

WHEREAS, by Resolution No. 78-182, adopted on September 19,
1978, the Planning Commission recommended to the Council that the applica-
tion of Mike Fisher
to amend Section 5-4-9 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
November 6, 1978, 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 reasons set forth in Planning Commission Resolution
No. 78-182 and quoted above.

SECTION 2. ZONING CHANGE. Section 5-4-9 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 situated in Section 5, Township 4 South Range 9 East, Mount Diablo Base and Meridian described as follows:

The East 3 acres of Lot 13 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.

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 6th day of November, 1978, 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, Lang, Mensinger, 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 L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William D. ...
Department of Planning and
Community Development

Ord. No. 1781-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 13th day of November, 1978, Councilmember Lang 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: Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: December 13, 1978

Ordinance 1781 C.S.
Exhibit A – Map

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

ORDINANCE NO. 1782 -C.S.

AN ORDINANCE AMENDING SECTION MAP 32-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (SETLIFF BROTHERS)

WHEREAS, a verified application for an amendment to Section 32-3-9 of the Zoning Map was filed by Setliff Brothers

on August 16, 1978, 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 September 19, 1978, 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. 78-183, adopted on September 19, 1978, the Planning Commission recommended to the Council that the application of Setliff Brothers

to amend Section 32-3-9 of the Zoning Map to reclassify the hereinafter 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 November 6, 1978, 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 H-1 zoning meets the locational criteria for such zoning as outlined in Article 29 of Chapter 2 of Title X of the Modesto Municipal Code.
2. The proposed H-1 zoning will allow reasonable commercial development which will be constructed to contemporary H-1 standards and made compatible with surrounding commercial and industrial uses.

SECTION 2. ZONING CHANGE. Section 32-3-9 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 portion of Section 32, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

Parcel No. 1

Lots 1, 2, and the Northeasterly 12.5 feet of Lot 3 in Block 304 in the City of Modesto, County of Stanislaus, State of California, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on December 21, 1942, in Volume 15 of Maps.

Parcel No. 2

All that portion of Block 303 in the City of Modesto, County of Stanislaus, State of California, according to the Official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on December 21, 1942, in Volume 15 of Maps, described as follows:

BEGINNING at the most Northerly corner of said Block 303; thence Southwesterly along the Southeasterly line of Tuolumne Boulevard 161.8 feet to the most Northeasterly corner of Lot 1 in Block 304 of said City of Modesto; thence South 30° 07' East along the Northeasterly line of said Lot 1, a distance of 27.2 feet; thence North 52° 38' East 145.1 feet to the Southwest line of Seventh Street; thence Northwest along the Southwest line of said Seventh Street to the point of beginning.

Parcel No. 3

BEGINNING at the northeastern corner of Block 303 of the City of Modesto, as per map filed December 21, 1942, in Volume 15 of Maps, Page 303, Stanislaus County Records, said point being the intersection of the Southern line of Tuolumne Boulevard and the Western line of Seventh Street; thence along the Northerly projection of the Western line of Seventh Street, North 16° 29' 36" West, 37.39 feet; thence along a tangent curve concave to the South, having a radius of 32.41 feet, a central angle of 140° 43' 37" and an arc length of 79.60 feet; thence South 22° 46' 45" West, 188.09 feet, to a point on the Northern line of Block 304 of the City of Modesto; thence along the Northern line of Block 304 and Block 303, North 47° 13' 22" East, 196.92 feet, to the point of beginning.

Including also all that portion of Street right-of-way situated between the centerline of Tuolumne Boulevard and the Northwesterly property line of the above described Parcels 1 and 3.

And also including all that portion of street right-of-way situated between the centerline of South 7th Street and the Easterly property line of the above described Parcel 2.

SECTION 3. ZONING MAP. Section 32-3-9 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 6th day of November, 1978, by Councilmember Kullijian, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Lang, was upon roll call carried and ordered printed and published by the following vote:

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

APPROVED: LEE H. DAVIES, Mayor

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By *William J. ...*
Department of Planning and
Community Development

Ord. No. 1782-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 13th day of November, 1978, Councilmember Lang 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: Elliott, Kullijian, Lang, Mensinger, Siefkin,
Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: December 13, 1978

Ordinance 1782 C.S.
Exhibit A – Map

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

ORDINANCE NO. 1783 -C.S.

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

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

SECTION 1. 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

Planned-Development Zone, P-D (204) :

All that certain real property situate in a portion of the Northeast Quarter of Section 24, 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:

Lot 2 and the North 713 feet, more or less, of the East 344.0 feet of Lot 3 of IDAHO COLONY, according to the Official Map thereof, filed for record on April 27, 1909, in Volume 4 of Maps at page 21, Stanislaus County Records.

Excepting therefrom all of said Lots 2 and 3 immediately north of the south line of Brigsmore Avenue.

Containing 20.6 Acres, more or less.

SECTION 2. USES. The following uses shall be permitted in said P-D (204) 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. 166 zero lot line, small lot single-family residences.
2. Off-street parking including recreational vehicle parking in accordance with the plan on file in the office of the Department of Planning and Community Development.
3. Recreation and open space areas including a swimming pool, tennis courts, and recreation buildings.

SECTION 3. ZONING MAP. Section Map 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 6th day of November, 1978, by Councilmember Siefkin, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Mensing, was upon roll call carried and ordered printed

and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:


LEE H. DAVIES, Mayor

ATTEST:

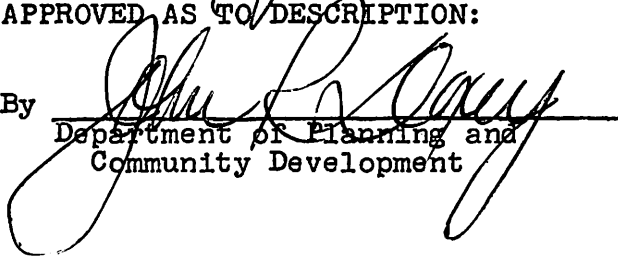

NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By 
Department of Planning and
Community Development

Ord. No. 1783-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 13th day of November, 1978, Councilmember Lang 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: Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


NORRINE COYLE, City Clerk

EFFECTIVE DATE: December 13, 1978

Ordinance 1783 C.S.
Exhibit A – Map

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

ORDINANCE NO. 1784 -C. S.

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

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Edward G. Wylie on August 15, 1978, to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D, and from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D, to permit a commercial development; to reclassify from Medium Density Residential Zone, R-2, to Low Density Residential Zone, R-1; and to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located south of Orangeburg Avenue and West of Oakdale Road, and more particularly described in said application, and

WHEREAS, after public hearing held on September 19, 1978, it was found and determined by the Planning Commission by Resolution No. 78-181 as follows:

1. The area proposed for rezoning from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, is required by public necessity, convenience, and general welfare for the reasons set forth in said Planning Commission resolution.

2. The area proposed for rezoning from Medium Density Residential Zone, R-2, to Low Density Residential Zone, R-1, is required by public necessity, convenience, and general welfare for the reasons set forth in said Planning Commission resolution.

3. The area proposed for rezoning to Planned Development Zone, P-D, to permit a commercial development is not required by public necessity, convenience and general welfare for the reasons set forth in said Planning Commission resolution, and

WHEREAS, by said Resolution No. 78-181, adopted on September 19, 1978, the Planning Commission recommended to the Council that the application of Edward G. Wylie to amend Section 22-3-9 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 from Medium Density Residential Zone, R-2, to Low Density Residential Zone, R-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 November 13, 1978, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California this Council finds and determines that the requested rezoning from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and from Medium Density Residential Zone, R-2, to Low Density Residential Zone, R-1, 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. Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2.

The area would provide for a good transition between the existing and proposed single-family homes to the west and the higher density residential or professional offices anticipated to be developed to the east.

- b. Medium Density Residential Zone, R-2, to Low Density Residential Zone, R-1.

This small area would be developed as part of a proposed single-family home development to the west rather than the higher density residential uses anticipated to be developed to the east, and a more logical zoning pattern would result.

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, and from Medium Density Residential Zone, R-2, to Low Density Residential Zone, R-1:

R-1 to R-2

ALL that certain real property situate in a portion of Lot 9 of the Broughton Colony according to the Official Map thereof filed in Volume 1 of Maps, at Page 78, Stanislaus County Records, and lying in a portion of the Northeast quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, State of California described as follows:

COMMENCING at the Northeast corner of said Lot 9 at the intersection of the centerlines of East Orangeburg Avenue and Oakdale Road; thence South $89^{\circ} 54' 44''$ West, along the North line of said Lot 9, a distance of 310.02 feet; thence South $0^{\circ} 45'$ East, parallel with and ~~310.00 feet distant~~ Westerly measured at right angles from said centerline of Oakdale Road, a distance of 130.01 feet to the point of beginning of this description; thence continuing South $0^{\circ} 45'$ East, parallel with and ~~310.00 feet distant~~ Westerly measured at right angles from said centerline of Oakdale Road, a distance of 265.06 feet; thence South $89^{\circ} 54' 44''$ West, parallel with and 395.04 feet distant Southerly measured at right angles from said North line of Lot 9, a distance of 240.04 feet to the Southeast corner of Lot 12, Block 1326 of Wyldewood Estates No. 5, as shown on the map filed in Volume 24 of Maps, at Page 76, Stanislaus County Records; thence North $0^{\circ} 45'$ West, along the East line of said Wyldewood Estates No. 5 a distance of 265.06 feet to the Northeast corner of Lot 10, Block 1326 of said Subdivision; thence North $89^{\circ} 54' 44''$ East, parallel with and 130.00 feet distant Southerly measured at right angles from said North line of Lot 9, a distance of 240.04 feet to the point of beginning.

Containing 1.461 Acres

R-2 to R-1

ALL that certain real property situate in a portion of Lot 9 of the Broughton Colony according to the Official Map thereof filed in Volume 1 of Maps, at Page 78, Stanislaus County Records, and lying in a portion of the Northeast quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, State of California described as follows:

COMMENCING at the Northeast corner of said Lot 9, at the intersection of the centerline of East Orangeburg Avenue and Oakdale Road; thence South $89^{\circ}54'44''$ West along the North line of said Lot 9, a distance of 310.02 feet; thence South $0^{\circ}45'$ East, parallel with and 310.00 feet distant Westerly, measured at right angles from said centerline of Oakdale Road; a distance of 528.02 feet to the point of beginning of this description; thence continuing South $0^{\circ}45'$ East, parallel with and 310.00 feet distant Westerly measured at right angles from said centerline of Oakdale Road, a distance of 133.93 feet to a point on the South line of said Lot 9; thence South $89^{\circ}54'30''$ West, along said South line of Lot 9, a distance of 25.98 feet; thence North $2^{\circ}50'57''$ East, 135.00 feet; thence South $87^{\circ}09'03''$ East, 17.54 feet to the point of beginning.

Containing 0.067 Acres

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1978, by Councilmember Lang, 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: Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: Kullijian

ABSENT: Councilmembers: Dunlap

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 William Childs
Department of Planning and
Community Development

Ord. No. 1784-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 20th day of November, 1978, Councilmember Lang 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: Elliott, Kullijian, Lang, Mensinger, Siefkin,
Mayor Davies

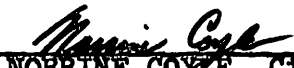
NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


NORRINE COYLE, City Clerk

EFFECTIVE DATE: December 20, 1978

Ordinance 1784 C.S.
Exhibit A – Map

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

ORDINANCE NO. 1785 -C.S.

AN ORDINANCE AMENDING SECTION MAP 12-3-8 OF
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (PAUL RUMBLE)

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

SECTION 1. 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, Medium Density Residential Zone, R-2 and
Highway Frontage Zone, H-1, to Planned Development Zone, P-D(207):

Part 1 - H-1 to P-D

ALL that certain real property situate in a portion of the Southwest
quarter of Section 12, Township 3 South, Range 8 East, Mount
Diablo Base and Meridian, in the City of Modesto, County of
Stanislaus, State of California, described as follows:

The Westerly 347.82 feet of the following described property:

COMMENCING at the Southwest corner of said Section 12; thence North
0° 48' 40" West, along the West line of said Section 12, a distance
of 20.00 feet to the intersection with the Westerly prolongation
of the center line of Rumble Road; thence North 88° 45' 45" East,
along said westerly prolongation of the centerline of Rumble Road,
a distance of 2.52 feet, to the intersection with the centerline
of Dale Road and the point of beginning, said point of beginning
being a point on a curve, being concave to the East, from which
a radial line bears North 86° 23' 04" East; thence Northerly along
said curve and the centerline of Dale Road, a distance of 72.08
feet, having a radius of 1600.00 feet and a central angle of
2° 34' 53", to a tangent line; thence North 1° 02' 03" West along
said tangent line, a distance of 55.56 feet, to the Westerly pro-
longation of the Southerly line of the Hetch-Hetchy right-of-way;
thence North 69° 42' 07" East, along said Westerly prolongation
and the Southerly line of the Hetch-Hetchy right-of-way, a distance
of 692.30 feet to the West line of the property conveyed to Harold
O. Miller, et. al. by Volume 2523 of Official Records at Page 730,
Stanislaus County Records; thence South 0° 48' 40" East, along
said West line of the Harold O. Miller property a distance of
353.72 feet to said centerline of Rumble Road; thence South 88°
45' 45" West, along said centerline of Rumble Road, a distance of
650.54 feet to the point of beginning.

Part 2 - R-2 to P-D

The Easterly 302.72 feet of the following described property:

COMMENCING at the Southwest corner of said Section 12; thence North $0^{\circ} 48' 40''$ West, along the West line of said Section 12, a distance of 20.00 feet to the intersection with the westerly prolongation of the centerline of Rumble Road; thence North $88^{\circ} 45' 45''$ East, along said westerly prolongation of the centerline of Rumble Road, a distance of 2.52 feet, to the intersection with the centerline of Dale Road and the point of beginning, said point of beginning being a point on a curve, being concave to the East, from which a radial line bears North $86^{\circ} 23' 04''$ East; thence Northerly along said curve and the centerline of Dale Road, a distance of 72.08 feet, having a radius of 1600.00 feet and a central angle of $2^{\circ} 34' 53''$ to a tangent line; thence North $1^{\circ} 02' 03''$ West along said tangent line, a distance of 55.56 feet, to the Westerly prolongation of the Southerly line of the Hetch-Hetchy right-of-way; thence North $69^{\circ} 42' 07''$ East, along said Westerly prolongation and the Southerly line of the Hetch-Hetchy right-of-way, a distance of 692.30 feet to the West line of the property conveyed to Harold O. Miller, et. al. by Volume 2523 of Official Records at Page 730, Stanislaus County Records; thence South $0^{\circ} 48' 40''$ East, along said West line of the Harold O. Miller property a distance of ~~353.72 feet~~ to said centerline of Rumble Road; thence South $88^{\circ} 45' 45''$ West, along said centerline of Rumble Road, a distance of ~~650.54 feet~~ to the point of beginning.

Part 3 - R-1 to P-D

All of the Southerly 55 feet of Hetch-Hetchy right-of-way immediate to the above H-1 to P-D and R-2 to P-D described properties.

SECTION 2. USES. The following uses shall be permitted in said P-D(207) 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 home improvement center.
- (b) Off-street parking in accordance with the plan on file in the office of the Director of Planning and Community Development.

SECTION 3. ZONING MAP. Section Map 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 13th day of November, 1978, 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, Lang, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap, Mensinger, Siefkin

APPROVED:

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 *William J. Nichols*
Department of Planning and
Community Development

Ord. No. 1785-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 20th day of November, 1978, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the ordinance adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap, Mensinger

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: December 20, 1978

ORDINANCE NO. 1786 -C. S.

AN ORDINANCE AMENDING SECTION 2-1.01 OF CHAPTER 1 OF TITLE II OF THE MODESTO MUNICIPAL CODE RELATING TO REGULAR COUNCIL MEETINGS.

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

SECTION 1. AMENDMENT OF CODE. Section 2-1.01 of Chapter 1 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 Tuesday of each month. The meetings held on the first and third Tuesday shall commence at the hour of 4 o'clock P. M., and the meetings held on the second and fourth Tuesday shall commence at the hour of 7:30 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 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 November, 1978, by

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

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap

APPROVED: _____
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. 1786-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 4th day of December, 1978, 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, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 3, 1979

ORDINANCE NO. 1787 -C.S.

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

WHEREAS, a verified application for an amendment to Section 10-3-9 of the Zoning Map was filed by Stone Bros. and Associates

on August 23, 1978, 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 October 17, 1978, 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. 78-198, adopted on October 17, 1978, the Planning Commission recommended to the Council that the application of Stone Bros. and Associates

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, 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 November 27, 1978, 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 adjoins Coffee Road, a 100 foot wide major street.
2. The subject property is an integral part of a subdivision and the proposed R-2 zoning provides a residential density transition between the major street and single-family development to the east.
3. The proposed R-2 rezoning conforms to the Beyer Neighborhood Zoning and Development Policy and the residential density criteria of the Modesto Urban Area General Plan.

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 :

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

All of Lots 10 through 21, in Block 12574, Lots 2, 3, 14 and 15
in Block 12586, and Lots 1 through 6 in Block 12587, all in
Sylvan Meadows East No. 4 as per map thereof filed January 25, 1977,
in Book 26 of Maps, at page 50 in the Stanislaus County Records.

Including also all of Montevue Drive, all of Grand Prix Drive,
all of Bywood Lane, the southerly one-half of Fernview Drive, and
the Easterly 50 feet of Coffee Road, all being immediately adjacent
to those certain described lots shown on said Sylvan Meadows East
No. 4.

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 27th day of November, 1978, by Councilmember Lang, 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, Lang, Mensinger,
Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED:

~~CLYDE H. DUNLAP, JR., Mayor~~
CLYDE H. DUNLAP, JR.,
Acting 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 William J. Dickel
Department of Planning and
Community Development

Ord. No. 1787-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 4th day of December, 1978, 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, Leng, Mensinger, Siefkin, Mayor Davies
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: Elliott

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

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 3, 1979

Ordinance 1787 C.S.
Exhibit A – Map

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

ORDINANCE NO. 1788 -C.S.

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

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

SECTION 1. ZONING CHANGE. Section 10-3-9 of the Zoning

Map is hereby amended to reclassify the following-described property

from Low Density Residential Zone, R-1, to

Planned-Development Zone, P-D (206) :

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

Lots 7 through 10 and 13 through 17 in Block 12587 of Sylvan Meadows East No. 4, as per map thereof filed January 25, 1977, in Book 26 of Maps, page 50, Stanislaus County Records.

Including the southerly 30 feet of Mable Avenue, the easterly 50 feet of Coffee Road and the northerly one-half of Fernview Drive, all being immediately adjacent to the above described lots as shown on the map of said Sylvan Meadows East No. 4.

SECTION 2. USES. The following uses shall be permitted in said P-D (206) 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:

30 two-story townhouse apartment units.

A minimum of 45 off-street parking spaces as shown on the plan on file in the office of the Director of Planning and Community Development.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of November, 1978, by Councilmember Lang, 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, Lang, Mensinger,
Siefkin, Acting Mayor Dunlap


NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED:


~~KEVIN DAVIES, Mayor~~
CLYDE H. DUNLAP, JR.,
Acting Mayor

ATTEST:


NORRINE COYLE, City Clerk

(SEAL)


APPROVED AS TO FORM:

By


ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By


Department of Planning and
Community Development

Ord. No. 1788-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 4th day of December, 1978, 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, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 3, 1979

Ordinance 1788 C.S.
Exhibit A – Map

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

ORDINANCE NO. 1789 -C.S.

AN ORDINANCE CONSENTING TO THE TRANSFER OF 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 FROM W. R. TOMSON, DOING BUSINESS AS THE TRANSADTISE COMPANY, TO FRANK IMBURG, DOING BUSINESS AS THE TRANSADTISE COMPANY.

WHEREAS, W. R. Tomson, doing business as The Transadtise Company, has 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, which franchise expires on December 31, 1981, and

WHEREAS, W. R. Tomson has requested that the City of Modesto consent to the transfer of said franchise to Frank Imburg who desires to continue the operation thereunder of said bus bench advertising business, under the name of The Transadtise Company, and

WHEREAS, Section 11-2.20 of the Modesto Municipal Code provides that the transfer of said franchise shall not be valid unless an ordinance of the City consenting to such transfer has been adopted, and

WHEREAS, Section 21 of Ordinance No. 1536-C.S. which grants said franchise to W. R. Tomson doing business as The Transadtise Company, also provides that said franchise may not be sold, transferred, assigned or otherwise disposed of without the prior written consent of the City Council, and

WHEREAS, the request of W. R. Tomson, doing business as The Transadtise Company, for approval of the transfer of said franchise to Frank Imburg was considered at a public hearing held by the City Council of the City of Modesto on

December 4, 1978, and

WHEREAS, based on the evidence received and considered at said hearing, the City Council has determined that is in the interest of the public health, safety and welfare to consent to said transfer,

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

SECTION 1. TRANSFER OF FRANCHISE. Consent is hereby given for the transfer from W. R. Tomson, doing business as The Transadtise Company, to Frank Imburg, doing business as The Transadtise Company of 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 granted by Ordinance No. 1536-C.S., subject to all of the terms and conditions of said franchise as set forth in Ordinance No. 1536-C.S. as adopted by the City Council on July 12, 1976.

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. OPERATIVE DATE. The consent granted by this ordinance shall be operative on and after January 1, 1979.

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 4th day of December, 1978, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Mensing, was upon

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

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, 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

Ord. No. 1789-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 11th day of December, 19 78, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the ordinance adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 10, 1978

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

CARPENTER ROAD, between Blue Gum Avenue and Maze Boulevard within the City limits	50 miles per hour
CARPENTER ROAD, between California Avenue and Maze Boulevard	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
ENSLÉN 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
KANSAS AVENUE, between Emerald Avenue and 8th Street, within the City limits	35 miles per hour

LA LOMA AVENUE, between Burney Street and Buena Vista	25 miles per hour
LAUREL AVENUE, between Emerald Avenue and Franklin Street, within the City limits	35 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
OAKDALE ROAD, between Briggsmore Avenue and 500 feet north of Floyd Avenue, within the City limits	50 miles per hour
ORANGEBURG AVENUE, between Martin Avenue and Prescott Road	25 miles per hour
PARADISE ROAD, between Vernon Avenue and Sutter Avenue, within the City limits	35 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
SHERWOOD AVENUE, between Orangeburg Avenue and Briggsmore 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

WOODLAND AVENUE, between Carpenter Road and Morse Road, within the City limits	45 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 Shoemake Avenue	50 miles per hour

SEC. 3-2.1401.1. CHANGE IN SPEED LIMITS SET BY STATE LAW: FOR PURPOSE 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 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	February 10, 1978
BRIGGSMORE AVENUE, westbound between Coffee Road and McHenry Avenue	45 miles per hour	February 2, 1978

BRIGGSMORE AVENUE, (east-bound) between McHenry Avenue and 1,000 feet west of Coffee Road	45 miles per hour	March 21, 1978
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
BRIGHTON AVENUE, between Locke Road and Coffee Road	35 miles per hour	October 27, 1978
CARVER ROAD, between 9th Street and Roseburg Avenue	35 miles per hour	February 3, 1978
CARVER ROAD, between Roseburg Avenue and Brixton Lane within the City limits	35 miles per hour	February 10, 1978
CARVER ROAD, between Brixton Lane and M.I.D. Lateral No. 6 within the City limits	40 miles per hour	August 17, 1977
CELESTE DRIVE, between Coffee Road and Oakdale Road	30 miles per hour	October 5, 1978
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	March 16, 1978
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	March 23, 1978
EMERALD AVENUE, between Maze Boulevard and California Avenue within the city limits	35 miles per hour	October 26, 1978
ENCINA AVENUE, between Santa Barbara Avenue and Conejo Avenue	35 miles per hour	November 8, 1978
EVERGREEN AVENUE, between W. Orangeburg Avenue and Carver Road	35 miles per hour	May 6, 1976
FAIRMONT AVENUE, between Coffee Road and Sunrise Avenue	30 miles per hour	October 5, 1978
FLOYD AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	February 2, 1978
FLOYD AVENUE, between Coffee Road and Oakdale Road	35 miles per hour	October 5, 1978
FRANKLIN STREET, between California Avenue and Maze Boulevard	35 miles per hour	February 2, 1978
E. GRANGER AVENUE, between Sunrise Avenue and McHenry Avenue	30 miles per hour	October 17, 1978
W. GRANGER AVENUE, between McHenry Avenue and Tully Road	30 miles per hour	October 17, 1978
KEARNEY AVENUE, between Coldwell 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

LAKWOOD AVENUE, between Scenic Drive and Orangeburg Avenue	35 miles per hour	October 26, 1978
LA LOMA AVENUE, between Buena Vista and Yosemite Boulevard	30 miles per hour	March 23, 1978
LINCOLN AVENUE, between Yosemite Boulevard and 650' north of M.I.D. Lateral No. 2	35 miles per hour	August 7, 1975
MILLER AVENUE, between La Loma Avenue and El Vista Avenue	35 miles per hour	February 21, 1978
MITCHELL ROAD, between Finch Road and 1,326' south of Finch Road	50 miles per hour	February 21, 1978
MORRIS AVENUE, between McHenry Avenue and Coffee Road	30 miles per hour	February 21, 1978
MT. VERNON AVENUE, between Carver Road and Prescott Road	35 miles per hour	October 18, 1978
MT. VERNON AVENUE, between College Avenue and Carver Road	30 miles per hour	October 19, 1978
NEECE DRIVE, between Tuolumne Boulevard and Rouse Avenue	35 miles per hour	December 1, 1978
NEEDHAM STREET, between L and 9th Streets	35 miles per hour	November 15, 1978
NORWEGIAN AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	October 24, 1978
OAKDALE ROAD, between Scenic Drive and Briggsmore Avenue	35 miles per hour	May 27, 1976
E. ORANGEBURG AVENUE, between McHenry Avenue and Coffee Road within the City limits	40 miles per hour	October 20, 1978
E. ORANGEBURG AVENUE, between Oakdale Road and Pepper Tree Lane	35 miles per hour	July 24, 1975
E. ORANGEBURG AVENUE, between Pepper Tree Lane and Claus Road	40 miles per hour	October 26, 1978

E. ORANGEBURG AVENUE, between Coffee Road and Rose Avenue	35 miles per hour	July 1, 1977
W. ORANGEBURG AVENUE, between Carver Road and McHenry Avenue	35 miles per hour	March 16, 1978
PRESCOTT ROAD, between Briggsmore Avenue and Rumble Road	35 miles per hour	October 9, 1974
RIVERSIDE DRIVE, between Edge- brook Drive and Yosemite Boulevard	35 miles per hour	May 28, 1976
ROSE AVENUE, between Scenic Drive and Briggsmore Avenue	35 miles per hour	February 17, 1978
ROSE AVENUE, between Briggsmore Avenue and Floyd Avenue	30 miles per hour	March 23, 1978
ROSEBURG AVENUE, between Sunrise Avenue and McHenry Avenue	35 miles per hour	October 24, 1978
W. ROSEBURG AVENUE, between McHenry Avenue and Tully Road	30 miles per hour	October 24, 1978
W. ROSEBURG AVENUE, between Tully Road and Carver Road	35 miles per hour	October 25, 1978
E. RUMBLE ROAD, between Coffee Road and McHenry Avenue within the City limits	35 miles per hour	October 21, 1978
W. RUMBLE ROAD, between Conant Avenue and Tully Road	30 miles per hour	October 21, 1978
W. RUMBLE ROAD, between Sisk Road and Conant Avenue	35 miles per hour	March 31, 1977
W. RUMBLE ROAD, between Tully Road and McHenry Avenue	35 miles per hour	May 27, 1976
SCENIC DRIVE, between Coffee Road and Oakdale Road	40 miles per hour	March 31, 1977
SCENIC DRIVE, between Oakdale Road and Lakewood Avenue	45 miles per hour	May 27, 1977
SIERRA DRIVE, between G and South 7th Streets	30 miles per hour	December 1, 1978
SISK ROAD, between Briggsmore Avenue and 600' north of Brenner Way	50 miles per hour	July 1, 1977

SISK ROAD, between 600' north of Brenner Way and Standiford Avenue	40 miles per hour	July 14, 1977
STANDIFORD AVENUE, between Dale Road and Veneman Avenue	50 miles per hour	July 14, 1977
STANDIFORD AVENUE, between Veneman Avenue and Carver Road	40 miles per hour	June 30, 1977
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	July 31, 1978
SUNRISE AVENUE, between Lucern Avenue and Floyd Avenue	35 miles per hour	October 19, 1978
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	February 17, 1978
SYCAMORE AVENUE, between Griswold Avenue and Orangeburg Avenue	35 miles per hour	October 31, 1978
SYLVAN AVENUE, between McHenry Avenue and Oakdale Road within the City limits	45 miles per hour	October 18, 1978
TOKAY AVENUE, between McHenry Avenue and Bodega Lane	35 miles per hour	March 31, 1977
TULLY ROAD, between Coldwell Avenue and Standiford Avenue	35 miles per hour	March 22, 1978
TULLY ROAD, between Standiford Avenue and M.I.D. Lateral No. 6	45 miles per hour	October 21, 1978
TUOLUMNE BOULEVARD, between 7th Street and Paradise Road	35 miles per hour	February 17, 1978

VENEMAN AVENUE, between Dale Road and Standiford Avenue	40 miles per hour	January 11, 1978
VIRGINIA AVENUE, between Needham Street and Roseburg Avenue	35 miles per hour	October 20, 1978
WHITMORE AVENUE, between Morgan Road and Crows Landing Road within the City limits	45 miles per hour	November 9, 1977
WOODLAND AVENUE, between 9th Street and Carpenter Road within the City limits	35 miles per hour	December 6, 1977
WOODROW AVENUE, between McHenry Avenue and Tully Road	35 miles per hour	October 18, 1978
9TH STREET, between L Street and P Street	35 miles per hour	June 23, 1977

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

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


The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1978, by Councilmember Lang 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, Lang, Mensinger, Siefkin,
Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

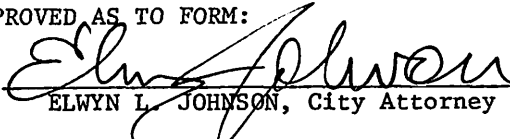
APPROVED: 
LEE H. DAVIES, Mayor

ATTEST:

By 
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
ELWYN L. JOHNSON, City Attorney

Ord. No. 1790-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 December, 1978, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the ordinance adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Mensinger, Siefkin

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 25, 1979

ORDINANCE NO. 1791 -C.S.

AN ORDINANCE AMENDING SECTIONS 10-2.2707 AND 10-2.2709, OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE, AND ADDING SECTION 10-2.2505 THERETO, RELATING TO THE ZONING REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Sections 10-2.2707 and 10-2.2709 of

Chapter 2 of Title X of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 10-2.2707. ESTABLISHMENT, MAINTENANCE, AND REMOVAL OF P-D ZONES. P-D zones may be established or removed from the Zoning Map upon the application of a property owner or owners, or upon the initiative of the Council or Planning Commission in accordance with the procedures set forth in Article 21 for amendments. No P-D zone shall be adopted unless a Development Plan has been approved for such P-D zone. Any development in a P-D zone shall be subject to the requirements of this article and shall be in conformity with the requirements of the Development Plan adopted for such P-D zone. All P-D zones shall be developed and maintained in conformity with the conditions, requirements, and restrictions of the ordinance approving rezoning and any City Council resolution passed in conjunction with such rezoning, or any subsequent modifications thereof by the Planning Commission or City Council.

SEC. 10-2.2709. DEVELOPMENT SCHEDULE.

(a) An application for a P-D zone shall be accompanied by a development schedule indicating to the best of the applicant's knowledge the approximate date when construction of the project can be expected to begin, the anticipated rate of development, and the completion date. The development schedule for an application to prezone a P-D zone shall indicate the approximate time period, after the property is annexed to the City and the P-D zone becomes effective, when construction of the project can be expected to begin, the anticipated rate of development, and the anticipated time to completion. The development schedule if approved by the Council, shall become part of the Development Plan and shall be adhered to by the owner of property in the P-D zone and his successors in interest. The City shall require posting of cash, a savings and loan certificate, or a performance bond issued by a corporate surety company in an amount to be determined by the City Engineer to cover the cost of public improvements adjacent to the proposed development prior to the issuance of the building permit for first phase of construction.

(b) From time to time the Planning Commission shall compare the actual development accomplished in the various P-D zones with the approved development schedules.

(c) If the owner or owners of property in P-D zones have failed to meet the approved development schedule, or have failed to comply with the conditions, requirements, and restrictions contained in the ordinance approving rezoning or any City Council resolution passed in conjunction with such rezoning, or any subsequent modifications thereof, the Commission shall initiate proceedings under Article 21 of this chapter to review, to modify, or to repeal the P-D zone and rezone the property to the zone classification which it held immediately prior to being zoned P-D.

(d) Commencement of construction for the purpose of this article shall be as defined in Section 10-2.215.2 of this Code.

(e) Upon request by the property owner and for good cause shown, the Planning Commission may extend the time limits of the development schedule provided that any request for an extension of these limits shall be on file in the office of the Director of Planning and Community Development no later than the date of expiration. Filing the time extension request shall suspend actual expiration of the P-D zone until acted upon by the Planning Commission except that no building permit shall be issued pursuant to the P-D zone during the period of such suspension. Any person dissatisfied with the decision of the Planning Commission may appeal to the Council in accordance with the procedures set forth in Section 10-2.2110 of this Code for appeals.

SECTION 2. AMENDMENT OF CODE. Section 10-2.2505 is hereby added to Chapter 2 of Title X of the Modesto Municipal Code to read as follows:

SEC. 10-2.2505. VIOLATION. It shall be unlawful for any person to violate or fail to perform any condition, requirement, or restriction placed on any P-D zone, conditional use permit, variance, unclassified use permit, or approved plot plan which has been regularly approved pursuant to the provisions of this chapter.

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 2nd day of January, 1979, 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; Elliott, Kullijian, Lang, Mensinger, 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. 1791-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 January, 1979, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the ordinance adopted by the following vote:

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

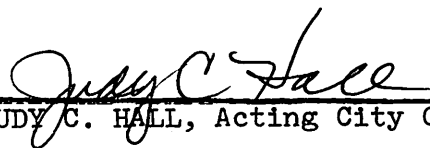
NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


JUDY C. HALL, Acting City Clerk

EFFECTIVE DATE: February 15, 1979

ORDINANCE NO. 1792 -C.S.

AN ORDINANCE AMENDING SECTION 10-2.502 OF ARTICLE 5 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE RELATING TO PERMITTED USES IN THE LOW DENSITY RESIDENTIAL ZONE.

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

SECTION 1. AMENDMENT OF CODE. Section 10-2.502 of Article 5 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.502. PERMITTED USES. In an R-1 zone only the following uses are permitted as are hereinafter specifically provided and allowed:

(a) Single family dwelling.

(b) Two-family dwelling on any corner lot, provided that the driveway serving the off-street parking for one dwelling unit shall have access to one street and the driveway serving the off-street parking for the other dwelling unit shall have access to another street; and further provided that such lot shall have been created by a subdivision recorded after January 1, 1978.

(c) Storm drainage basins and related facilities which serve residentially zoned property.

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

(1) Church; wedding chapel.

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

(3) Rest home.

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

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

(6) Radio or television transmitter.

(7) Tower.

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

(9) Family care home serving a maximum of six (6) persons except that no conditional use permit is required if not more than three (3) persons are being served. A similar facility serving seven (7) or more persons shall be deemed an unclassified use.

(10) Storm drainage basins and related facilities which serve an adjacent nonresidentially zoned property.

(11) For homes with families related by blood, marriage, or adoption only the renting of sleeping quarters to more than three (3) lodgers or the providing of table board to more than three (3) boarders, or both, by a proprietor who lives on the premises. Lodgers or boarders may be allowed kitchen privileges in the proprietor's kitchen, but there shall be no eating, cooking or food storage facilities in conjunction with the sleeping quarters. Sleeping quarters shall not exceed more than one room per lodger or boarder.

(12) A maximum of fifty (50) racing homer pigeons as defined in Section 10-2.255.1 to be maintained in pens or lofts on a lot or parcel which contains at least one dwelling unit, subject also to the limitations of Section 10-2.502(g)(3). The Board of Zoning Adjustment may restrict the number of pigeons to less than fifty (50) birds.

(e) The following residential uses:

(1) The renting of sleeping quarters to not more than three (3) lodgers or the providing of table board to not more than three (3) boarders, or both, but not to exceed three (3) in any combination thereof by a proprietor who lives on the premises. For families consisting of persons who are not related by blood, marriage, or adoption, the total number of persons in a dwelling unit including members of the family, lodgers, and boarders, shall not exceed five (5) persons. Lodgers or boarders may be allowed kitchen privileges in the proprietor's kitchen, but there shall be no eating, cooking, or food storage facilities in conjunction with the sleeping quarters. Sleeping quarters shall not exceed more than one room per lodger or boarder.

(2) The day care of not more than six (6) children in addition to members of the family, when such care is authorized under permits granted by the Stanislaus County Welfare Department, the Modesto Fire Department, the County Health Department and the Secretary of the Commission.

(f) Home occupations when authorized under a permit granted in accordance with the provisions of Section 10-2.2502.

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

(1) Household pets, subject to the provisions of Section 10-2.233.

(2) Not more than four (4) rabbits and/or hares; and domestic fowl (hens only), providing not more than twelve (12) of any one or combination of such animals and fowl may be maintained on a lot.

(3) The keeping of all domestic animals and fowl provided for in item (2) above and Section 10-2.502(d)(12) shall conform to all other provisions of law governing same and no fowl or animal except household pets, or any pen or coop, except those used for household pets, shall be kept or maintained except under the following conditions:

(aa) Animals or fowl shall be kept or maintained only at a distance of forty (40⁺) feet or more from the window or door of any residence or other building used for human habitation.

(ab) Animals or fowl shall be kept or maintained only on the rear one-third (1/3) of the lot.

(ac) Animals or fowl shall be maintained only at a distance from the property line not less than the required side yard.

(h) Two-family dwelling, when the lot upon which it is located has a side line that abuts property zoned for R-3, P-0, C-1, C-2, C-M, M-1 or M-2, but in no case shall the property used for such two-family dwelling consist of more than one lot or be more than seventy-five (75⁺) feet in width whichever is the lesser.

(i) Servants' quarters and guest houses may be maintained on any lot provided that such quarters and guest houses are used as an accessory to the single dwelling unit and also provided no cooking facilities are maintained therein.

(j) A parking area, provided:

(1) A conditional use permit has been obtained in accordance with Article 20 of this chapter.

(2) Development is as required by Article 18 of this chapter.

(3) The parking area is clearly incidental and accessory to a use permitted in this section or is accessory to a commercial use which is located in a commercial or industrial zone immediately adjacent to the property to be used for a parking area.

(k) Garage sales, subject to the following conditions:

(1) No garage sale shall be held or conducted on the same premises for more than three (3) consecutive days.

(2) Not more than two (2) garage sales may be held or conducted on the same premises in any one calendar year.

(1) Accessory uses and buildings customarily incidental to the above.

(m) Any business activities conducted in or from an R-1 Zone shall meet all of the following criteria unless otherwise excepted by this chapter:

(1) Any business activities conducted in or from a dwelling shall be clearly incidental and secondary to the use of the premises for dwelling purposes and shall not change the residential character thereof. The business shall be conducted entirely within a structure and shall be limited to telephone, mail, radio communication, and office uses conducted by an occupant. Any other business activity shall be conducted entirely away from the premises.

(2) No more than one (1) vehicle connected with any such business activities shall be parked on or near the premises. As used herein a vehicle means one car, pickup, or small van driven by a person living on the premises. Parking of trucks, as defined in Section 10-2.271 of this chapter, or construction equipment on or near the premises or the dispatching of employees from the premises is not permitted.

(3) No person, other than a resident of the dwelling, may be engaged in business activities at the premises.

(4) All equipment, supplies, samples, or other business goods or articles shall be kept or maintained within a business vehicle and shall not otherwise be kept or maintained on the premises except for personal office use such as stationery and bookkeeping materials.

(5) No vehicle, equipment, or activity shall be conducted or operated in such a manner as to cause a disturbance in the neighborhood, nor create a public nuisance with noise, odor, dust, vibration, fumes, smoke, electrical interference, or other causes.

(6) No residential address, excepting a post office box number, shall be included in any advertising including telephone directory, newspaper, radio, or television advertising.

(7) No signs shall be displayed on the premises except one (1) unlighted, wall mounted name plate not to exceed one (1) square foot in area.

(8) No business deliveries shall be made to the premises in conjunction with any such business activities.

(9) This subsection (m) on business activities shall not apply to activities conducted pursuant to a home occupation permit.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1979, 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, Lang, Mensinger, 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. 1792-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 January, 1979, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the ordinance adopted by the following vote:

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

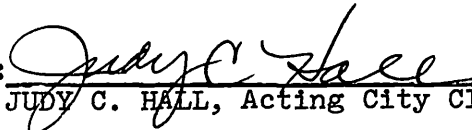
NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


JUDY C. HALL, Acting City Clerk

EFFECTIVE DATE: February 15, 1979

AN ORDINANCE AMENDING SECTIONS 10-2.1510 AND 10-2.1511 OF ARTICLE 15 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE RELATING TO PERMITTED LOCATIONS OF RECREATIONAL VEHICLES AND BOATS.

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

SECTION 1. AMENDMENT OF CODE. Sections 10-2.1510 and 10-2.1511 of Article 15 of Chapter 2 of Title X of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 10-2.1510. PERMITTED LOCATIONS OF MOBILE HOMES, TRAVEL TRAILERS, CAMP CARS AND CAMPERS.

(a) It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, any mobile home, except a travel trailer, upon any lot, piece or parcel of land within the residential zones of the City, except in a mobile home park.

(b) It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, travel trailers, camp cars, or campers upon any lot, or piece of land within the residential zones of the City, except in mobile home parks or travel trailer parks, with the following exceptions:

(1) Such facilities may be placed, kept or maintained wholly within a structure lawfully existing on the premises.

(2) Two such facilities may be placed, kept or maintained upon any lot, piece or parcel of land within the residential zones of the City provided that they shall not overhang any portion of the public sidewalk or shall not be located less than five (5') feet from the curbline if no public sidewalk is present and provided further that no part of any travel trailer, camp car or camper shall be maintained, kept or placed closer than three (3') feet to any building used for human habitation.

(3) Notwithstanding any provisions contained herein, such facilities may be located anywhere on the lot, except in a clear vision zone of a corner lot as defined in Section 10-2.1609 hereof, for a temporary period not to exceed twenty-four (24) hours for loading and unloading purposes or for the temporary storage not to exceed seven (7) days of such facilities owned by a bona fide guest of the occupants of the premises.

(4) Notwithstanding any provision contained herein, a camp car or mounted camper which is not more than seventy-eight (78") inches in height and seventy-two (72") inches in width shall be exempt from the provisions of this section.

(c) It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, any mobile home, travel trailer, camp car or camper upon any lot, piece or parcel of land within the nonresidential zones of the City other than in a mobile home park or trailer park except for storage, sale, or business use, as permitted in such zone.

SEC. 10-2.1511. PERMITTED LOCATIONS OF BOATS AND BOAT TRAILERS.

(a) It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, any boat or boat trailer upon any lot, piece or parcel of land within the residential zones of the City with the following exceptions:

(1) Boats or boat trailers may be placed, kept or maintained wholly within a structure lawfully existing on the premises.

(2) Boats or boat trailers may be placed, kept or maintained upon any lot piece or parcel of land within the residential zones of the City provided that no part of any boat or boat trailer shall overhang any portion of a public sidewalk or shall not be located less than five (5') feet from the curblin if no public sidewalk is present.

(3) Notwithstanding any provisions contained herein, such boat or boat trailer may be located anywhere on the lot, except in a clear vision zone of a corner lot as defined in Section 10-2.1609 hereof, for a temporary period not to exceed twenty-four (24) hours for loading and unloading purposes, or for the temporary storage not to exceed seven (7) days of such facility owned by a bonafide guest of the occupants of the premises.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1979, by Councilmember Lang, 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: Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: Dunlap

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. 1793-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 January, 1979, Councilmember Lang 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, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: Dunlap

ABSENT: Councilmembers: None

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

Judy C. Hall
JUDY C. HALL, Acting City Clerk

EFFECTIVE DATE: February 15, 1979

ORDINANCE NO. 1794 -C.S.

AN ORDINANCE AMENDING SECTION MAP 16-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (CALVARY TEMPLE ASSEMBLY OF GOD, INC.)

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 Low Density Residential Zone, R-1, to Planned-Development Zone, P-D(208):

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

Part 1

All of that portion of property shown as Remainder on the face of the map filed in Book 21 of Parcel Maps, at page 81, in the Stanislaus County Records, including the southerly 20 feet of Norwegian Avenue immediately adjacent to the north line of said property.

EXCEPTING THEREFROM the following described portion:

Beginning at the northwest corner of the 35.386 acre parcel shown on the map filed in Book 21 of Parcel Maps, at page 81, in the Stanislaus County Records, also being the true point of beginning; thence Southerly along the West line of said parcel a distance of 440.0 feet; thence Easterly along a line that is parallel with the North line of said parcel a distance of 696.0 feet; thence Northerly along a line that is parallel with the said West line a distance of 440.0 feet to the point of intersection with the said North line; thence Westerly along the said North line a distance of 696.0 feet to the point of beginning.

Part 2

Beginning at the point of intersection of the east line of property shown as Remainder on the map filed in Book 21 of Parcel Maps at page 81 in the Stanislaus County Records, with the South line of Block 1268 in Central Heights Estates as per map filed in Volume 21 of Maps at page 32 in the Stanislaus County Records; thence Southerly along said East line of said parcel map 475.57 feet more or less to the point of intersection with the north line of Briggsmore Avenue; thence Easterly along said North line 644.32 feet to the west line of Coffee Road; thence Northerly along said West line 448.83 feet to the point of intersection with said south line of Block 1268 in said Central Heights Estates; thence westerly along the South line of said Block 1268, 668.76 feet to the point of beginning.

Including also all that portion of street right-of-way between the east line of Section 16 and the east line of the above described property.

SECTION 2. USES. The following uses shall be permitted in said P-D(208) 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 church including a 2,000-seat sanctuary, class rooms, and related facilities.
2. A private school with a 2,000 student capacity serving from preschool children up to and including junior high students with classrooms and related facilities.
3. Church office.
4. Recreation and open space areas including a gymnasium/social hall, track and field facility, a baseball diamond, youth program facilities, and swimming pools and park and picnic areas.
5. Bus garage.
6. Caretaker's home.
7. Off-street parking in accordance with the approved plot plan.

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 9th day of January, 1979, 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, Lang, Mensinger, 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 L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William J. Miller
Department of Planning and
Community Development

Ord. No. 1794-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 23rd day of January, 1979, 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, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: February 22, 1979

Ordinance 1794 C.S.
Exhibit A – Map

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

ORDINANCE NO. 1795 -C.S.

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1048-C.S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 15-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, PREZONING CERTAIN PROPERTY LOCATED THEREON". (P-D (73) MEMORIAL HOSPITAL)

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 1048-C.S. Section 2 of Ordinance No. 1048-C.S. is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D (73) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2704 of the Municipal Code:

- (a) 5-story, 400-bed hospital.
- (b) 2-story, mental health center.
- (c) 2-story, convalescent hospital.
- (d) A helicopter landing area.
- (e) A minimum of 755 off-street parking spaces in accordance with the plan on file in the office of the Director of Planning and Community Development."

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 January, 1979, by Councilmember Lang, 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, Lang,
Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Mensinger

APPROVED: 
LEE H. DAVIES, Mayor

ATTEST: 
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
ELWYN L. JOHNSON, City Attorney

Ord. No. 1795-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 23rd day of January, 1979, Councilmember Lang 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, Lang, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Mensinger

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: February 22, 1979

Ordinance 1795 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. (WHITMAN)

WHEREAS, a verified application for an amendment to Section 16-3-9 of the Zoning Map was filed by Ethen and Carolyn Whitman

on October 12, 1978, 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 November 21, 1978, 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. 78-224, adopted on November 21, 1978, the Planning Commission recommended to the Council that the application of Ethen and Carolyn Whitman

to amend Section 16-3-9 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 December 11, 1978, 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 on a busy interneighborhood collector street.
2. The property is surrounded on three sides by higher density residential zoning.

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 Medium Density Residential Zone, R-2 :

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

The east 96 feet of the north 135 feet of Lot 16 of Coffee Colony, in the City of Modesto, County of Stanislaus, State of California, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on January 13, 1906, in Volume 2 of Maps, at page 22.

SECTION 3. ZONING MAP. Section 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 9th day of January, 1979, 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, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

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

ATTEST: Norrine Coyze
NORRINE COYZE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William J. Marks
Department of Planning and
Community Development

Ord. No. 1796-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 23rd day of January, 1979, Councilmember Mensingher 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, Mensinger, Siefkin,
Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Lang

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: February 22, 1979

**Ordinance 1796 C.S.
Exhibit A – Map**

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

AN ORDINANCE AMENDING SECTION 10-2.3507 OF ARTICLE 35 OF CHAPTER 2 OF TITLE X 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 10-2.3507 of Article 35 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.3507. NONCONFORMING SIGNS: DEFINITIONS: REMOVAL, ALTERATION OR REPLACEMENT. (a) For the purpose of this article, a "nonconforming sign" is either:

(1) A sign which does not conform with the provisions of this article, but which:

(aa) Was lawfully in existence and in use within the City on March 1, 1977, including signs erected pursuant to use permits and to variances granted by the City prior to March 1, 1977;

(ab) Was lawfully in existence and in use on property outside of the City on the date upon which the annexation of such property to the City was completed, including signs erected pursuant to use permits and variances granted by the County of Stanislaus;

(ac) Was lawfully in existence and in use within the City on the effective date of an amendment of the zoning map of the City of Modesto for the property on which the sign is located; or

(ad) Was lawfully in existence and in use within the City on the effective date of any future amendments of this article, which amendment makes such signs nonconforming.

(2) A sign which did not conform on February 28, 1977, with the provisions of Chapter 6 of Title IX of the Modesto Municipal Code as said chapter was in effect on February 28, 1977.

(b) A nonconforming sign shall not be replaced, altered, reconstructed, relocated or expanded in any manner unless it is made to conform with all the provisions of this article. However, other nonconforming signs on the same property need not be made to conform as a result.

(1) Change in copy shall be permitted if no structural changes in the sign are necessary except that no change in copy shall be permitted for nonconforming painted wall signs.

(2) Ordinary maintenance and minor repairs which will not increase the normal life of the sign and which are required for safety purposes shall be permitted. Structural alterations to a nonconforming sign are prohibited.

(3) If the use identified by a nonconforming sign is discontinued the sign shall be removed within thirty (30) days unless within that period of time it is made to conform to the provisions of this article. If such sign is not made to conform, it shall thereafter be unlawful. "Discontinue" in this subsection shall mean cessation of operation or change of use. "Discontinue" shall not mean an ownership change or a name change as long as there is no cessation of operation and the use is not changed.

(c) Each nonconforming sign shall be removed or made to conform to the provisions of this article at the sole cost of the owner thereof, not later than the expiration of the period of time applicable to a particular sign as set forth in this article or as set forth in the following table, whichever is the shorter period of time:

<u>Description of Sign</u>	<u>Abatement Schedule</u>
(1) Temporary signs other than than those listed in paragraph (2) below:	
(aa) In the City.	By April 1, 1977.
(ab) Annexed to the City.	Three (3) calendar months from date of annexation to the City of Modesto.

(2) Paper signs tacked to side of a building or bulletin board:

(aa) In the City.

By June 1, 1977.

(ab) Annexed to the City.

Three (3) calendar months from the date of annexation to the City of Modesto.

(3) Rotating, moving, flashing, changing or blinking portions of signs:

(aa) Separate time and temperature signs.

Excepted, no abatement necessary if sign otherwise conforms.

(ab) Conventional clock.

Excepted, no abatement necessary if sign otherwise conforms.

(ac) Rotating signs, the stopping of the rotating portion of which would substantially destroy the utility of the sign.

(i) In the City.

By January 1, 1982.

(ii) Annexed to the City.

By January 1, 1982, or three (3) years from annexation to the City of Modesto, whichever is the longer period of time.

(ad) All others.

(i) In the City.

By June 1, 1977.

(ii) Annexed to the City.

Three (3) calendar months from date of annexation to the City of Modesto.

(4) All other signs which did not conform on February 28, 1977, with the provisions of Chapter 6 of Title IX of the Modesto Municipal Code as said chapter was in effect on February 28, 1977.

(aa) In the City.

By January 1, 1982.

(ab) Annexed to the City.

By January 1, 1982, or three (3) years from date of annexation to the City of Modesto whichever is the longer period of time.

(5) All other signs which do not conform with the provisions of this article.

(aa) Nonconforming as a result of City initiated rezoning of property within the City.

Ten (10) years from the effective date of the City initiated rezoning.

(ab) Other signs in the City.

By January 1, 1987.

(ac) Annexed to the City.

By January 1, 1987, or three (3) years from date of annexation to the City of Modesto, whichever is the longer period of time.

(6) Variance provision for signs made nonconforming by annexations.

The Board of Zoning Adjustment may by a variance grant up to seven (7) years additional time, to the three (3) years allowed from the date such a sign is made nonconforming by annexation.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1979 by

Ord. No. 1797-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 February, 1979, Councilmember Lang 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, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED


CLYDE H. DUNLAP, Acting Mayor

ATTEST: 
NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 8, 1979

AN ORDINANCE AMENDING SECTION MAP 19-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (U. Z. BRANNON)

WHEREAS, a verified application for an amendment to Section 19-3-9 of the Zoning Map was filed by U. Z. Brannon

on October 23, 1978, to reclassify from Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3 to Professional Office Zone, P-O, the hereinafter described property, and

WHEREAS, after public hearing held on December 12, 1978, 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. 78-244, adopted on December 12, 1978, the Planning Commission recommended to the Council that the application of U. Z. Brannon

to amend Section 19-3-9 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-O, 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 January 16, 1979, 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 fronts on W. Orangeburg Avenue, a major street.
2. P-0 zoning as requested would provide a land use intensity transition between the big 2 story motel to the west, the industrial and heavy commercial area to the south and the low density residential area to the east.
3. Noise from the nearby Freeway 99 as well as the noise generated by the all night traffic to and from the adjoining motel makes the alternative residential development incompatible and unrealistic.

SECTION 2. ZONING CHANGE. Section 19-3-9 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-O :

All that portion of Section 19, Township 3 South, Range 9 East, Mount
Diablo Base and Meridian, described as follows:

R-2 to P-0

The Easterly 100.00 feet of Parcel 1 and 2 as shown on the map filed in
Book 27 of Parcel Maps at Page 64 in the Stanislaus County Records including
all of Martin Avenue, a 60.00 foot street immediately adjacent to said
Parcels 1 and 2.

Including also the southerly 40 feet West Orangeburg Avenue immediately
adjacent to the above described property.

R-3 to P-0

The Westerly 65.30 feet of Parcels 1 and 2 as shown on the map filed in
Book 27 of Parcel Maps at Page 64 in the Stanislaus County Records and
including the Southerly 40.00 feet of West Orangeburg Avenue immediately
adjacent to said Parcel 1.

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 16th day of January, 1979, by Councilmember Kullijian, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Lang, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

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

ATTEST: Judy C. Hall
~~XXXXXXXXXXXXXXXXXXXX~~
JUDY C. HALL, Acting City Clerk
(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Mills
Department of Planning and
Community Development

Ord. No. 1798-C.S.

FINAL ADOPTION CLAUSE

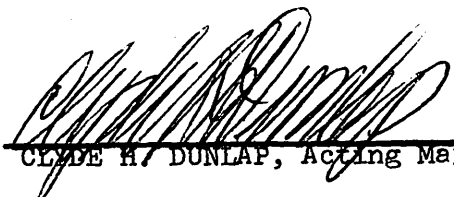
The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED


Clyde H. Dunlap, Acting Mayor

ATTEST:


NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 8, 1979

**Ordinance 1798 C.S.
Exhibit A – Map**

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

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on January 16, 1979, 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 fronts on Standiford Avenue, a major street.
2. The property is bounded on the east by R-2 zoning and on the north and west by a 1 and 2 story apartment planned development zone.
3. The requested R-2 zoning is compatible with the area and conforms to the locational criteria of the 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 portion of the Northwest quarter of Section 7, Township 3 South, Range 9 East, M.D.B.&M., Stanislaus County, California, and bounded and particularly described as follows, to wit:

COMMENCING at the Northeast corner of Knapp Tract according to the Map thereof on file in the office of the County Recorder of Stanislaus County and running thence North 39.93 feet to the North line of a County Road (Standiford Road) thence West along said North line of County Road a distance of 1300.20 feet to the Southwest corner of the land of U. R. Bellocchi and the point of beginning; thence North 115 feet; thence at right angles West 66 feet; thence at right angles South 115 feet to the North line of said County Road; thence East along the North line of said County Road 66 feet to the point of beginning.

INCLUDING ALSO the northerly 20 feet of Standiford Avenue immediately adjacent to the above described property.

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.

Ord. No. 1799-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 February, 1979, Councilmember Lang 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, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED


CLYDE H. DUNLAP, Acting Mayor

ATTEST:


NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 8, 1979

Ordinance 1799 C.S.
Exhibit A – Map

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

AN ORDINANCE ADOPTING A DRAINAGE PLAN FOR THE ORCHARD DRAINAGE AREA.

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

SECTION 1. That certain drainage plan entitled "Proposal for formation of the Orchard Drainage Area" dated January, 1979 and consisting of 10 pages, appendices A, B, and C and Exhibit A, copies of which are on file in the offices of the City Clerk and the Director of Public Works of the City of Modesto is hereby adopted as the drainage plan for the removal of surface and storm waters from the following described area:

ORCHARD DRAINAGE AREA BOUNDARY DESCRIPTION

All that real property in the State of California, County of Stanislaus, being a portion of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the intersection of the center line of a public road known as Oakdale Road and the Northerly right of way line of Modesto Irrigation District Lateral Number Three; thence in a Northerly direction along the center line of said Oakdale Road to its intersection with the center line of a public road known as Floyd Avenue; thence in an Easterly direction along the center line of said Floyd Avenue to its intersection with the center line of a public road known as Roselle Avenue; thence in a South-erly direction along the future prolongation of said Roselle Avenue to its intersection with the Northern right of way line of aforementioned Modesto Irrigation District Lateral Number Three; thence in a Westerly direction along said right of way line to the point of beginning, contain- ing 466 acres, more or less.

Said drainage plan contains an estimate of the total cost of con- structing the local drainage facilities required by the plan and includes a map of such area showing its boundaries and the location of such facilities.

SECTION 2. This Council does hereby find and determine that subdivision or other division of land and development of property within said Orchard Drainage Area will require construction of the facilities described in said drainage plan, and that the fees are fairly apportioned within said area on the basis of benefits conferred on property proposed for subdivision or other

division and on the need for such facilities created by the proposed sub-division or other division and development of other property within said drainage area and that the estimated costs contained in said drainage plan are based upon these findings.

SECTION 3. Each subdivider of a subdivision, any part of which is located within the boundaries of said Orchard Drainage Area and each subdivider filing a parcel map for the division of land, any part of which is located within the boundaries of said Orchard Drainage Area, shall pay to the City of Modesto, as a condition of approval of the final subdivision map or the filing of the final parcel map, a fee in the per acre amount specified in Table A, payable on a pro rata basis, or in lieu of payment of all or part of said fees, a subdivider may install drainage facilities in accordance with an agreement entered into with the City of Modesto, which agreement may provide for the reimbursement to the subdivider from the "Orchard Drainage Area Fund" of expenditures for such drainage facilities made in excess of the fees required herein.

TABLE A

LAND USE	PER ACRE FEE
Park	\$ 464.36
School	\$ 928.72
R-1	\$1,393.08
R-2, R-3	\$2,321.80
C-1, C-2, P-0	\$2,724.14

In event there are land uses other than those listed in Table A, the Director of Public Works shall designate one of the fees listed in Table A as being applicable to such other land use and his determination shall be based on the similarity of said other land use, and the land use specified in Table A.

Each calendar year the Director of Public Works shall calculate and make available a revised Table A which shall show the adjusted fees as of January 1 of each year. Said fees shall be adjusted in accordance with the following formula:

FORMULA

$$\begin{array}{l} \text{Revised fee per} \\ \text{acre} \end{array} = \begin{array}{l} \text{Fee per acre shown in} \\ \text{Table A of this ordinance} \\ \text{January 1979 Building Cost} \\ \text{Index} \end{array} \times \begin{array}{l} \text{Building Cost Index as} \\ \text{of January 1 of the calendar} \\ \text{year in which the adjusted} \\ \text{fees shall be effective.} \end{array}$$

In no case shall the fee exceed \$2,724.14 per acre.

The building cost index shall be for the United States as published by the Engineering News-Record, a McGraw-Hill publication.

SECTION 4. This Council does hereby find and determine that, as to any property proposed for subdivision within the Orchard Drainage Area, the fee established by Section 3 hereof does not exceed the pro rata share of the amount of the total estimated costs of all facilities within the Orchard Drainage Area which would be assessable on such property if such costs were apportioned uniformly on a per acre basis.

SECTION 5. This Council does hereby find and determine that all of the properties within the Orchard Drainage Area will be benefited by the drainage plan for said area adopted by this ordinance.

SECTION 6. This Council does hereby find and determine that the drainage facilities planned and described in said drainage plan are in addition to existing facilities serving the area at this time.

SECTION 7. This Council does hereby find and determine that Stanislaus County does have a County-wide General Drainage Plan, and the Board of Supervisors of Stanislaus County has by resolution determined that the proposed Orchard Drainage Area is in conformity with such County Plan.

SECTION 8. The fees required by Section 3 hereof shall be paid into a planned local drainage facilities fund designated as the "Orchard Drainage Area Fund", to be expended in accordance with the provisions of Sections 66483 and 66488 of the Government Code of the State of California.

SECTION 9. 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 10. 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 January, 1979, by Councilmember Elliott, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Lang, was upon roll call carried and ordered printed and published by the following vote:

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

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

Attest:

BY: Judy C. Hall
~~XXXXXXXXXXXXXXXXXXXX~~
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 1800-C.S.

FINAL ADOPTION CLAUSE

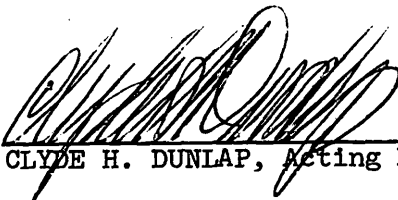
The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED


CLYDE H. DUNLAP, Acting Mayor

ATTEST:


NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 8, 1979

ORDINANCE NO. 1801-C.S.

AN ORDINANCE AMENDING SECTION 30-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (CARPENTER/RENO DEVELOPMENT GROUP)

WHEREAS, a verified application for an amendment to Section 30-3-9 of the Zoning Map was filed by Carpenter/Reno Development Group on October 19, 1978, to reclassify from Planned Development Zone, P-D (182) allowing a combination retail gas station and wholesale petroleum products storage facility and light industrial land uses to Light Industrial Zone, M-1, property located between Carpenter Road and Reno Avenue, north of Kansas Avenue described as follows:

All that portion of Section 30, Township 3 South, Range 9 East, of the M.D.B. and M., described as follows:

Parcels 3 and 4 as shown upon that certain parcel map filed June 8, 1976, in Volume 23 of Maps, page 18, Stanislaus County Records; being a portion of Lot 27 of Maze Colony.

Including also the easterly 50 feet of Carpenter Road immediately adjacent to said Parcel 4 and the westerly 30 feet of Reno Avenue immediately to said Parcel 3.

and

WHEREAS, a public hearing was held by the Planning Commission on November 21, 1978, 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, thereafter the Planning Commission adopted Resolution No. 78-226 determining that rezoning of the property as requested is required by public necessity, convenience, and general welfare for the reasons set forth in said Planning Commission Resolution No. 78-226, and recommending to the City Council that said Planning Commission initiated rezoning be approved, and

WHEREAS, a public hearing was held by the City Council on January 23, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered.

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

SECTION 1. FINDINGS. The Council, after hearing and considering evidence both oral and documentary, finds and determines that the Planning Commission initiated proposal to amend Section 30-3-9 of the Zoning Map to reclassify the property described above from Planned Development Zone, P-D (182), to Light Industrial Zone, M-1, should be approved for the following reasons:

1. The property proposed for M-1 zoning is sandwiched between other M-1 zoned properties on the north and south.
2. The P-D (182) allowed all M-1 uses plus the special gas station-petroleum facility which is no longer proposed.
3. Reversion of obsolete or expired P-D zones is in conformance with City policy and Article 27 of the Zoning Regulations of the Modesto Municipal Code.

SECTION 2. AMENDMENT OF ZONING MAP. Section 30-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D (182), to Light Industrial Zone, M-1:

All that portion of Section 30, Township 3 South, Range 9 East, of the M.D.B. and M., described as follows:

Parcels 3 and 4 as shown upon that certain parcel map filed June 8, 1976, in Volume 23 of Maps, page 18, Stanislaus County Records; being a portion of Lot 27 of Maze Colony.

Including also the easterly 50 feet of Carpenter Road immediately adjacent to said Parcel 4 and the westerly 30 feet of Reno Avenue immediately to said Parcel 3.

SECTION 3. ZONING MAP. Section 30-3-9 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 January, 1979, by Councilmember Siefkin, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Mensing, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

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 William J. Nichols
Department of Planning and
Community Development

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 February, 1979, Councilmember Lang 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, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED


CLYDE H. DUNLAP, Acting Mayor

ATTEST: 
NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 8, 1979

Ordinance 1801 C.S.
Exhibit A – Map

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

ORDINANCE NO. 1802-C.S.

AN ORDINANCE AMENDING SECTION MAP 28-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (PLANNING COMMISSION INITIATED - MARTIN OPTICAL)

WHEREAS, on May 11, 1978 by Resolution No. 78-69, the Planning Commission initiated proceedings to amend Section 28-3-9 of the Zoning Map to reclassify from Planned Development Zone P-D (121), to Neighborhood Commercial Zone, C-1, property located on the northeasterly side of 15th Street between G and H Streets described as follows:

Lots 23, 24, 25 and 26, Block 120, City of Modesto, including also the northerly 40 feet of 15th Street and the southwesterly 10 feet of the 20-foot alley immediately adjoining the above described property.

and

WHEREAS, a public hearing was held by the Planning Commission on November 21, 1978 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, thereafter the Planning Commission adopted Resolution No. 78-227 determining that rezoning of the property as requested is required by public necessity, convenience, and general welfare for the reasons set forth in said Planning Commission Resolution No. 78-227, and recommending to the City Council that said Planning Commission initiated rezoning be approved, and

WHEREAS, a public hearing was held by the City Council on January 23, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered.

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

SECTION 1. FINDINGS. The Council, after hearing and considering evidence both oral and documentary, finds and determines that the Planning Commission initiated proposal to amend Section 28-3-9 of the Zoning Map to reclassify the property described above from Planned Development Zone, P-D (121), to Neighborhood Commercial Zone, C-1, should be approved for the following reasons:

1. The subject property proposed for C-1 zoning is sandwiched between other C-1 zoned properties to the northwest and southeast.
2. The P-D (121) zone no longer represents a real land development proposal and the P-D zone is therefore no longer needed.
3. Reversion of obsolete or expired P-D zones is in conformance with City policy and Article 27 of the Zoning Regulations of the Modesto Municipal Code.

SECTION 2. AMENDMENT OF ZONING MAP. Section 28-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone P-D (121), to Neighborhood Commercial Zone, C-1:

Lots 23, 24, 25 and 26, Block 120, City of Modesto, including also the northerly 40 feet of 15th Street and the southwesterly 10 feet of the 20-foot alley immediately adjoining the above described property.

SECTION 3. ZONING MAP. Section 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 23rd day of January, 1979, by Councilmember Lang, 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, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

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 William J. Michota
Department of Planning and
Community Development

Ordinance 1802 C.S.
Exhibit A – Map

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

Ord. No. 1802-C.S.

FINAL ADOPTION CLAUSE

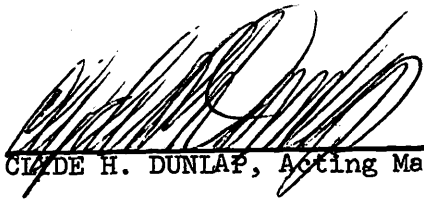
The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:


AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED


CLAUDE H. DUNLAP, Acting Mayor

ATTEST: 
NORRINE COYLE City Clerk

EFFECTIVE DATE: March 8, 1979

ORDINANCE NO. 1803 -C.S.

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

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

SECTION 1. ZONING CHANGE. Section 21-3-9 of the Zoning
Map is hereby amended to reclassify the following-described property
from Medium Low Density Residential Zone, R-2 to
Planned-Development Zone, P-D (209) :

All that portion of the northeast quarter of Section 21, 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 Yarmouth Drive and East Orangeburg
Avenue a point of true beginning, thence running along quarter quarter
section line South 89° 38'23" East 285.00 feet, thence North 0° 38'30"
West, 310.00 feet; thence, North 89° 40'23" West 110.00 feet; thence
South 0° 38'30" East 66.32 feet; thence North 89° 40'23" West 175.00
feet; thence, South 0° 38'30" East 243.68 feet to the true point of
beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D (209) 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. 20 single- and two-story condominium residential units.
2. A minimum of 48 off-street parking spaces as shown on the plan on file in the office of the Department of Planning and Community Development.

SECTION 3. ZONING MAP. Section Map 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 23rd day of January, 1979, by Councilmember Lang, 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, Lang, Mensinger, Siefkin,
Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

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

William J. Smith
Department of Planning and
Community Development

Ordinance 1803 C.S.
Exhibit A – Map

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

Ord. No. 1803-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 February, 1979, Councilmember Lang 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, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED


CLYDE H. DUNLAP, Acting Mayor

ATTEST: 
NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 8, 1979

ORDINANCE NO. 1804-C. S.

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1656-C. S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 8-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (RULE DEVELOPMENT)."

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 1656-C. S. Section 2 of Ordinance No. 1656-C. S. is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D(172) 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. 236 one and two story dwelling units accompanied by meandering common open space, recreational facilities, a recreation building, tennis courts, and off-street parking areas.
2. 3.71 acre commercial area with up to 6 separate C-1 businesses including one tire store/automobile service center accompanied by off-street parking and common driveways, accessways, and landscaping.
3. 2.13 acre professional office area accompanied by off-street parking, common driveway, accessways, and landscaping.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember

Lang, 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, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

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

ATTEST: *Norriane Coyne*
NORRINE COYNE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 1804-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 February, 1979, Councilmember Lang 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, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED


CLYDE H. DUNLAP, Acting Mayor

ATTEST:


NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 8, 1979

ORDINANCE NO. 1805 -C.S.

AN ORDINANCE AMENDING SECTION MAP 22-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MARION L. AND HELEN M. RAMPLEY)

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Marion L. and Helen M. Rampley

on November 13, 19 78, to reclassify from Low Density Residential Zone, R-1, to Professional Office Zone, P-O, the hereinafter described property, and

WHEREAS, after public hearing held on December 12, 1978, 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. 78-247, adopted on December 12, 1978, the Planning Commission recommended to the Council that the application of Marion L. and Helen M. Rampley

to amend Section 22-3-9 of the Zoning Map to reclassify the hereinafter described property from Low Density Residential Zone, R-1, to Professional Office Zone, P-O, 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 January 23, 1979, 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 fronts on a major street immediately across from neighborhood commercial zoning.
2. The subject property is located in an area of activity which accommodates professional office development, and thus fulfills the locational criteria for P-0 zoning outlined in the General Plan and in the Municipal Code.
3. Development under the P-0 zone with its requirements for plot plan review will insure compatibility with the adjoining residential uses to the east and south-east.

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 Professional Office Zone, P-O :

All that portion of Section 22, Township 3 South, Range 9 East, of the M.D.B&M., described as follows:

All of Lot 3 in Block 1212 as shown on the map thereof filed in Volume 14 of Maps, at page 9, in the Stanislaus County Records, including also all that portion of Coffee Road situated between the west line of said Lot 3 and the west line of said Section 22.

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 23rd day of January, 1979, by Councilmember Lang, 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, Lang, Mensinger, Sierkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

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 William J. Mills
Department of Planning and
Community Development

Ordinance 1805 C.S.
Exhibit A – Map

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

Ord. No. 1805-C.S.

FINAL ADOPTION CLAUSE

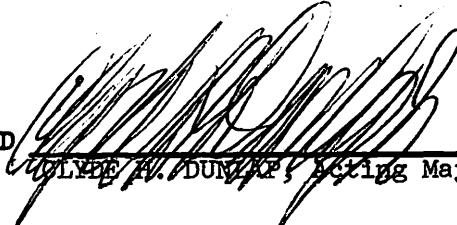
The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED


CLIFTON A. DUNLAP, Acting Mayor

ATTEST: 
NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 8, 1979

AN ORDINANCE AMENDING SECTION MAP 20-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (LAND BANK FINANCIAL SERVICES)

WHEREAS, a verified application for an amendment to Section 20-3-9 of the Zoning Map was filed by Land Bank Financial Services

on November 15, 1978, 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 December 12, 1978, 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. 78-242, adopted on December 12, 1978, the Planning Commission recommended to the Council that the application of Land Bank Financial Services

to amend Section 20-3-9 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 January 23, 1979, 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 is located on an important crosstown collector street.
2. R-2-zoning of the subject property would provide a diminishing residential density transition between the approved P-D(118) condominium site to the south and the presently underdeveloped land to the west from the existing single-family residential areas to the north and east.
3. The design constraints of the R-2 Zone, with its requirement for Planning Commission plot plan review assure that compatibility with existing residential areas will be maintained.
4. The applicant has deeded to the City any vehicular access rights to the adjoining alley to the north and east in order to give positive assurance to the neighbors that there will be no use of these alleys for parking and driveway and that all vehicular access will be to Roseburg Avenue.

SECTION 2. ZONING CHANGE. Section 20-3-9 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 property situated in the State of California, County of Stanislaus,
described as follows:

The East 87.5 feet of the East 264.0 feet of the south half of the Southwest
quarter of the Southwest quarter of the Northwest quarter of Section 20,
Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

SECTION 3. ZONING MAP. Section 20-3-9 of the Zoning
Map of the City of Modesto is amended to appear as set forth on the map
attached hereto, which is hereby made a part of this ordinance by
reference.

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least 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 January, 1979, 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: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

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 William J. Smith
Department of Planning and
Community Development

Ordinance 1806 C.S.
Exhibit A – Map

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

Ord. No. 1806-C.S.

FINAL ADOPTION CLAUSE

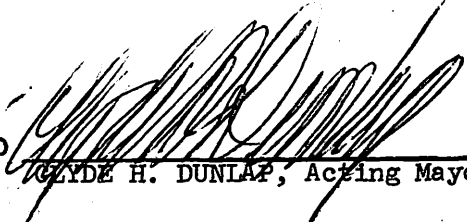
The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

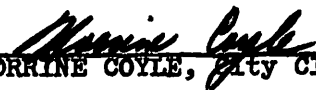
NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED


CLYDE H. DUNLAP, Acting Mayor

ATTEST:


NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 8, 1979

ORDINANCE NO. 1807-C. S.

AN ORDINANCE AMENDING SECTION MAPS 10-3-9 AND 15-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (H. NARAGHI FARMS)

WHEREAS, a verified application for an amendment to Sections 10-3-9 and 15-3-9 of the Zoning Map was filed by H. Naraghi Farms on November 21, 1978, to reclassify from Low Density Residential Zone, R-1, and a portion of Planned Development Zone, P-D(153) to a new Planned Development Zone, P-D(211), to allow single family residential, cluster housing, apartments, professional offices, a bank, restaurant, lake and private parks, property located on the west side of Oakdale Road between Sylvan Avenue and Floyd Avenue, which property is hereinafter described, and

WHEREAS, after public hearing held on December 19, 1978, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, 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. 78-254, and

WHEREAS, by Resolution No. 78-254 adopted on December 19, 1978, the Planning Commission recommended to the Council that the application of H. Naraghi Farms to amend Sections 10-3-9 and 15-3-9 of the Zoning Map to reclassify the hereinafter described property from Low Density Residential Zone, R-1, and a portion of Planned Development Zone, P-D(153) to Planned Development Zone, P-D(211), 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 January 23, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the 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:

- a. The proposed P-D is in conformance with the Coffee-Sylvan Neighborhood Zoning and Development Plan.
- b. The P-D plan and conditions of approval assure a reasonable degree of compatibility between this development and the surrounding residential developments, and internal compatibility between the different uses proposed in the P-D Zone.

SECTION 2. ZONING CHANGE. Sections 10-3-9 and 15-3-9 of the Zoning Map are hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, and a portion of Planned Development Zone, P-D(153) to Planned Development Zone, P-D(211):

R-1 to P-D(211)

All that certain real property situate in a portion of the Southeast quarter of Section 10, and the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

BEGINNING at the East quarter corner of said Section 10, said point being the centerline intersection of Sylvan Avenue with Oakdale Road; thence South 1° 06' East, 2,647.23 feet along the East line of said Section 10, and said centerline of Oakdale Road to the Section corner common to Sections 10, 11, 14, and 15; thence South 0° 55' 30" East, 1,322.15 feet, along the

East line of said Section 15, and said centerline of Oakdale Road to the Northeast corner of the Southeast quarter of the Northeast quarter of said Section 15, and the centerline of Floyd Avenue; thence South $89^{\circ} 38' 35''$ West, 987.12 feet along the North line of said Southeast quarter of the Northeast quarter of said Section 15, and the centerline of said Floyd Avenue to the Southeast corner of P-D(153), as described in Ordinance 1584-C.S. of the City of Modesto; thence along the boundary of said P-D(153) the following (2) courses: 1) North $0^{\circ} 57' 25''$ West, 130.01 feet; 2) South $89^{\circ} 38' 35''$ West, 379.73 feet to the Southeast corner of Lot 9, Block 12751 of PERSIAN TERRACE NO. 2, as filed June 28, 1977, in Volume 26 of Maps, at Page 91, Stanislaus County Records; thence along the boundary of said PERSIAN TERRACE NO. 2, the following (5) courses: 1) North $0^{\circ} 23' 10''$ West, 151.12 feet; 2) South $89^{\circ} 36' 50''$ West, 275.39 feet; 3) North $0^{\circ} 57' 25''$ West, 872.32 feet; 4) South $89^{\circ} 36' 50''$ West, 32.84 feet; 5) North $0^{\circ} 23' 10''$ West, 130.00 feet to the centerline of Rumble Road; thence in a Westerly direction along the centerline of Rumble Road the following (4) courses: 1) South $89^{\circ} 36' 50''$ West, 546.30 feet to the beginning of a curve concave to the North having a radius of 1,180.00 feet; 2) thence 224.30 feet along said curve, through a central angle of $10^{\circ} 53' 27''$ to a point of reverse curve, concave to the South having a radius of 930.00 feet; 3) thence 176.78 feet along said curve, through a central angle of $10^{\circ} 53' 27''$ to a point on the North line of said Section 15; 4) thence South $89^{\circ} 36' 50''$ West 8.26 feet along said North line of Section 15 to the Southeast corner of COFFEE TERRACE NO. 2, as filed June 24, 1970, in Volume 22 of Maps, at Page 53, Stanislaus County Records; thence North $0^{\circ} 53' 20''$ West, 1,319.85 feet along the East line of said COFFEE TERRACE NO. 2, and the East line of COFFEE VILLA, as filed March 6, 1972, in Volume 24 of Maps, at Page 27, Stanislaus County Records, and the East line of COFFEE VILLAGE NO. 2, as filed July 26, 1960, in Volume 19 of Maps, at Page 44, Stanislaus County Records, to the Southwest corner of SYLVAN VILLAGE NO. 2 as recorded October 13, 1965, in Volume 21 of Maps, at Page 26, Stanislaus County Records; thence North $89^{\circ} 31'$ East, 1,309.58 feet along the South line of said SYLVAN VILLAGE NO. 2 to the Southeast corner thereof; thence North $0^{\circ} 58' 50''$ West, 1,320.95 feet along the East line of said SYLVAN VILLAGE NO. 2 and the East line of SYLVAN VILLAGE NO. 1, as recorded July 12, 1961, in Volume 19 of Maps, at Page 76, Stanislaus County Records and the Northerly prolongation of said East line of SYLVAN VILLAGE NO. 1 to the East-West quarter Section line of said Section 10, and said centerline of SYLVAN AVENUE: thence North $89^{\circ} 26'$ East, 1,308.50 feet along said East-West quarter line, and said centerline of Sylvan Avenue, to the POINT OF BEGINNING.

Containing 167.04 Acres more or less

Portion of P-D(153) to P-D(211)

All that certain real property situate in the Northeast 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:

Commencing at the Southwest corner of the North half of said Northeast Quarter of Section 15, said corner being the intersection of the centerlines of Rose Avenue and Floyd Avenue; thence North $0^{\circ}57'25''$ West along the West line of said Northeast Quarter of Section 15 and the centerline of Rose Avenue a distance of 130.01 feet; thence North $89^{\circ}38'35''$ East parallel with and 130.00 feet from said centerline of Floyd Avenue, a distance of 1233.27 feet to the point of beginning of this description; thence continuing North $89^{\circ}38'35''$ East 404.73 feet; thence South $0^{\circ}57'25''$ East 130.01 feet; thence South $89^{\circ}38'35''$ West along the South line of said North half of the Northeast quarter of Section 15 and said centerline of Floyd Avenue, a distance of 406.09 feet; thence North $0^{\circ}21'25''$ West 130.00 feet to the point of beginning.

Containing 1.21 Acres

SECTION 3. USES. The following uses shall be permitted in said P-D (211) 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. Single family residences
- b. Cluster houses
- c. Apartments
- d. Professional offices
- e. One bank
- f. One restaurant
- g. Private lake
- h. Private parks

SECTION 4. ZONING MAP. Section Maps 10-3-9 and 15-3-9 of the Zoning Map of the City of Modesto are amended to appear as set forth on the maps attached hereto, which are 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 23rd day of January, 1979, by Councilmember Siefkin, 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, Lang, Mensinger, Siefkin,
Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

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 *Altbain Simola*
Department of Planning and
Community Development

Ordinance 1807 C.S.
Exhibit A – Map

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

Ord. No. 1807-C.S.

FINAL ADOPTION CLAUSE

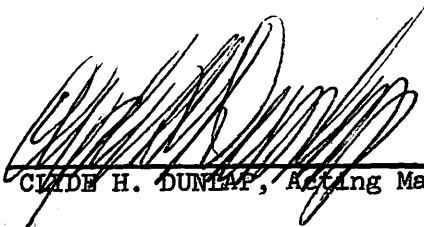
The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of February, 19 79, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED



CLAUDE H. DUNLAP, Acting Mayor

ATTEST: 

NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 8, 1979

ORDINANCE NO. 1808-C.S.

AN ORDINANCE ADDING ARTICLE 6 TO CHAPTER 1 OF TITLE VIII OF THE MODESTO MUNICIPAL CODE RELATING TO ESTABLISHMENT OF MCHENRY MANSION RESTORATION FUND.

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

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

ARTICLE 6 - McHENRY MANSION RESTORATION FUND

SEC. 8-1.601. CREATION OF FUND. A fund is hereby created for the restoration of the McHenry Mansion and surrounding grounds.

SEC. 8-1.602. TITLE OF FUND. Such fund shall be known as "McHenry Mansion Restoration Fund".

SEC. 8-1.603. MONIES TO BE PLACED IN FUND. Said fund shall contain all monies appropriated by the City for the restoration of the McHenry Mansion and surrounding grounds and shall also contain all donations received by the City on and after July 1, 1977 unless the use was or is otherwise specified by the donor or the City Council.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, 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, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

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

ATTEST:

By *Norrine Coyne*
NORRINE COYNE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, Councilmember Lang 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, Lang, Mensinger, Siefkin, Acting Mayor Dunlap


NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED


CLYDE H. DUNLAP, Acting Mayor

ATTEST:


NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 8, 1979