from said point of commencing, North 0° 32' 50" West 451.01 feet; thence 195.46 feet along the arc of a 400-foot radius curve, concave to the East and subtended by a central angle of 27° 59' 50" and having a chord bearing of North 13° 27' 05" East with a chord length of 182.21 feet; thence North 27° 27' East 311.23 feet to the point of beginning,

THENCE proceeding North 27° 27' East 172.47 feet;

THENCE 65.82 feet along the arc of a 400-foot radius curve concave to the West, subtended by a central angle of 9° 25' 41" and having a chord bearing of North 22° 44' 10" East with a chord length of 65.75 feet;

THENCE South 89° 57' 33" East 48.07 feet;

THENCE South 0° 02' 27" West 245.01 feet;

THENCE North 89° 57' 33" West 24.72 feet;

THENCE 133.13 feet along the arc of a 278.29-foot radius curve concave to the North, subtended by a central angle of 27° 24' 33" and having a chord bearing of North 76° 15' 17" West with a chord length of 131.86 feet to the point of beginning, containing 0.561 acres.

and

WHEREAS, a public hearing was held on said application by the Planning Commission on June 15, 1976, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, the Planning Commission at said hearing certified that it had reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed project, and

WHEREAS, after said public hearing the Planning Commission recommended to the Council for the reasons set forth in Planning Commission Resolution No. 76-106, that Section 26-3-9 of the Zoning Map of the City of Modesto be amended to rezone a portion of P-D(77) to R-2 and R-3 property located on the north side of Yosemite Boulevard, east of Capistrano Drive, extended, described as follows:

P-D(77) to R-3

Beginning at a point on the North line of Yosemite Avenue on the Northerly prolongation of the centerline of Beard Avenue which said point of beginning is located North 0° 33' 30" West 33.00 feet and South 89° 53' 24" East 1321.00 feet from the South Quarter corner of said Section 26, and proceeding thence from said point of beginning North 0° 32' 50" West 451.01 feet; thence 195.46 along the arc of a 400-foot radius curve, concave to the East and subtended by a central angle of 27° 59' 50" and having a chord bearing of North 13° 27' 05" East with a chord length of 182.21 feet; thence North 27° 27' East 103.42 feet; thence South 62° 33' East 42.53 feet; thence 195.46 feet along the arc of a 400-foot radius curve, concave to the North and having a central angle of 27° 59' 50" and having a chord bearing of South 76° 42' 55" East with a chord length of 182.21 feet; thence South 0° 32' 50" East 667.00 feet more or less to a point on the Northerly line of Yosemite Avenue; thence along said Northerly line North 89° 53' 24" West 320.71 feet to the point of beginning, containing 4.94 acres.

Beginning at a point located South 89° 53' 24" East 1641.71 feet and North 0° 32' 50" West 1290.33 feet from the South Quarter corner of said Section 26 and proceeding thence from said point of beginning South 0° 32' 50" East 590.33 feet; thence 195.46 feet along the arc of a 400-foot radius curve, concave to the North with a central angle of 27° 59' 50" and having a chord bearing of North 76° 42' 55" West with a chord length of 182.21 feet; thence North 62° 33' West 42.53 feet thence North 27° 27' East 380.28 feet; thence 195.46 feet along the arc of a 400-foot radius curve, concave to the West with a central angle of 27° 59' 50" and having a chord bearing of North 13° 27' 05" East with a chord length of 182.21 feet to the point of beginning, containing 1.33 acre.

COMMENCING at a point located South 89° 53' 24" East 1641.71 feet and North 0° 32' 50" West 1290.33 feet from the South quarter corner of said Section 26; thence South 0° 32' 50" East 127.59 feet to the point of beginning; thence South 89° 57' 30" East 27.23 feet; thence South 0° 02' 27" West 245.00 feet; thence North 89° 57' 33" West 24.72 feet; thence North 0° 32' 50" West 245.01 feet to the point of beginning.

and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers located in the City Hall, 801 - 11th Street, Modesto, California, at 4:20 o'clock p.m. on July 19, 1976,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on July 19, 1976, the Council finds and determines that the rezoning as recommended by the Planning Commission in its Resolution No. 76-106 to amend Section 26-3-9 of the Zoning Map of the City of Modesto to rezone a portion of Planned Development Zone, P-D(77), to Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3, property located on the north side of Yosemite Boulevard, east of Capistrano Drive extended 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 for the following reasons:

1. Rezoning to R-3 of that portion of P-D(77) lying east of the southerly extension of Capistrano Drive and northerly from Yosemite Boulevard, to a line even with the north line of the H-1 zoned property adjoining to the west would provide the identical residential density pattern previously established for that area by P-D(77) and protection of the public welfare will be assured through site plan review prior to construction in the R-3 Zone.

2. Rezoning to R-2 of that portion of P-D(77) lying east of Capistrano Drive extended and north of the extension of the northerly line of the H-1 property west of P-D(77) would provide the identical residential density pattern previously established for that area by P-D(77) and protection of the public welfare will be assured through site plan review by the Planning Commission or subdivision requirements.

SECTION 2. ZONING CHANGE. Section 26-3-9 of the Zoning Map is hereby amended to rezone the following described property from Planned Development Zone, P-D(77) to Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3:

P-D(77) to R-3

Beginning at a point on the North line of Yosemite Avenue on the Northerly prolongation of the centerline of Beard Avenue which said point of beginning is located North $0^{\circ} 33' 30''$ West 33.00 feet and South $89^{\circ} 53' 24''$ East 1321.00 feet from the South Quarter corner of said Section 26, and proceeding thence from said point of beginning North $0^{\circ} 32' 50''$ West 451.01 feet; thence 195.46 along the arc of a 400-foot radius curve, concave to the East and subtended by a central angle of $27^{\circ} 59' 50''$ and having a chord bearing of North $13^{\circ} 27' 05''$ East with a chord length of 182.21 feet; thence North $27^{\circ} 27'$ East 103.42 feet; thence South $62^{\circ} 33'$ East 42.53 feet; thence 195.46 feet along the arc of a 400-foot radius curve, concave to the North and having a central angle of $27^{\circ} 59' 50''$ and having a chord bearing of South $76^{\circ} 42' 55''$ East with a chord length of 182.21 feet; thence South $0^{\circ} 32' 50''$ East 667.00 feet more or less to a point on the Northerly line of Yosemite Avenue; thence along said Northerly line North $89^{\circ} 53' 24''$ West 320.71 feet to the point of beginning, containing 4.94 acres.

P-D(77) to R-2

Beginning at a point located South $89^{\circ} 53' 24''$ East 1641.71 feet and North $0^{\circ} 32' 50''$ West 1290.33 feet from the South Quarter corner of said Section 26 and proceeding thence from said point of beginning South $0^{\circ} 32' 50''$ East 590.33 feet; thence 195.46 feet along the arc of a 400-foot radius curve, concave to the North with a central angle of $27^{\circ} 59' 50''$ and having a chord bearing of North $76^{\circ} 42' 55''$ West with a chord length of 182.21 feet; thence North $62^{\circ} 33'$ West 42.53 feet thence North $27^{\circ} 27'$ East 380.28 feet; thence 195.46 feet along the arc of a 400-foot radius curve, concave to the West with a central angle of $27^{\circ} 59' 50''$ and having a chord bearing of North $13^{\circ} 27' 05''$ East with a chord length of 182.21 feet to the point of beginning containing 1.33 acre.

COMMENCING at a point located South $89^{\circ} 53' 24''$ East 1641.71 feet and North $0^{\circ} 32' 50''$ West 1290.33 feet from the South quarter corner of said Section 26; thence South $0^{\circ} 32' 50''$ East 127.59 feet to the point of beginning; thence South $89^{\circ} 57' 30''$ East 27.23 feet; thence South $0^{\circ} 02' 27''$ West 245.00 feet; thence North $89^{\circ} 57' 33''$ West 24.72 feet; thence North $0^{\circ} 32' 50''$ West 245.01 feet to the point of beginning.

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 19th day of July, 1976, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

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

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By John R. Loney
Director of Planning and Community Development

Ordinance 1539 C.S.
Exhibit A – Map

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

Ord. No. 1539-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 26th day of July, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Newton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

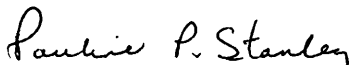
NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


~~XXXXXXXXXXXXXXXXXX~~, City Clerk
PAULINE P. STANLEY, Acting

EFFECTIVE DATE: August 25, 1976

AN ORDINANCE AMENDING SECTION MAP 5-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO TO REPEAL A P-D ZONE AND REZONE TO MEDIUM DENSITY RESIDENTIAL ZONE, R-2, THE PROPERTY LOCATED ON THE SOUTHEASTERLY SIDE OF ROSELAWN AVENUE BETWEEN COLORADO AVENUE AND PELTON AVENUE, EXTENDED. (MUTUAL OWNERSHIP DEVELOPMENT FOUNDATION)

WHEREAS, the Modesto City Council by Ordinance No. 1127-C. S. effective September 1, 1971, amended Section 5-4-9 of the Zoning Map of the City of Modesto from Medium Density Residential Zone, R-2, to Planned Development Zone P-D(91) for a 146-unit apartment complex on the southeasterly side of Roselawn Avenue between Colorado Avenue and Pelton Avenue extended, hereinafter described, and

WHEREAS, Resolution No. 71-673, adopted by the City Council on July 12, 1971, specified that the entire construction program be accomplished in one phase, construction to begin on or before September 31, 1972, and be completed on or before September 31, 1973, and

WHEREAS, by Planning Commission Resolutions No. 73-108 and 73-111 two time extensions were granted to allow commencement of construction for P-D(91), the first extension specifying that construction was to begin on or before September 30, 1973, and be completed not later than September 30, 1974, and the second extension specifying that construction was to begin on or before September 30, 1975, and be completed not later than September 30, 1976, and

WHEREAS, the Planned Development Zone, P-D(91) has expired and the owner or developer has failed to commence construction by the time limit imposed as a condition of said Planned Development Zone, P-D(91), and

WHEREAS, Section 10-2.2709(e) 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 zoning classification it held immediately prior to being zoned P-D, and

WHEREAS, the Planning Commission, by Resolution No. 76-81 adopted on May 4, 1976, initiated proceedings to repeal P-D(91) and rezone the property to Medium Density Residential Zone, R-2, and

WHEREAS, after a public hearing held on June 15, 1976, it was found and determined by the Planning Commission that repeal of P-D(91) and rezoning the property back to Medium Density Residential Zone, R-2, is required by public necessity, convenience and general welfare for the following reasons:

1. The owner or developer of P-D(91) has failed to develop the project within the limits of the development schedule as extended twice.
2. The rezoning is as specified as in Section 10-2.2709(c) of the Municipal Code.
3. The owner has expressed interest to the City in pursuing development of the above described property under standard provisions of the R-2 Zone to which this rezoning would revert.

and

WHEREAS, by Resolution No. 76-103, adopted on June 15, 1976, the Planning Commission recommended to the City Council that Section 5-4-9 of the Zoning Map be amended to repeal P-D(91) and rezone the property herein-after described to Medium Density Residential Zone, R-2, and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers, 801 11th Street, in the City of Modesto, at 4:15 o'clock p.m. on July 19, 1976, 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 a public hearing, this Council finds and determines that the recommended rezoning of Planned Development Zone, P-D(91) back to Medium Density Residential Zone, R-2, is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 76-103, which are hereinabove set forth.

SECTION 2. ZONING CHANGE. Section 5-4-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(91) to Medium Density Residential Zone, R-2:

Parcel 1

All of Fairway Estates Unit No. 3, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on April 11, 1967, in Volume 21 of Maps, at Page 60.

Including also the southeasterly 30 feet of Roselawn Avenue immediately adjacent to the above described property.

Parcel 2

Parcel A as shown and designated on that certain Parcel Map filed in the office of the County Recorder of Stanislaus County, California, on March 24, 1967, in Volume 3 of Parcel Maps, at Page 34, and being a portion of Lots 2, 6, 7, 8, and 10 of Rouse Colony, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus

County, California, on January 10, 1911, in Volume 5 of Maps, at Page 24, and being in the City of Modesto and in Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian.

Including also the easterly 30 feet of Roselawn Avenue immediately adjacent to the above described property.

SECTION 3. ZONING MAP. Section 5-4-9 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 19th day of July, 1976, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Mensinger, Newton, Siefkin, Vice Mayor Elliott
NOES: Councilmembers: None
ABSENT: Councilmembers: Mayor Davies

APPROVED: *Robert T. Elliott*
~~XXXXXXXXXXXXXXXXXXXX~~
ROBERT T. ELLIOTT
Vice Mayor

ATTEST:

By *Norrine Coyle*
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By *John L. [Signature]*
Department of Planning and Community Development

**Ordinance 1540 C.S.
Exhibit A – Map**

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

Ord. No. 1540-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 26th day of July, 1976, Councilmember Elliott moved its final adoption, which motion being duly seconded by Councilmember Dunlap, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

Pauline P. Stanley
~~XXXXXXXXXXXXXXXXXX~~, City Clerk
PAULINE P. STANLEY, Acting

EFFECTIVE DATE: August 25, 1976

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 1501-C. S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 19-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (KING DEVELOPMENT COMPANY)" (P-D(140).)

WHEREAS, by Ordinance No. 1501 - effective March 31, 1976, Section 19-3-9 of the Zoning Map was amended to reclassify the following described property from Medium High Density Residential Zone, R-3, and a portion of Planned-Development Zone, P-D(128), to Planned-Development Zone, P-D(140), to permit development of a 100-unit motel on the south side of W. Orangeburg Avenue west of Martin Avenue, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(140), to amend the approved plot plan and to add an additional 13 feet \pm of frontage along the westerly side of the property was submitted by King Development Company on May 17, 1976, and

WHEREAS, a public hearing was held by the Planning Commission on June 15, 1976, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said hearing above referred to, the Planning Commission recommended to the Council by its Resolution No. 76-111 an amendment to Planned-Development Zone, P-D(140), to amend the approved plot plan and to add an additional 13 feet \pm along the westerly side of the property, as requested,

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

SECTION 1. ZONING CHANGE. Section 1 of Ordinance No. 1501-C. S. entitled "An Ordinance Amending Section Map 19-3-9 of the Zoning Map of the City of Modesto, Reclassifying Certain Property Located Thereon. (King Development Company)", which became effective on March 31, 1976, is hereby amended to add an additional 13 feet \pm of frontage along the westerly side of the property of Planned-Development Zone, P-D(140), said amended P-D(140) is described as follows:

All that certain real property situate in the Northwest quarter of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the centerline intersection of Orangeburg Avenue and Martin Avenue; thence North 89° 44' 30" West, along the centerline of said Orangeburg Avenue, a distance of 194.65 feet to the point of beginning of this description; thence at right angles South 0° 15' 30" West, 40.00 feet to the South right-of-way line of said Orangeburg Avenue; thence South 0° 43' 00" East, 466.50 feet; thence at right angles South 89° 17' 00" West, 25.81 feet to the Northeast-erly line of the property conveyed to the State of California by deed recorded in Volume 1412 of Official Records, at Page 592, as Instrument No. 5325, Stanislaus County Records; thence 118.81 feet along said Northeast-erly line of said State of California property along a nontangent curve concave to the Southwest from a radial bearing of South 56° 53' 21" West, having an angle of 3° 24' 13" and a radius of 2000.00 feet; thence continuing along said North-esterly line of State of California property the following (2) two courses; 1) North 44° 59' 59" West, 193.03 feet; 2) North 48° 06' 31" West, 40.75 feet; thence North 0° 43' 00" West, 208.06 feet, to said South right-of-way line of Orangeburg Avenue; thence along a radial line North 6° 18' 02" East, 40.00 feet to a point on said centerline of Orangeburg Avenue; thence along said centerline 21.09 feet along a curve concave to the North from said radial line of North 6° 18' 02" East, having an angle of 6° 02' 32" and a radius of 200.00 feet; thence continuing along said centerline, South 89° 44' 30" East, 231.97 feet to the point of beginning.

Containing 2.234 Acres

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 19th day of July, 1976, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

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

ATTEST: Norrine Coyle
(Seal) NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William J. Mills
Director of Planning and Community Development

**Ordinance 1541 C.S.
Exhibit A – Map**

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

Ord. No. 1541-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 26th day of July, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Newton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies
NOES: Councilmembers: None
ABSENT: Councilmembers: None

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

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

EFFECTIVE DATE: August 25, 1976

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS
 THE LINCOLN NO. 4 ADDITION TO THE
 CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by _____

George Kounias, Jr., Anna Kounias, James D. Horn, Donna Kay Horn, Hubert W. Scott

and Eula B. Scott

on June 11, 1976, 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 Lincoln No. 4 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 21st day of June, 1976, set said petition for hearing at the hour of 7:30 o'clock P.M. on the 9th day of August, 1976, 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 20, 1976, and on June 27, 1976; and in The Ceres Courier, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on June 30, 1976, and on July 7, 1976, 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

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 21, 1976, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to the Government Code, and

WHEREAS, on the 9th day of August, 1976, at the hour of 7:30 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 Lincoln No. 4 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

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 August, 1976, by Councilman Elliott, who moved its adoption and passage to print, which motion being duly seconded by Councilman Kullijian, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Dunlap, Elliott, Kullijian, Siefkin, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Mensinger, Newton

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

ATTEST:

By Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Ros Campbell
Public Works Department

RAM
7-7-76

LINCOLN NO. 4 ADDITION

All that real property in the State of California, County of Stanislaus, being portions of the West half of Section 25, and the Northwest quarter of Section 36, 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 Southeastern corner of LINCOLN NO. 1 ADDITION (282), as per description filed March 24, 1972, as Instrument 11421, Stanislaus County Records, said point also being the intersection of the Southern line of 66.00 foot Yosemite Boulevard and the Southerly extension of the center line of 40.00 foot Lincoln Avenue;

1. thence along the existing City Limits on the Eastern line of said ADDITION (282) and center line of said 40.00 foot Lincoln Avenue, North $00^{\circ} 32' 27''$ West, 2568.39 feet, to the Southwestern corner of LINCOLN-PENNEY ADDITION (317), as per description filed April 4, 1974, as Instrument 39057, Stanislaus County Records;
2. thence along the Southern line of said ADDITION (317), North $89^{\circ} 33' 09''$ East, 1288.99 feet, to the Southeastern corner of said ADDITION (317);
3. thence along the Eastern line of said ADDITION (317), North $00^{\circ} 34' 12''$ West, 110.00 feet, to the East-West quarter section line of Section 25;
4. thence continuing along said Eastern line of ADDITION (317), North $00^{\circ} 33' 55''$ West, 330.73 feet, to the Northwestern corner of the property conveyed to Harold Artz, et ux, by deed recorded February 27, 1959, as Instrument 5911, Stanislaus County Records;
5. thence leaving the existing City Limits along the Northern line of said Artz property, North $89^{\circ} 33' 03''$ East, 424.72 feet, to the Northerly extension of the Eastern line of the property conveyed to Hubert W. Scott, et ux, by deed recorded December 29, 1960, as Instrument 36877, Stanislaus County Records;
6. thence South $00^{\circ} 36' 07''$ East, 3009.80 feet, to the Southern line of 66.00 foot Yosemite Boulevard;
7. thence along said Southern line, South $89^{\circ} 34' 28''$ West, 1716.72 feet, to the point of beginning, containing 105.452 Acres, more or less.

AN ORDINANCE ADDING SECTIONS 9-8.10, 9-8.11 AND 9-8.12 TO CHAPTER 8 OF TITLE IX OF THE MODESTO MUNICIPAL CODE RELATING TO THE DANGEROUS BUILDINGS CODE.

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

SECTION 1. AMENDMENT OF CODE. Sections 9-8.10, 9-8.11 and 9-8.12 are hereby added to Chapter 8 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-8.10. COSTS. That subsection (b) of Section 801 of said Dangerous Buildings Code be amended to read as follows:

(b) Costs. Initially, the cost of such work shall be paid from the General Fund of the City. Such costs may be recovered by a special assessment against the property involved, or may be made a personal obligation of the property owner or both, whichever the City Council may determine appropriate. Such recovered costs shall be deposited in the General Fund of the City. Any money received by the City for the sale of buildings or structures shall be credited against such costs, and any excess over and above such costs shall be refunded to the property owner.

SEC. 9-8.11. REPAIR AND DEMOLITION FUND. That Section 802 of said Dangerous Buildings Code is hereby deleted.

SEC. 9-8.12. REPAYMENT OF COSTS. That Section 912 of said Dangerous Buildings Code is hereby amended to read as follows:

Section 912. All money recovered by payment of the charge or assessment or from the sale of the property at foreclosure sale shall be paid to the City Treasurer who shall credit the same to the General Fund.

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 August, 1976, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and ordered printed and published by the following vote:

AYES:	Councilmembers:	Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Newton

APPROVED: *Lee H. Davies*

LEE H. DAVIES, Mayor

ATTEST:

By *Norrine Coyle*
NORRINE COYLE, City Clerk
(SEAL)

APPROVED AS TO FORM:

Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

Ord. No. 1543-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 ^{adjourned} regular meeting of the Council of the City of Modesto held on the 30th day of August, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmembers: Dunlap, Kullijian, Mensinger, Siefkin, Mayor Davies
NOES: Councilmembers: None
ABSENT: Councilmembers: Elliott, Newton

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

ATTEST: *Norrine Coyle*
~~XXXXXXXXXXXXXX~~ City Clerk
NORRINE COYLE,

EFFECTIVE DATE: September 29, 1976

AN ORDINANCE ADDING SECTIONS 9-9.10, 9-9.11 AND 9-9.12 TO CHAPTER 9 OF TITLE IX OF THE MODESTO MUNICIPAL CODE RELATING TO THE UNIFORM HOUSING CODE.

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

SECTION 1. AMENDMENT OF CODE. Sections 9-9.10, 9-9.11 and 9-9.12 are hereby added to Chapter 9 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-9.10. COSTS. That subsection (b) of Section 1501 of said Uniform Housing Code be amended to read as follows:

(b) Costs. Initially, the cost of such work shall be paid from the General Fund of the City. Such costs may be recovered by a special assessment against the property involved, or may be made a personal obligation of the property owner or both, whichever the City Council may determine appropriate. Such recovered costs shall be deposited in the General Fund of the City. Any money received by the City for the sale of buildings or structures shall be credited against such costs, and any excess over and above such costs shall be refunded to the property owner.

SEC. 9-9.11. REPAIR AND DEMOLITION FUND. That Section 1502 of said Uniform Housing Code is hereby deleted.

SEC. 9-9.12. REPAYMENT OF COSTS. That Section 1612 of said Uniform Housing Code be amended to read as follows:

Section 1612. All money recovered by payment of the charge or assessment or from the sale of the property at foreclosure sale shall be paid to the City Treasurer who shall credit the same to the General Fund.

SECTION 2. FINDING AND DECLARATION. As required by Section 17958.7 of the Health and Safety Code of the State of California, the Council of the City of Modesto finds and declares the foregoing amendment to the Uniform Housing Code 1973 Edition, is necessary in order to facilitate fiscal accounting procedures, and to maintain a uniformity of accounting methods.

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 9th day of August, 1976, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Newton

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

ATTEST:

By *Norrine Coyle*
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 1544-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 adjourned consideration at the /regular meeting of the Council of the City of Modesto held on the 30th day of August, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Newton

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

ATTEST: *Norrline Coyle*
~~XXXXXXXXXXXX~~, City Clerk
NORRLINE COYLE,

EFFECTIVE DATE: September 29, 1976

AN ORDINANCE AMENDING SECTIONS 5-4.201, 5-4.204, 5-4.211, 5-4.212, 5-4.213 AND 5-4.214 OF ARTICLE 2 OF CHAPTER 4 OF TITLE V AND SECTION 5-4.401 OF ARTICLE 4 OF CHAPTER 4 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO DOGS.

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

SECTION 1. AMENDMENT OF CODE. Sections 5-4.201, 5-4.204, 5-4.211, 5-4.212, 5-4.213 and 5-4.214 of Article 2 of Chapter 4 of Title V of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 5-4.201. LICENSING AND FEES. Every person who owns, controls, harbors, possesses or keeps in the City any dog over the age of four (4) months shall, annually between July 1st and August 31st, of each year, procure a license from the Director of Finance for said dog, which license shall be valid for the period commencing on July 1st of said year and ending on June 30th of the succeeding year. The annual fee for said licenses shall be Eight and no/100ths (\$8.00) Dollars for each dog; provided, however, that if a certificate is presented from a licensed veterinarian that the dog has been spayed or neutered or that the dog cannot be spayed or neutered for medical reasons, the license fee shall be Two and no/100ths (\$2.00) Dollars; provided further, that no license fee shall be required to be paid for guide dogs for the blind. Thereafter, during the period from September 1st of each year to June 30th of the succeeding year within fifteen (15) days after a dog reaches the age of four (4) months, or within thirty (30) days after any dog over the age of four (4) months is acquired or brought into the City, its owner shall procure a license for said dog and shall be required to pay the fee herein required, provided, however, that said fee shall be prorated semiannually. Any owner who fails to procure a dog license and pay the required fee within the time allowed, shall, in addition to any other penalty provided by this Code, be subject to one of the following penalties, and said penalty shall be added to the license fee hereinabove provided for and shall be collected therewith:

Voluntary licensing	\$2.00
Licensing after written notification	\$4.00
Licensing after impoundment or issuance of a Notice to Appear in court	\$6.00

SEC. 5-4.204. IMMUNIZATION REQUIRED. It shall be unlawful for any person to keep, own or harbor any dog or dogs in the City over the age of four (4) months unless such dog or dogs have been vaccinated with an approved canine anti-rabies vaccine by a veterinarian authorized to practice veterinary medicine or surgery in this State.

SEC. 5-4.211. DUTY OF CHIEF OF POLICE TO IMPOUND UNLICENSED DOGS. It shall be the duty of the Chief of Police to impound all dogs over the age of four (4) months that are unlicensed and/or unidentified, as provided for in this article, or that are in and upon any public street, alley, park, parkway or public place unleashed.

SEC. 5-4.212. REDEEMING IMPOUNDED DOGS. Whenever any dog is impounded under the provisions of Section 5-4.211 of this Code, the owner or any person interested therein may redeem the same upon payment of the applicable fees set forth in Section 5-4.401 of this Code, and if the license fee required by Section 5-4.201 of this Code has not heretofore been paid, either the payment of said license fee or the deposit of Twenty and no/100ths (\$20.00) Dollars to guarantee that said license fee will be paid within thirty (30) days. Upon payment of said license fee within thirty (30) days, said Twenty and no/100ths (\$20.00) Dollar deposit shall be refunded, otherwise it may be forfeited to the City of Modesto.

SEC. 5-4.213. NOTICE TO OWNER BEFORE KILLING IMPOUNDED DOGS.

(a) Except as provided in subsection (b) of this section, no dog impounded under the provisions of this article shall be killed until and after notice is given by the Chief of Police or his duly authorized representative to the owner of said dog, if known, as hereinafter provided. The notice as provided for in this section shall contain a description of the dog impounded, including the sex and breed thereof and the date said dog was impounded. The notice required by this section may be served as follows:

(1) By delivering a copy to the owner of the dog personally; or

(2) If he be absent from his place of residence, and from his usual place of business, by leaving a copy with some person of suitable age and discretion at either place, and sending a copy through the mail addressed to the owner of said dog at his place of residence; or

(3) If such place of residence and business cannot be ascertained, or a person of suitable age or discretion there cannot be found, then by sending a copy of said notice through the mail addressed to the owner of said dog at the last known address of said owner.

(b) An impounded dog shall become the property of the City and may be killed in a humane manner or otherwise disposed of as the Chief of Police or his duly authorized representative deems satisfactory in either of the following events:

(1) If the owner of the dog has not redeemed said dog within seven (7) days after the giving of the notice to the owner by City as set forth above; or

(2) After the expiration of four (4) days from the date of the impounding of the dog, if the owner cannot be located after efforts have been made to do so.

SEC. 5-4.214. EXEMPTIONS. The provisions of this article shall not apply to any dog owned by or in charge of any person who is a nonresident of the City of Modesto and who is traveling through the City of Modesto, or temporarily sojourning therein for a period of not to exceed thirty (30) days; nor to any dog brought into the City and kept therein for not to exceed thirty (30) days for the exclusive purpose of entering said dog in any bench show, dog exhibition, field trial or competition; nor to any dog brought to or sent into the City from any point outside thereof for the exclusive purpose of receiving care from a licensed veterinary.

SECTION 2. AMENDMENT OF CODE. Section 5-4.401 of Article 4 of Chapter 4 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-4.401. FEE SCHEDULE FOR IMPOUNDMENT, DAILY CARE AND FEED, ETC. Whenever any animal is impounded by the Chief of Police or delivered to the Chief of Police for disposal, the Chief of Police or his duly authorized representative, shall charge the owner or any person redeeming or delivering such an animal the following charges, when applicable:

(a) Impoundment.

(1) Fee for each animal impounded.

(aa) First impoundment \$5.00.

(ab) Second impoundment in any twelve month period \$10.00.

(ac) Third and succeeding impoundments in any twelve month period \$25.00.

(2) In addition to the standard fee, the actual cost of any unusual expenses incurred with an itemized bill of such expenses.

(3) No impoundment fee shall be charged for animals delivered.

(b) Daily Care and Feed.

(1) Dogs, cats and other small animals \$1.00.

(2) All other animals. Actual cost.

(c) Veterinary Care. Actual cost.

(d) Disposal Fee.

(1) Large animals over 1,000 pounds. Actual cost.

(2) Medium animals 100-1,000 pounds. Actual cost.

(3) Dogs, cats and other small animals under 100 pounds. No charge.

SECTION 3. DECLARATION OF EMERGENCY. The Council of the City of Modesto hereby finds and declares that the foregoing ordinance is necessary as an emergency measure for preserving the public peace, health and safety. The following is a statement of the facts showing its urgency: The dog licensing provisions of the Municipal Code provide for lower fees for spayed and neutered dogs. Some dogs cannot be spayed or neutered for medical reasons and their owners should not be required to pay substantially higher fees for such dogs. The period for obtaining dog licenses for the 1976-77 fiscal year without incurring a penalty ends on August 31, 1976, therefore, it is necessary to provide for exemptions for such dogs prior to August 31, 1976.

SECTION 4. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 5. PUBLICATION. 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 9th day of August, 1976, by Councilmember Mensingher, who moved its adoption and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

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

ATTEST:

By Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

AN ORDINANCE AMENDING SECTIONS 5-4.201, 5-4.204, 5-4.211, 5-4.212, 5-4.213 AND 5-4.214 OF ARTICLE 2 OF CHAPTER 4 OF TITLE V AND SECTION 5-4.401 OF ARTICLE 4 OF CHAPTER 4 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO DOGS.

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

SECTION 1. AMENDMENT OF CODE. Sections 5-4.201, 5-4.204, 5-4.211, 5-4.212, 5-4.213 and 5-4.214 of Article 2 of Chapter 4 of Title V of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 5-4.201. LICENSING AND FEES. Every person who owns, controls, harbors, possesses or keeps in the City any dog over the age of four (4) months shall, annually between July 1st and August 31st, of each year, procure a license from the Director of Finance for said dog, which license shall be valid for the period commencing on July 1st of said year and ending on June 30th of the succeeding year. The annual fee for said licenses shall be Eight and no/100ths (\$8.00) Dollars for each dog; provided, however, that if a certificate is presented from a licensed veterinarian that the dog has been spayed or neutered or that the dog cannot be spayed or neutered for medical reasons, the license fee shall be Two and no/100ths (\$2.00) Dollars; provided further, that no license fee shall be required to be paid for guide dogs for the blind. Thereafter, during the period from September 1st of each year to June 30th of the succeeding year within fifteen (15) days after a dog reaches the age of four (4) months, or within thirty (30) days after any dog over the age of four (4) months is acquired or brought into the City, its owner shall procure a license for said dog and shall be required to pay the fee herein required, provided, however, that said fee shall be prorated semiannually. Any owner who fails to procure a dog license and pay the required fee within the time allowed, shall, in addition to any other penalty provided by this Code, be subject to one of the following penalties, and said penalty shall be added to the license fee hereinabove provided for and shall be collected therewith:

Voluntary licensing	\$2.00
Licensing after written notification	\$4.00
Licensing after impoundment or issuance of a Notice to Appear in court	\$6.00

SEC. 5-4.204. IMMUNIZATION REQUIRED. It shall be unlawful for any person to keep, own or harbor any dog or dogs in the City over the age of four (4) months unless such dog or dogs have been vaccinated with an approved canine anti-rabies vaccine by a veterinarian authorized to practice veterinary medicine or surgery in this State.

SEC. 5-4.211. DUTY OF CHIEF OF POLICE TO IMPOUND UNLICENSED DOGS. It shall be the duty of the Chief of Police to impound all dogs over the age of four (4) months that are unlicensed and/or unidentified, as provided for in this article, or that are in and upon any public street, alley, park, parkway or public place unleashed.

SEC. 5-4.212. REDEEMING IMPOUNDED DOGS. Whenever any dog is impounded under the provisions of Section 5-4.211 of this Code, the owner or any person interested therein may redeem the same upon payment of the applicable fees set forth in Section 5-4.401 of this Code, and if the license fee required by Section 5-4.201 of this Code has not heretofore been paid, either the payment of said license fee or the deposit of Twenty and no/100ths (\$20.00) Dollars to guarantee that said license fee will be paid within thirty (30) days. Upon payment of said license fee within thirty (30) days, said Twenty and no/100ths (\$20.00) Dollar deposit shall be refunded, otherwise it may be forfeited to the City of Modesto.

SEC. 5-4.213. NOTICE TO OWNER BEFORE KILLING IMPOUNDED DOGS.

(a) Except as provided in subsection (b) of this section, no dog impounded under the provisions of this article shall be killed until and after notice is given by the Chief of Police or his duly authorized representative to the owner of said dog, if known, as hereinafter provided. The notice as provided for in this section shall contain a description of the dog impounded, including the sex and breed thereof and the date said dog was impounded. The notice required by this section may be served as follows:

(1) By delivering a copy to the owner of the dog personally; or

(2) If he be absent from his place of residence, and from his usual place of business, by leaving a copy with some person of suitable age and discretion at either place, and sending a copy through the mail addressed to the owner of said dog at his place of residence; or

(3) If such place of residence and business cannot be ascertained, or a person of suitable age or discretion there cannot be found, then by sending a copy of said notice through the mail addressed to the owner of said dog at the last known address of said owner.

(b) An impounded dog shall become the property of the City and may be killed in a humane manner or otherwise disposed of as the Chief of Police or his duly authorized representative deems satisfactory in either of the following events:

(1) If the owner of the dog has not redeemed said dog within seven (7) days after the giving of the notice to the owner by City as set forth above; or

(2) After the expiration of four (4) days from the date of the impounding of the dog, if the owner cannot be located after efforts have been made to do so.

SEC. 5-4.214. EXEMPTIONS. The provisions of this article shall not apply to any dog owned by or in charge of any person who is a nonresident of the City of Modesto and who is traveling through the City of Modesto, or temporarily sojourning therein for a period of not to exceed thirty (30) days; nor to any dog brought into the City and kept therein for not to exceed thirty (30) days for the exclusive purpose of entering said dog in any bench show, dog exhibition, field trial or competition; nor to any dog brought to or sent into the City from any point outside thereof for the exclusive purpose of receiving care from a licensed veterinary.

SECTION 2. AMENDMENT OF CODE. Section 5-4.401 of Article 4 of Chapter 4 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-4.401. FEE SCHEDULE FOR IMPOUNDMENT, DAILY CARE AND FEED, ETC. Whenever any animal is impounded by the Chief of Police or delivered to the Chief of Police for disposal, the Chief of Police or his duly authorized representative, shall charge the owner or any person redeeming or delivering such an animal the following charges, when applicable:

(a) Impoundment.

(1) Fee for each animal impounded.

(aa) First impoundment \$5.00.

(ab) Second impoundment in any twelve month period \$10.00.

(ac) Third and succeeding impoundments in any twelve month period \$25.00.

(2) In addition to the standard fee, the actual cost of any unusual expenses incurred with an itemized bill of such expenses.

(3) No impoundment fee shall be charged for animals delivered.

(b) Daily Care and Feed.

(1) Dogs, cats and other small animals \$1.00.

(2) All other animals. Actual cost.

(c) Veterinary Care. Actual cost.

(d) Disposal Fee.

(1) Large animals over 1,000 pounds. Actual cost.

(2) Medium animals 100-1,000 pounds. Actual cost.

(3) Dogs, cats and other small animals under 100 pounds. No charge.

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 9th day of August, 1976, by Councilmember Mensingher, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger,
Newton, Siefkin, Mayor Davies
NOES: Councilmembers: None
ABSENT: Councilmembers: None

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

ATTEST:

By Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 1546-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 August, 1976, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Dunlap, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies
NOES: Councilmembers: None
ABSENT: Councilmembers: Newton

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

ATTEST: *Norrine Coyle*
~~XXXXXXXXXXXX~~, City Clerk
NORRINE COYLE

EFFECTIVE DATE: September 15, 1976

AN ORDINANCE AMENDING SECTION MAP 7-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (BOMBERGER BROTHERS, INC.)

WHEREAS, a verified application for an amendment to Section 7-3-9 of the Zoning Map was filed by Bomberger Brothers, Inc. on June 15, 1976, to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the hereinafter described property, and

WHEREAS, after public hearing held on July 20, 1976, 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. 76-128, adopted on July 20, 1976, the Planning Commission recommended to the Council that the application of Bomberger Brothers, Inc. to amend Section 7-3-9 of the Zoning Map to reclassify the hereinafter described property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, be approved, and

WHEREAS, a public hearing by the City Council was scheduled to be held on August 23, 1976, in regard to the requested rezoning, and a quorum of the Council not being present, said public hearing was continued to August 30, 1976,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on August 30, 1976, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, 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 for the following reasons:

1. The proposed R-2 zoning will provide a medium density residential transition between the lower density developments to the north, and Standiford Avenue to the south.
2. The proposed R-2 zoning is in conformance with the Modesto Urban Area General Plan's Neighborhood Zoning and Development Plan Proto-type.
3. The proposed R-2 zoning complies with the Medium Density Residential Criteria as outlined in the Modesto Urban Area General Plan.

SECTION 2. ZONING CHANGE. Section 7-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2:

All that certain real property situate in the Northeast Quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the Southeast corner of the Southwest Quarter of said Northeast Quarter of Section 7 being on the centerline of Standiford Avenue; thence along said centerline North $88^{\circ} 55' 40''$ West 8832.6 feet to the Southerly extension of the West line of that property conveyed to Robert P. Bomberger and Harley D. Brannan as described in Book 2674 of Official Records, Page 169, Stanislaus County Records; thence along said Southerly extension and said West line of Bomberger and Brannan property North $0^{\circ} 50' 40''$ West 240.51 feet; thence North $89^{\circ} 09' 20''$ East 125.00 feet; thence North $0^{\circ} 50' 40''$ West 25.63 feet; thence North $89^{\circ} 09' 20''$ East 121.47 feet; thence North $1^{\circ} 35' 54''$ West 159.07 feet; thence North $69^{\circ} 51' 20''$ East 252.00 feet; thence South $20^{\circ} 08' 40''$ East 77.25 feet; thence South $1^{\circ} 04' 20''$ West 152.32 feet; thence South $88^{\circ} 55' 40''$ East 126.00 feet; thence South $1^{\circ} 04' 20''$ West 32.94 feet; thence North $89^{\circ} 20' 20''$ East 126.16 feet; thence South $0^{\circ} 39' 40''$ East 17.42 feet; thence North $89^{\circ} 20' 20''$ East 130.00 feet to the East line of said Bomberger and Brannan property; thence along said East line and Southerly extension thereof South $0^{\circ} 39' 40''$ East 257.52 feet to the point of beginning.

Containing: 6.70 Acres

SECTION 3. ZONING MAP. Section 7-3-9 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.

an adjourned

The foregoing ordinance was introduced at / regular meeting of the Council of the City of Modesto held on the 30th day of August, 1976, by Councilmember Kullijian, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Dunlap, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

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

ATTEST Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Alban (Birds)
Department of Planning &
Community Development

Ordinance 1547 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 7th day of September, 1976, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap, Elliott, Newton

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

ATTEST: *Norrine Coyle*
~~XXXXXXXXXXXXXXXXXXXX~~ City Clerk
NORRINE COYLE,

EFFECTIVE DATE: October 7, 1976

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1976-77 AND REPEALING ORDINANCE 1468-C.S.

The 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, 1976 and ending June 30, 1977, 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. 2-01; 2-02; 2-03; 2-05; 2-06; 2-07; 2-08; 2-09; 2-10; 2-11; 2-12; 2-13; 2-14; 2-15; 2-18; 2-19; 2-20; 2-21; 2-22; and 2-23.

For the General Fund \$ 1.06

For the Park Fund .04

The aggregate of said sums, to wit: \$ 1.10

SECTION 3. REPEALS. Ordinance No. 1468-C.S., adopted by the Council of the City of Modesto on the 25th day of August, 1975, 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 ^{an adjourned} ~~a~~ regular meeting of the Council of the City of Modesto held on the 30th day of August, 1976, by Council-member Dunlap, who moved its introduction and adoption, which motion being duly

seconded by Councilmember Siefkin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Mensinger, Siefkin,
Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Newton

APPROVED:

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

By *Norrine Coyle*
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

ORDINANCE NO. 1549 -C. S.

AN ORDINANCE AMENDING SECTION 2-1.01 OF CHAPTER I OF TITLE II OF THE MODESTO MUNICIPAL CODE RELATING TO COUNCIL MEETINGS.

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

SECTION 1. AMENDMENT OF CODE. Section 2-1.01 of Chapter I of Title II of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 2-1.01. REGULAR MEETINGS. (a) Time. Regular meetings of the City Council shall be held on the first, second, third and fourth Monday of each month. The meetings held on the first and third Monday shall commence at the hour of 4 o'clock P. M., and the meetings held on the second and fourth Monday shall commence at the hour of 7:30 o'clock P. M. Meetings of the Council for the purpose of canvassing election returns not held on a regular Council meeting date shall commence at the hour of 4 o'clock P. M. Whenever the day fixed for any regular meeting of the Council falls upon a day designated by the City of Modesto as a holiday, such meeting shall be held at the same hour on the next succeeding day not a holiday.

(b) Place. All regular meetings of the Council shall be held in the Council Chambers in the City Hall located at 11th and H Streets, Modesto, California. If, due to an emergency it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such place as is designated by the Mayor.

(c) Public. All meetings of the Council shall be open to the public, provided, however, the City Council may hold executive sessions as provided by the laws of the State of California.

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 an adjourned regular meeting of the Council of the City of Modesto held on the 30th day of

August, 1976, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Newton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

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

ATTEST:

By Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 1549-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 7th day of September, 1976, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Kullijian, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap, Elliott, Newton

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

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: October 7, 1976

AN ORDINANCE AMENDING SECTIONS 2-4.101, 2-4.102 AND 2-4.103 OF ARTICLE 1 OF CHAPTER 4 OF TITLE II OF THE MODESTO MUNICIPAL CODE RELATING TO OFFICIAL BONDS.

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

SECTION 1. AMENDMENT OF CODE. Sections 2-4.101, 2-4.102 and 2-4.103 of Article 1 of Chapter 4 of Title II of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 2-4.101. OFFICERS BONDED. The following public officers of the City shall, before entering upon the duties of their respective offices, execute to the City, a corporate surety bond in the following penal sums, conditioned upon the faithful performance of their respective duties, to-wit:

City Clerk and City Auditor, a bond in the penal sum of \$50,000.00

Director of Finance, a bond in the penal sum of \$100,000.00

SEC. 2-4.102. POLICE DEPARTMENT BLANKET BOND. All officers and employees of the Police Department of the City shall be covered under a faithful performance blanket position bond in the penal sum of \$25,000.00 per officer or employee.

SEC. 2-4.103. OTHER BLANKET BONDS. All other officers and employees of the City, except those covered in Section 2-4.101 hereof, shall be covered under an honesty blanket position bond in the penal sum of \$25,000.00.

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 20th day of September, 1976, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Mensinger, Siefkin,
Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Newton

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

By Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 1550-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 27th day of September, 1976, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Mensing, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies
NOES: Councilmembers: None
ABSENT: Councilmembers: Elliott

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

ATTEST: *Norrine Cole*
NORRINE COLE, City Clerk

EFFECTIVE DATE: October 27, 1976

*Amended 10-09-1984
by Ord. 2295, C.S.*