

ORDINANCE NO. 1923 -C. S.

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1845-C. S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 21-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (RULE ENTERPRISES)"

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 1845-C. S. Section 2 of Ordinance No. 1845-C. S. is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D(229) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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. Professional offices on five separate lots, four without street frontage.
2. Off-street parking for the above uses as shown on the plan and in accordance with Article 18 of the Modesto Municipal Code.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, 1980, 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: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

APPROVED: Reggy Mensinger  
REGGY MENSINGER, 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. 1923-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 March, 1980, Councilmember Siefkin 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: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: None

APPROVED *Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: April 10, 1980

ORDINANCE NO. 1924 -C. S.

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1651-C. S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 27-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (LAND BANK FINANCIAL SERVICES AND RICHARD BREHMER.)"

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 1651-C. S. Section 2 of Ordinance No. 1651-C. S. is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D(168) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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. Condominiums
2. An off-street parking area"

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of February, <sup>1980,</sup> 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: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

APPROVED: *Reggie Mensinger*  
REGGIE MENSINGER, 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. 1924-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 March, 1980, Councilmember Siefkin 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: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

APPROVED

Reggy Mensinger  
MAYOR REGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: April 10, 1980

ORDINANCE NO. 1925 -C. S.

AN ORDINANCE AMENDING SECTION MAP 7-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO PREZONING CERTAIN PROPERTY LOCATED THEREON TO MEDIUM HIGH DENSITY RESIDENTIAL ZONE, R-3. (SESSIONS DEVELOPMENT COMPANY, c/o DESIGN CONCEPTS)

WHEREAS, a verified application for an amendment to Section 7-3-9 of the Zoning Map was filed by Sessions Development Company, c/o Design Concepts on December 5, 1979, to prezone to Planned Development Zone, P-D, to allow a 90-unit apartment complex and a 137 unit one and two story townhouse condominium development, property located on the south side of Standiford Avenue west of Carver Road and on the west side and east side of a Shawnee Drive extension, respectively, described as follows:

All that certain real property situate in the Southwest quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, Stanislaus County, California, being a portion of Lots 1 and 2 of the Knapp Tract as recorded in Volume 2 of Maps at page 2, Stanislaus County Records, and described as follows:

Commencing at the Northeast corner of Lot 1 of said Knapp Tract, said point being the intersection of the centerline of Standiford Avenue and Carver Road; thence along the centerline of Standiford Avenue and the East-West quarter section line North  $88^{\circ} 16' 03''$  West a distance of 892.32 feet to the true point of beginning of this description; thence South a distance of 516.33 feet; thence South  $88^{\circ} 16' 03''$  East of distance of 642.32 feet; thence South a distance of 496.84 feet; thence North  $88^{\circ} 19' 34''$  West a distance of 189.13 feet; thence North  $0^{\circ} 00' 26''$  East a distance of 193.68 feet; thence North  $88^{\circ} 21' 19''$  West a distance of 937.28 feet; thence North  $41^{\circ} 58' 18''$  West a distance of 205.11 feet; thence North  $41^{\circ} 15' 18''$  West a distance of 430.85 feet; thence North  $48^{\circ} 15' 41''$  West a distance of 524.68 feet to the centerline of Standiford Avenue and the East-West quarter section line; thence along said centerline South  $88^{\circ} 16' 03''$  East a distance of 1,297.28 feet to the point of beginning.

Containing 17.643 acres net.

and

WHEREAS, a public hearing was held on said application before the Planning Commission at its meeting on January 7, 1980, 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. 80-12 determining that rezoning of the above described property west of the Shawnee Drive extension to Planned Development Zone, P-PD, for a 90 unit apartment complex as originally applied for was not required by public necessity, convenience and general welfare, and

WHEREAS, by said Planning Commission Resolution No. 80-12 adopted by the Planning Commission on January 7, 1980, the Planning Commission found and determined that an amendment to Section 7-3-9 of the Zoning Map to rezone the property west of the Shawnee Drive extension to Medium High Density Residential Zone, R-3, was required by public necessity, convenience and general welfare for the following reasons:

1. R-3 rezoning conforms to the Zoning and Development Policy prototype of the General Plan.
2. Although a portion of the property proposed for R-3 rezoning does extend beyond the 300 foot depth from Standiford Avenue, allowances should be made due to the triangular shape of the site and the preemption of land in the Hetch-Hetchy right-of-way.
3. R-3 rezoning will allow the developer to reassess the unusual site pursuant to preparing an improved site design for Planning Commission review at a later date,

and

WHEREAS, by said Planning Commission Resolution No. 80-12 referred to above, the Planning Commission recommended to the Council an amendment to Section 7-3-9 of the Zoning Map to rezone the property west of the Shawnee Drive extension to Medium High Density Residential Zone, R-3, and

WHEREAS, the rezoning as recommended by the Planning Commission was set for a public hearing before the Council of the City of Modesto on March 4, 1980, in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at which time evidence both oral and documentary was taken and introduced,

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

SECTION 1. COUNCIL FINDINGS. This Council finds and determines that rezoning said property to Medium High Density Residential Zone, R-3, as recommended by the Planning Commission in said Resolution No. 80-12, is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 80-12 and quoted above.

SECTION 2. ZONING CHANGE. Section 7-3-9 of the Zoning Map is hereby amended to prezone the following described property to Medium High Density Residential Zone, R-3:

All that certain real property situate in the Southwest quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, Stanislaus County, California; being a portion of Lots 1 and 2 of the Knapp Tract as recorded in Volume 2 of Maps at Page 2, Stanislaus County Records, also being known as Parcels 1 and 2 of Parcel Map as recorded in Book 29 of Parcel Maps at page 88, Stanislaus County Records more particularly described as follows:

R-3 Zoning

Commencing at the Northeast corner of Lot 1 of said Knapp Tract, said point being the intersection of the centerlines of Standiford Avenue and Carver Road; thence North $88^{\circ}16'03''$ West along the centerline of Standiford Avenue and the East-West quarter section line a distance of 1199.04 feet to the true point of beginning of this description; thence South $1^{\circ}43'57''$ West a distance of 85.00 feet to the point of tangency of a curve concave to the Northwest; thence Southerly a distance of 236.12 feet along said curve having a radius of 300.00 feet and a central angle of  $45^{\circ}05'43''$  to the point of reverse curvature (radial line bears North $43^{\circ}10'20''$ West); thence Southerly along a curve concave to the Southeast a distance of 420.91 feet, said curve having a radius of 515.00 feet and a central angle of  $46^{\circ}49'40''$ ; thence South a distance of 33.75 feet; thence North $41^{\circ}58'18''$ West a distance of 81.74 feet; thence North $41^{\circ}15'18''$ West a distance of 430.85 feet; thence North $48^{\circ}15'41''$ West a distance of 532.13 feet to a point on the centerline of Standiford Avenue; said point being on a curve concave to the North (radial line bears North $4^{\circ}14'43''$ East); thence Easterly along said curve a distance of 218.40 feet, said curve having a radius of 4980.00 feet and a central angle of  $2^{\circ}30'46''$ ; thence South $88^{\circ}16'03''$ East along said centerline a distance of 777.93 feet to the true point of beginning of this description.

Containing 7.66 acres

SECTION 3. ZONING MAP. Section 7-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of March, 1980, by Councilmember Elliott, 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: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED: Peggy Mensinger  
PEGGY MENSINGER, 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 (Dick) ...  
Director of Planning and Community Development

Ordinance 1925 C.S.  
Exhibit A – Map

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

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the/<sup>adjourned</sup>regular meeting of the Council of the City of Modesto held on the 20th day of March, 1980, 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: Bright, Elliott, Kullijian, Lang, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: Muratore

APPROVED *Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: April 19, 1980

ORDINANCE NO. 1926 -C.S.

AN ORDINANCE AMENDING SECTION MAP 7-3-9  
OF THE ZONING MAP OF THE CITY OF MODESTO, PREZONING  
CERTAIN PROPERTY LOCATED THEREON. (SESSIONS DEVELOPMENT, c/o  
Design Concepts)

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

SECTION 1. ZONING CHANGE. Section 7-3-9 of the  
Zoning Map is hereby amended to prezone the following-described  
property to Planned-Development Zone, P-PD(257):

All that certain real property situate in the Southwest quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, Stanislaus County, California; being a portion of Lots 1 and 2 of the Knapp Tract as recorded in Volume 2 of Maps at Page 2, Stanislaus County Records, also being known as Parcels 1 and 2 of Parcel Map as recorded in Book 29 of Parcel Maps at page 88, Stanislaus County Records more particularly described as follows:

Commencing at the Northeast corner of Lot 1 of said Knapp Tract, said point being the intersection of the centerlines of Standiford Avenue and Carver Road; thence North  $88^{\circ}16'03''$  West along the centerline of Standiford Avenue and the East-West quarter section line a distance of 892.32 feet to the true point of beginning of this description; thence South a distance of 496.32 feet; thence South  $88^{\circ}16'03''$  East a distance of 642.32 feet; thence South a distance of 496.84 feet; thence North  $88^{\circ}19'34''$  West a distance of 189.13 feet; thence North  $0^{\circ}00'26''$  East a distance of 193.68 feet; thence North  $88^{\circ}21'19''$  West a distance of 937.28 feet; thence North  $41^{\circ}58'18''$  West a distance of 123.37 feet; thence North a distance of 33.75 feet to the point of tangency of a curve concave to the Southeast; thence Northerly a distance of 420.91 feet along said curve having a radius of 515.00 feet and a central angle of  $46^{\circ}49'40''$  to the point of reverse curvature (radial line bears North  $43^{\circ}10'20''$  West); thence Northerly along a curve concave to the Northwest a distance of 236.12 feet, said curve having a radius of 300.00 feet and a central angle of  $45^{\circ}05'43''$ ; thence North  $1^{\circ}43'57''$  East a distance of 85.00 feet to a point on the centerline of Standiford Avenue; thence South  $88^{\circ}16'03''$  East along said centerline a distance of 306.72 feet to the true point of beginning of this description.

Containing 13.59 acres

**SECTION 2. USES.** The following uses shall be permitted in said P-PD(257) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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:

137 one and two story townhouse condominium dwelling units.

Parking as shown on the plan including, but not limited to 2 enclosed garages per dwelling unit and at least 161 open parking spaces.

Common areas, buildings, or facilities including a recreation room, pool, and RV parking area.

SECTION 3. ZONING MAP. Section Map 7-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of March, 1980, by Councilmember Elliott, 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: Bright, Elliott, Kullijian, Muratore,  
Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED:

*Pecca Mensinger*  
PECCA MENSINGER Mayor

ATTEST:

*Norrine Coyne*  
NORRINE COYNE, 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

Ordinance 1926 C.S.  
Exhibit A – Map

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

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the <sup>adjourned</sup> regular meeting of the Council of the City of Modesto held on the 20th day of March, 1980, 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: Bright, Elliott, Kullijian, Lang, Siefkin, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Muratore

**APPROVED** *Peggy Mensinger*  
MAYOR PEGGY MENSINGER

**ATTEST:** *Norrine Coyle*  
NORRINE COYLE, City Clerk

**EFFECTIVE DATE:** April 19, 1980

ORDINANCE NO. 1927 -C.S.

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

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by Paul M. Zagaris

on January 2, 1980, to reclassify from Low Density Residential Zone, R-1, to Professional Office Zone, P-0, the hereinafter described property, and

WHEREAS, after public hearing held on February 4, 1980, 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. 80-37, adopted on February 4, 1980, the Planning Commission recommended to the Council that the application of Paul M. Zagaris

to amend Section 21-3-9 of the Zoning Map to reclassify the hereinafter described property from Low Density Residential Zone, R-1, to Professional Office Zone, P-0, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on March 18, 1980, 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 a major street immediately across from a neighborhood shopping center zoned C-1.
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 Municipal Code.
3. Development under P-0 zoning, with its requirement for plot plan review, will insure compatibility with the adjoining residential uses to the south.

SECTION 2. ZONING CHANGE. Section 21-3-9 of the Zoning

Map is hereby amended to reclassify the following described property

from Low Density Residential Zone, R-1,  
to Professional Office Zone, P-0

All that portion of the Northeast quarter of the Southeast quarter of the Northeast quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the North quarter, quarter corner common to said Section 21 and Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and the intersection of the centerline of Coffee Road and East Orangeburg Avenue; thence along the centerline of East Orangeburg Avenue North 89°41'30" West, 456.83 feet; thence South 0°40'00" East, 40.00 feet to the Southern line of East Orangeburg Avenue and the true point of beginning of this description; thence South 0°40'00" East, 146.00 feet; thence North 89°41'30" West, 204.35 feet to the East line of a 20.00 foot wide alley; thence along said alley line North 0°40'00" West, 12.08 feet; thence continuing along said alley line North 89°41'30" West, 116.67 feet to the Eastern line Modesto Irrigation District Lateral No.4; thence along said East line a curve concave to the Northwest with a arc distance of 173.41 feet to the south line of East Orangeburg Avenue; thence along said south line South 89°41'30" East, 212.53 feet to the true point of beginning of this description.

Also including the south one-half of East Orangeburg Avenue adjacent to the above described property.

SECTION 3. ZONING MAP. Section 21-3-9 of the Zoning

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

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

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

The foregoing ordinance was introduced at <sup>an adjourned</sup> ~~the~~ regular meeting of the Council of the City of Modesto held on the 20th day of March, 1980, by Councilmember Kullijian, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

APPROVED: Peggy Mensinger  
PEGGY MENSINGER, 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 Phillips  
Department of Planning and  
Community Development

Ordinance 1927 C.S.  
Exhibit A – Map

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

Ord. No. 1927-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1st day of April, 1980, Councilmember Muratore 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: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Lang

APPROVED

Reggy Mensinger  
MAYOR REGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: May 1, 1980

ORDINANCE NO. 1928 - C. S.

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1752-C. S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 2-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (INVEST WEST FINANCIAL CORP)" (OAKHURST DEVELOPMENT GROUP, C/O DESIGN CONCEPTS)

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 1752-C.S. Section 2 of Ordinance No. 1752-C. S. is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D(188) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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. One and two-story multiple family dwelling units
2. Condominiums
3. Off-street parking areas in accordance with the plans on file in the office of the Director of Planning and Community Development
4. Recreation and open space areas

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 <sup>an adjourned</sup> ~~a~~/regular meeting of the Council of the City of Modesto held on the 20th day of March, 1980, 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: Bright, Elliott, Kullijian, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

APPROVED: *Peggy Mensinger*  
PEGGY MENSINGER, 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. 1928-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1st day of April, 1980, Councilmember Muratore 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: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger  
**NOES:** Councilmembers: None  
**ABSENT:** Councilmembers: Lang

APPROVED

*Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: May 1, 1980

AN ORDINANCE AMENDING SECTIONS 11-1.07 AND 11-1.10 OF CHAPTER 1 OF TITLE XI OF THE MODESTO MUNICIPAL CODE RELATING TO CHARGES FOR METERED WATER SERVICES AND CHARGES FOR UNMETERED SERVICES.

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

SECTION 1. AMENDMENT OF CODE. Sections 11-1.07 and 11-1.10 of Chapter 1 of Title XI of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 11-1.07. CHARGES FOR METERED WATER SERVICES. Charges for water delivered through a meter shall be paid to City in accordance with rates and charges as established by the Council from time to time by resolution and on file in the office of the City Clerk and the Director of Public Works.

Charges for metered services will be due and payable when billed and no advance or partial payments of such charges will be accepted by the city without consent of the Director of Finance.

SEC. 11-1.10. CHARGES FOR UNMETERED SERVICES. Charges for water delivered from an unmetered service shall be paid to City in accordance with rates and charges as established by the Council from time to time by resolution and on file in the office of the City Clerk and the Director of Public Works.

No partial payments of such charges will be accepted by the City without consent of the Director of Finance.

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

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

The foregoing ordinance was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 20th day of March, 1980, 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: Bright, Elliott, Kullijian, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

APPROVED: *Peggy Mensinger*  
PEGGY MENSINGER, 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. 1929-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1st day of April, 1980, Councilmember Muratore 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: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: Lang

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: May 1, 1980

ORDINANCE NO. 1930 -C.S.

AN ORDINANCE AMENDING SECTION MAP 29-3-9 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (FIRST BAPTIST CHURCH)

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

SECTION 1. ZONING CHANGE. Section 29-3-9 of the Zoning

Map is hereby amended to reclassify the following-described property  
from Neighborhood Commercial Zone, C-1, and General Commercial Zone, C-2, to  
Planned-Development Zone, P-D (258):

All that portion of Section 29, Township 3 South, Range 9 East, M.D.B. & M.,  
located in the City of Modesto, County of Stanislaus, State of California,  
described as follows:

C-1 to P-D

Item 1

All of Lots 1 through 16 and the Northeasterly 10 feet of the 20-foot alley  
in Block 88 in the City of Modesto and also the Southwesterly 40 feet of  
12th Street, the Northwesterly 40 feet of M Street, and the southeasterly  
40 feet of N Street with all streets being immediately adjacent to certain  
described portions of said Block 88.

Item 2

All of Lots 17 through 30 and all of the 20-foot alley in Block 89 in the  
City of Modesto, and also including the Northeasterly 40 feet of 12th  
Street, the Northwesterly 40 feet of M Street, and all that portion of  
Needham Street situated between the centerline of Needham Street and the  
North line of the above described property and with all streets being  
immediately adjacent to certain described portions of Block 89.

Item 3

All that portion of Lot 10 through 16 in Block 89 in the City of Modesto  
described as follows:

BEGINNING at the most Easterly corner of Lot 16 of said Block 89; running  
thence Southwesterly along the Southeasterly line of said Lot 16, a distance  
of 105 feet to the Southeasterly corner of property conveyed to Ardelia  
C. Turner by deed recorded March 3, 1945, as Instrument No. 3872; thence  
Northwesterly along the Northeasterly line of said Turner property a  
distance of 95 feet to the most Northerly corner of said Turner property  
being also a point on the Southeasterly line of property conveyed to J. W.  
Davison, Jr., by deed recorded October 23, 1944, as Instrument No. 15372;  
thence Northeasterly along the Southeasterly line of said Davison  
property, a distance of 35 feet to the Southeasterly corner thereof; thence

at right angles Northwesterly to the South line of Needham Avenue as conveyed to the City of Modesto by deed recorded February 17, 1971, in Volume 2378, page 149, official records, as Instrument No. 5782; thence East along the South line of Needham Avenue to the Southeasterly line of 13th Street; thence Southeasterly along said line of 13th Street to the point of beginning and including also the Southeasterly 40 feet of 13th Street, the Northwesterly 40 feet of M Street, and all that portion of Needham Avenue situated between the centerline of Needham Avenue and the North line of the above described property and with all streets being immediately adjacent to certain described portions of Block 89.

Item 4

All of Lots 13 through 16 and the Northeasterly 10 feet of the 20-foot alley in Block H in the City of Modesto and also including the Northwesterly 40 feet of N Street and all that portion of Needham Avenue situated between the centerline of Needham Avenue and the North line of the above described property and with all streets being immediately adjacent to certain described portions of Block H.

C-2 to P-D

Item 1

All of Lots 1 through 14, Lots 31, 32, and all of the 20-foot alley immediately adjacent to said lots in Block 64 in the City of Modesto and also including the Southeasterly 40 feet of N Street, and the Northeasterly 40 feet of 10th Street and the Southwesterly 40 feet of 11th Street with all streets being immediately adjacent to the above described portions of said Block 64.

Item 2

All of Lots 23 through 32 and the Southwesterly 10 feet of a 20-foot alley in Block 88 in the City of Modesto and also including the Southeasterly 40 feet of N Street and the Northeasterly 40 feet of 11th Street with all streets being immediately adjacent to the above certain described portions of said Block 88.

Item 3

All of Lots 17 through 26 and the Southwesterly 10 feet of the 20-foot alley in Block H in the City of Modesto, also including the Northwesterly 40 feet of N Street, the Northeasterly 40 feet of 11th Street, and all that portion of Needham Avenue situated between the centerline of Needham Avenue and the North line of the above described property, and with all streets being immediately adjacent to the above certain described portions of Block H.

**SECTION 2. USES.** The following uses shall be permitted in said P-D(258) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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.

*Church facilities and off-street parking*

SECTION 3. ZONING MAP. Section Map 29-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of March, 1980, by Councilmember Elliott, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Bright, was upon roll call carried and ordered printed

and published by the following vote:

AYES: Councilmembers: Elliott, Bright, Lang, Siefkin

NOES: Councilmembers: Mayor Mensinger

ABSENT: Councilmembers: Kullijian, Muratore

APPROVED:

*Peggy Mensinger*  
~~PEGGY MENSINGER, Mayor~~

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

By

*Evelyn L. Johnson*  
~~EVELYN L. JOHNSON, City Attorney~~

APPROVED AS TO DESCRIPTION:

By

*William Childs*  
~~Department of Planning and  
Community Development~~

Ordinance 1930 C.S.  
Exhibit A – Map

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

Ord. No. 1930-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of April, 1980, Councilmember Bright 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: Bright, Elliott, Lang, Siefkin

**NOES:** Councilmembers: Mayor Mensinger

**ABSENT:** Councilmembers: Kullijian, Muratore

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: May 8, 1980

ORDINANCE NO. 1931 -C.S.

AN ORDINANCE AMENDING SECTION MAP 23-3-9 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 23-3-9 of the Zoning

Map is hereby amended to reclassify the following-described property  
from Low Density Residential Zone, R-1 and Medium Density Residential Zone, R-2, to  
Planned-Development Zone, P-D (260) :

R-1 to P-D

All that portion of Section 23, Township 3 South, Range 9 East, Mount Diablo  
Base and Meridian, in the City of Modesto, County of Stanislaus, State of  
California, described as follows:

Parcel B as shown in Book 27 of Parcel Maps, at page 74, Stanislaus County  
Records.

Excepting therefrom all that southerly portion of the above described parcel  
that it situated between the centerline of 50-foot wide Scenic Drive and  
a line that is 325 feet north of and parallel to said centerline.

R-2 to P-D

All that portion of Section 23, Township 3 South, Range 9 East, Mount Diablo  
Base and Meridian, in the City of Modesto, County of Stanislaus, State of  
California, described as follows:

Parcel B as shown in Book 27 of Parcel Maps, at page 74, Stanislaus County  
Records.

Excepting therefrom all that northerly portion of the above described parcel  
that is situated north of a line which is located 325 feet north of and  
parallel to the centerline of 50-foot wide Scenic Drive.

SECTION 2. USES. The following uses shall be permitted in said P-D(260) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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.

Condominiums

Parking

Common recreational facilities

SECTION 3. ZONING MAP. Section Map 23-3-9 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 25th day of March, 1980, 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: Bright, Kullijian, Lang, Muratore, Siefkin,  
Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

APPROVED: *Peggy Mensinger*  
PEGGY MENSINGER, 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 Nichols*  
Department of Planning and  
Community Development

Ordinance 1931 C.S.  
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1st day of April, 1980, Councilmember Muratore 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: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger  
NOES: Councilmembers: None  
ABSENT: Councilmembers: Lang

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: May 1, 1980

ORDINANCE NO. 1932 -C. S.

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1760-C.S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 7-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (NORMAN WINSOR)" (SAN CLEMENTE PLAZA GROUP, C/O DESIGN CONCEPTS)

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 1760-C. S. Section 2 of Ordinance No. 1760-C. S. is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D(197) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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.

Condominiums, common recreational facilities, and parking"

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 25th day of March, 1980, by Councilmember Kullijian, 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: Bright, Kullijian, Lang, Muratore,  
Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

APPROVED:

Peggy Mensinger  
PEGGY MENSINGER, 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. 1932-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1st day of April, 1980, Councilmember Muratore 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: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Lang

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE City Clerk

EFFECTIVE DATE: May 1, 1980

ORDINANCE NO. 1933 -C.S.

AN ORDINANCE AMENDING SECTION MAP 13-3-8 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (REX PROPERTIES)

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

SECTION 1. ZONING CHANGE. Section 13-3-8 of the Zoning  
Map is hereby amended to reclassify the following-described property  
from Medium Density Residential Zone, R-2, to  
Planned-Development Zone, P-D (259) :

All that certain real property situate in a portion of the Northwest quarter  
of Section 13, 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:

All of Parcel 2, as shown on the Parcel Map filed in Book 26 of Parcel Maps  
at Page 103, Stanislaus County Records.

Including also the southerly 30 feet of Rumble Road and westerly 30 feet of  
Lou Ann Drive immediately adjacent to said Parcel 2.

Containing 2.97 acres net

**SECTION 2. USES.** The following uses shall be permitted in said P-D(259) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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.

Residential condominiums, off-street parking, and common recreational facilities

SECTION 3. ZONING MAP. Section Map 13-3-8 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 25th day of March, 1980, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and ordered printed

and published by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin,  
Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

APPROVED:

*Peggy Mensinger*  
PEGGY MENSINGER, 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 Nichols*  
Department of Planning and  
Community Development

Ordinance 1933 C.S.  
Exhibit A – Map

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

Ord. No. 1933-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1st day of April, 1980, Councilmember Muratore 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: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Lang

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyne  
NORRINE COYNE, City Clerk

EFFECTIVE DATE:

May 1, 1980

ORDINANCE NO. 1934 -C. S.

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1237-C. S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 15-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (HARLEY D. BRANNAN)" (BANK OF AMERICA)

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 1237-C. S. Section 2 of Ordinance No. 1237-C. S. is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D(104) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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 Neighborhood Shopping Center limited to C-1 Zone uses except that indoor motion picture theatres are permitted.
2. Off-street parking as shown on the approved plan."

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 1st day of April, 1980, by Councilmember Siefkin, who moved its introduction and passage to print,

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

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED: *Peggy Mensinger*  
PEGGY MENSINGER, Mayor

ATTEST:

By *Norrine Coyle*  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1237-C. S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 15-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (HARLEY D. BRANNAN)" (BANK OF AMERICA)

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 1237-C. S. Section 2 of Ordinance No. 1237-C. S. is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D(104) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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 Neighborhood Shopping Center limited to C-1 Zone uses except that indoor motion picture theatres are permitted.
2. Off-street parking as shown on the approved plan."

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 1st day of April, 1980, by Councilmember Siefkin, who moved its introduction and passage to print,

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

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED: *Peggy Mensinger*  
PEGGY MENSINGER, 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. 1934-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of April, 19<sup>80</sup>, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE:

May 8, 1980

AN ORDINANCE AMENDING SECTION 7-3.202.1 OF CHAPTER 3 OF TITLE VII OF THE MODESTO MUNICIPAL CODE RELATING TO PARKING AND OPERATION OF MOTOR VEHICLES AT THE MODESTO CITY-COUNTY AIRPORT.

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

SECTION 1. AMENDMENT OF CODE. Section 7-3.202.1 of Chapter 3 of Title VII of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 7-3.202.1. PARKING AND OPERATION OF MOTOR VEHICLES.

(a) No person shall operate, drive, or park a motor vehicle in the aircraft tie-down area as designated by the Airport Manager.

(b) The parking regulations promulgated for municipal off-street parking facilities by Article 16 of Chapter 2 of Title III, sections 3-2.1601 et seq., of this Code are hereby adopted by reference and are made applicable to all off-street parking facilities at the Modesto City-County Airport, except that the term "Director" as used in that article shall refer to Director of Public Works.

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 1st day of April, 1980, by Councilmember Muratore, who moved its introduction and passage to print,

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

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED: *Peggy Mensinger*  
PEGGY MENSINGER, 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. 1935-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of April, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

APPROVED

*Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: May 8, 1980

AN ORDINANCE AMENDING SECTION 3-2.1101 OF ARTICLE 11 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE, AND AMENDING SECTION 3-2.1607 OF ARTICLE 16 OF CHAPTER 2 OF TITLE III RELATING TO PARKING REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.1101 of Article 11 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1101. CURB MARKINGS TO INDICATE NO STOPPING AND PARKING REGULATIONS. (a) The Director is hereby authorized subject to the provisions and limitations of this chapter, to place and when required herein shall place, the following curb markings to indicate parking or standing regulations, and said curb markings shall have the meanings as herein set forth:

(1) Red shall mean no stopping, standing or parking at any time except as permitted by the Vehicle Code of the State of California and except that a bus may stop in a red zone marked or signed as a bus zone.

(2) Yellow shall mean no stopping, standing or parking at any such times of any day as are designated, for any purpose other than the loading or unloading of passengers or materials, provided that the loading or unloading of passengers shall not consume more than three (3) minutes nor the loading or unloading of materials more than twenty (20) minutes.

(3) White shall mean no stopping, standing or parking for any purpose other than loading or unloading of passengers or for the purpose of depositing mail in an adjacent mailbox which shall not exceed three (3) minutes and such restrictions shall apply at such times as are designated.

(4) Green shall mean no standing or parking for longer than twenty-four (24) minutes at any time between 9:00 o'clock a.m. and 6:00 p.m. of any day except Sundays.

(5) Blue shall mean no stopping, standing or parking at any time, except that vehicles which display a disabled person's license plate or placard, or a disabled veteran's license plate or placard, as provided by the Vehicle Code of the State of California may stop, stand, or park in the spaces so designated.

(b) When the Director, as authorized under this chapter, has caused curb markings to be placed, no person shall stop, stand or park a vehicle adjacent to any such legible curb marking in violation of any of the provisions of this section.

SECTION 2. AMENDMENT OF CODE. Section 3-2.1607 of Article 16 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1607. RESERVED PARKING ON OFF-STREET PARKING LOTS. The Director is hereby authorized to reserve and identify, by appropriate markings or signs which indicate types of vehicles, location and time limits, such parking spaces as are necessary for any use approved by the City Manager on any off-street parking facility owned or operated by the City of Modesto, including designation of spaces to be used only by disabled persons and disabled veterans. Only vehicles authorized by the Director shall use such parking spaces during the time limits indicated, and use by any unauthorized vehicle shall be unlawful.

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 1st day of April, 1980, by Councilmember Muratore, 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: Bright, Elliott, Kullijian, Muratore, Siefkin,  
Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED: Peggy Mensinger  
PEGGY MENSINGER, 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. 1936-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of April, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: May 8, 1980

ORDINANCE NO. 1937 -C.S.

AN ORDINANCE ADDING SECTION 12-4.203 TO ARTICLE 2 OF CHAPTER 4 OF TITLE XII OF THE MODESTO MUNICIPAL CODE RELATING TO PARKING FOR DISABLED PERSONS.

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

SECTION 1. AMENDMENT OF CODE. Section 12-4.203 is hereby added to Article 2 of Chapter 4 of Title XII of the Modesto Municipal Code to read as follows:

SEC. 12-4.203. PARKING FOR DISABLED PERSONS. (a) The Director is hereby authorized to reserve and designate parking for disabled persons and disabled veterans at all parks and recreation facilities owned or operated by the City.

(b) No person shall stop, stand, or park in any space designated for parking for disabled persons unless their vehicle displays a disabled person's license plate or placard, or a disabled veteran's license plate or placard, as provided by the Vehicle Code of the State of California.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of April, 1980, by Councilmember Muratore, 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: Bright, Elliott, Kullijian, Muratore, Siefkin,  
Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED: *Peggy Mensinger*  
PEGGY MENSINGER, 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. 1937-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of April, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger  
NOES: Councilmembers: None  
ABSENT: Councilmembers: None

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: May 8, 1980

ORDINANCE NO. 1938 -C. S.

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1094-C. S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 16-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ROBERT M. WEEKS)"

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 1094-C. S. Section 2 of Ordinance No. 1094-C. S. is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D(86) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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.

Condominiums"

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 8th day of April, 1980, by Councilmember Elliott, who moved its introduction and passage to print,

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

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED: *Peggy Mensinger*  
PEGGY MENSINGER, 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. 1938-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 15th day of April, 1980, Councilmember Kullijian 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: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: None

APPROVED *Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: May 15, 1980

ORDINANCE NO. 1939 -C.S.

AN ORDINANCE AMENDING SECTION MAP 14-3-9 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (ROBERT ERICKSON)

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

SECTION 1. ZONING CHANGE. Section 14-3-9 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 (262):

All that certain real property situate in a portion of the Southwest quarter of the Northwest quarter of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel 3, as shown on Book 8 of Parcel Maps at page 36, Stanislaus County Records, filed on February 17, 1970.

Including also the southerly 30 feet of Floyd Avenue immediately adjacent to the above described property.

Containing 1.7 acres net.

SECTION 2. USES. The following uses shall be permitted in said P-D(262) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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 roller skating rink and batting cage

SECTION 3. ZONING MAP. Section Map 14-3-9 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 15th day of April, 1980, 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: Bright, Elliott, Kullijian, Lang, Muratore,  
Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:

  
PEGGY MENSINGER, Mayor

ATTEST:

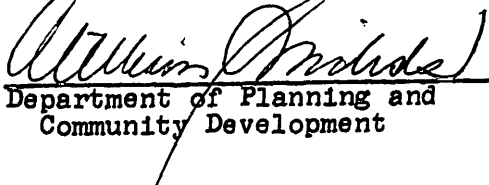
  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By   
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By   
Department of Planning and  
Community Development

Ordinance 1939 C.S.  
Exhibit A – Map

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

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1980, 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: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: None

APPROVED *Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*  
NORRINE COYLE City Clerk

EFFECTIVE DATE: May 18, 1980

ORDINANCE NO. 1940 -C.S.

AN ORDINANCE AMENDING SECTION MAP 24-3-8 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (RULE ENTERPRISES)

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

SECTION 1. ZONING CHANGE. Section 24-3-8 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(263) :

ALL that certain real property situate in a portion of Section 24,  
Township 3 South, Range 8 East, Mount Diablo Base and Meridian,  
and lying within the County of Stanislaus, State of California,  
described as follows:

BEGINNING at the West quarter corner of said Section 24 as shown on  
that certain map filed in Volume 14 of Surveys at Page 85, Stanislaus  
County Records, said corner also being the center line intersection  
of Morse Avenue and Blue Gum Avenue, as shown on said map; thence  
North 88°30'17" East along said center line of Blue Gum Avenue, a  
distance of 675.76 feet to the intersection with the Northerly pro-  
longation of the Westerly line of that certain parcel of land entitled  
"College West No. 2" as shown on the map filed in Volume 27 of Maps  
at Page 4, Stanislaus County Records; thence South 1°04'07" East  
along said Northerly prolonged line and along said Westerly line of  
"College West No. 2", a distance of 1324.39 feet to the Southwest  
corner of said "College West No. 2"; thence South 88°33'13" West  
along the Westerly prolongation of the Southerly line of said  
"College West No. 2" a distance of 676.33 feet to the intersection  
with the center line of said Morse Avenue; thence North 1°02'33" West  
along said center line, a distance of 202.00 feet; thence  
North 88°57'27" East, 395.00 feet; thence North 1°02'33" West,  
412.00 feet; thence South 88°57'27" West, 395.00 feet to the inter-  
section with said center line of Morse Avenue; thence  
North 1°02'33" West along said center line a distance of 709.44 feet  
to the point of beginning,

and

**SECTION 2. USES.** The following uses shall be permitted in said P-D(263) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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.

Zero lot line patio houses and common recreational facilities

SECTION 3. ZONING MAP. Section Map 24-3-8 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 22nd day of April, 1980, by Councilmember Siefkin, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and ordered printed

and published by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullhjian, Lang, Muratore,  
Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:

*Peggy Mensinger*  
PEGGY MENSINGER, 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

*Althea Mills*  
Department of Planning and  
Community Development

Ordinance 1940 C.S.  
Exhibit A – Map

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

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of May, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

- AYES:** Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: None

**APPROVED** Reggy Mensinger  
MAYOR REGGY MENSINGER

**ATTEST:** Norrine Coyle  
NORRINE COYLE, City Clerk

**EFFECTIVE DATE:** June 5, 1980

ORDINANCE NO. 1941 -C.S.

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

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 Medium High Density Residential Zone, R-3 to

Planned-Development Zone, P-D (261) :

ALL that certain real property situate in a portion of the East half of Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

BEGINNING at the Southwest corner of Parcel "A" as shown on that certain map filed in Volume 30 of Parcel Maps, at Page 11, Stanislaus County Records; thence North along the West line of said Parcel "A", a distance of 200.00 feet; thence South 89°51'03" East along the North line of said Parcel "A" and the Easterly prolongation thereof a distance of 390.00 feet to the intersection with the centerline of Claus Road, as shown on said map; thence South along said centerline a distance of 200.00 feet to the intersection with the Easterly prolongation of the Southerly line of said Parcel "A"; thence North 89°51'03" West along said Easterly prolonged line and along said Southerly line a distance of 390.00 feet to the Point of Beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(261) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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.

Condominium residences and recreational facilities.

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 22nd day of April, 1980, 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: Bright, Elliott, Kullijian, Lang, Muratore,  
Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED: *Peggy Mensinger*  
PEGGY MENSINGER, Mayor

ATTEST: *Norrine Coyne*  
NORRINE COYNE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By *William Dumb*  
Department of Planning and  
Community Development

Ordinance 1941 C.S.  
Exhibit A – Map

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

Ord. No. 1941-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 May, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

- AYES:** Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: None

APPROVED *Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 5, 1980

ORDINANCE NO. 1942 -C.S.

AN ORDINANCE AMENDING SECTION MAP 22-3-9 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (L & W ENTERPRISES)

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

SECTION 1. 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, and Medium High Density Residential Zone, R-3, to  
Planned-Development Zone, P-D (264) :

All that certain real property situate in a portion of the Southwest quarter  
of Section 22, Township 3 South, Range 9 East, M.D. B. & M., and lying within  
the City of Modesto, County of Stanislaus, State of California, described as  
follows:

R-1 to P-D

Commencing at a concrete monument at the Southwest corner of Lot 22 of  
Broughton Colony Tract, according to the Official Map thereof, filed in  
the Office of the Recorder of Stanislaus County, California, on March 17,  
1904, in Volume 1 of Maps, at page 78; thence South 89° 57' 45" east, along  
the South line of said Lot 22, a distance of 180.00 feet to the true point  
of beginning of this description; thence North 0° 30' 30" West 413.10 feet  
to the south line of Wylie Drive; thence South 89° 56' 30" East, 120.00  
feet; thence South 0° 30' 30" East, 413.06 feet to the South line of  
Lot 22 of Broughton Colony Tract; thence along said South line North 89°  
57' 45" West 120.00 feet to the point of beginning of this description.

INCLUDING also the Southerly 30.00 feet of Wylie Drive immediately adjacent  
to the above described property.

R-3 to P-D

Commencing at a concrete monument at the Southwest corner of Lot 22 of Broughton Colony Tract, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on March 17, 1904, in Volume 1 of Maps, at page 78; thence South  $89^{\circ} 57' 45''$  East, along the south line of said Lot 22, a distance of 45.00 feet to a point on the east line of Brighton Avenue and the true point of beginning of this description; thence North  $0^{\circ} 30' 30''$  West along the East line of Brighton Avenue, 398.00 feet; thence along a curve concave to the Southeast having a central angle of  $90^{\circ} 34'$ , a radius of 15.00 feet and length of 23.71 feet; thence along the South line of Wylie Drive, South  $89^{\circ} 56' 30''$  East, 119.85 feet; thence South  $0^{\circ} 30' 30''$  East, 413.10 feet to the south line of Lot 22 of Broughton Colony Tract; thence along said south line, North  $89^{\circ} 57' 45''$  West, 135.00 feet to the point of beginning of this description.

INCLUDING also the easterly 45.00 feet of Brighton Avenue and the Southerly 30.00 feet of Wylie Drive, immediately adjacent to the above described property.

SECTION 2. USES. The following uses shall be permitted in said P-D(264) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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.

Multi-family dwellings

Offstreet parking and recreation facilities as shown on the approved plan

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1980, by Councilmember Kullijian, 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: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED: *Peggy Mensinger*  
PEGGY MENSINGER, 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 Pichler*  
Department of Planning and  
Community Development

Ordinance 1942 C.S.  
Exhibit A – Map

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

Ord. No. 1942-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 May, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger  
**NOES:** Councilmembers: None  
**ABSENT:** Councilmembers: None

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 5, 1980

ORDINANCE NO. 1943 -C.S.

AN ORDINANCE AMENDING SECTIONS 3-10.10, 3-10.16, 3-10.20, 3-10.22 AND 3-10.23 OF CHAPTER 10 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO TOWING SERVICES.

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

SECTION 1. AMENDMENT OF CODE. Sections 3-10.10, 3-10.16, 3-10.20, 3-10.22 and 3-10.23 of Chapter 10 of Title III of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 3-10.10. APPROVAL OF TOWING SERVICE OPERATOR'S APPLICATION. The Chief of Police shall approve the application by a towing service operator for consideration for assignment to the rotation list if the Chief of Police finds:

(a) That the vehicles described in the application and proposed to be operated by the towing service meet the minimum standards set forth in Section 3-10.11 of this chapter.

(b) That the applicant meets all of the requirements of this chapter and all other applicable laws and regulations.

(c) That the applicant has adequate experience in the operation of a towing service.

(d) That the applicant has not been convicted within five (5) years immediately preceding the application of a crime involving honesty, or veracity, violence, dangerous or deadly weapons, or more than once during the five (5) year period has been convicted of the use or possession of narcotics, or for operating a vehicle under the influence of intoxicating liquor.

SEC. 3-10.16. ATTENDANT'S APPLICATION FEE. Applicants for attendants' permits shall pay to the Director of Finance a processing fee of Three and no/100ths Dollars (\$3.00) for each application. A copy of the receipt for fees paid shall be filed along with the application with the Chief of Police. When the application is filed with the Modesto Police Department an additional fee for processing of fingerprints shall be submitted as required by the Bureau of Identification, State of California.

SEC. 3-10.20. NATURE OF ATTENDANT'S PERMIT. The attendant's permit shall be in the form of a card which shall bear the signature, photograph, and fingerprints of the applicant. Such card shall be issued in duplicate, and one copy with the fingerprints, photograph and signature of the applicant shall be placed on file with the Chief of Police. The other card shall be carried on the person of the permittee at all times while operating a tow car or tow truck. The permit, when issued, remains the property of the Modesto Police Department. If an attendant changes employment from one towing service to another he shall notify the Modesto Police Department of that change. If an attendant leaves the towing service for other employment he shall turn in his permit to the Modesto Police Department.

SEC. 3-10.22. SUSPENSION OR REVOCATION OF TOWING SERVICE PERMIT. The Chief of Police may remove any towing service from the rotation list on any one or more of the following grounds:

(a) That the towing service operator fails to meet the requirements for the approval of an application by a towing service operator, as set forth in Section 3-10.10 of this chapter;

(b) That the operator has failed to operate the towing service in accordance with the provisions and requirements of this chapter.

(c) That the operator has ceased to operate the towing service for a period of ten (10) consecutive days without having obtained permission for cessation of such operation from the Chief of Police.

(d) That any of the operator's insurance required by this Chapter has been cancelled, not renewed or been materially changed in coverage, terms or conditions.

(e) That the operator has failed to respond to a towing service request made by the police pursuant to the provisions of this Chapter.

(f) When the towing service has been sold to a new owner.

Written notice of the reasons for removal of an operator's service from the rotation list shall be given seventy-two (72) hours prior to actual suspension or revocation.

SEC. 3-10.23. BUSINESS AND STORAGE LOT REQUIREMENTS FOR TOWING SERVICE OPERATORS.

(a) Vehicle storage: Each towing service operator shall have a storage lot and/or building located within the City limits of the City of Modesto or within two (2) miles thereof which is adequate to store not less than five (5) vehicles. Such storage lot or building shall be enclosed by a fence or wall which is of sufficient height and strength to be capable of protecting stored vehicles and their contents from pilfering or tampering. All gates or buildings shall be securely locked when not in use and storage lots shall be screened from public view.

(b) Hours: Each towing service operator shall have an attendant on call, capable of responding to requests from the Modesto Police Department for towing service and to citizens' requests for release of vehicles, twenty-four (24) hours each day, seven (7) days per week, including holidays.

(c) Insurance: Towing service operators shall maintain in full force and effect policies of insurance as protection against:

(1) Public Liability including: (i) Garage liability coverage providing towing and wrecker liability; (ii) garage keepers legal liability or equivalent protection affording fire, theft, vandalism and malicious mischief-covering the vehicles stored and/or impounded while in the care, custody, and control of the towing service operator; (iii) contractual liability.

(2) Worker's Compensation.

Certificate(s) of Insurance evidencing such insurance as is required by this chapter shall be filed with the City Clerk of the City of Modesto prior to assignment of a towing service operator to the rotation list.

Said certificate(s) shall provide that the City of Modesto shall receive a 30-day written notice prior to any cancellation, non-renewal, or any material change in coverage, terms or conditions of the policy(s).

Public liability protection shall be carried in the amount of \$300,000 per person per occurrence for bodily injury, sickness and disease, including death therefrom (hereinafter called bodily injury); \$500,000 aggregate per occurrence for "bodily injury" and \$50,000 per occurrence for property damage.

The garage keepers legal liability, or an equivalent coverage affording insurance against fire, theft, vandalism and malicious mischief, shall be maintained to the extent of \$50,000 per occurrence.

Worker's Compensation insurance shall be carried in compliance with the laws of the State of California.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1980, 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: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED: \_\_\_\_\_

Peggy Mensinger  
PEGGY MENSINGER, 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. 1943-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 May, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 5, 1980

ORDINANCE NO. 1944 -C. S.

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1825-C. S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 24-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, PREZONING CERTAIN PROPERTY LOCATED THEREON. (MODESTO DEVELOPMENT)

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 1825-C. S. Section 2 of Ordinance No. 1825-C. S. is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P- D (218) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code. Said uses are as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit:

277 condominiums and common recreational facilities"

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of May, 1980, 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: Bright, Elliott, Kullijian, Muratore,  
Acting Mayor Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang, Mayor Mensinger

APPROVED: Susan D. Siefkin  
~~ELWYN L. JOHNSON, City Attorney~~  
SUSAN D. SIEFKIN, Acting 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. 1944-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 May, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

- AYES:** Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Stefkln, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: None

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST: Norrine Coyle  
NORRINE COYLE City Clerk

EFFECTIVE DATE: June 18, 1980

ORDINANCE NO. 1945 -C. S.

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1775-C.S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 16-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (VANCE DAVIS) "

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 1775-C.S. Section 2 of Ordinance No. 1043-C. S. is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D(201) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan as required by Section 10-2.2704 of the Modesto Municipal Code, 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. 20 condominiums.
- b. Off-street parking 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 13th day of May, 1980, by

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

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Acting Mayor Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang, Mayor Mensinger

APPROVED: Susan D. Siefkin  
~~FRANCIS MENSINGER, Mayor~~  
SUSAN D. SIEFKIN, Acting 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. 1945-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27th day of May, 1980, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Kullijian

APPROVED *Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 26, 1980

ORDINANCE NO. 1946 -C.S.

AN ORDINANCE AMENDING SECTION MAP 10-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (BEISER-FEDER REAL ESTATE)

WHEREAS, a verified application for an amendment to Section 10-3-9 of the Zoning Map was filed by Beiser-Feder Real Estate

on March 20, 1980, to reclassify from a portion of Planned Development Zone, P-D (150) to Medium High Density Residential Zone, R-3, the hereinafter described property, and

WHEREAS, after public hearing held on April 21, 1980 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. 80-99, adopted on April 21, 1980, the Planning Commission recommended to the Council that the application of Beiser-Feder Real Estate

to amend Section 10-3-9 of the Zoning Map to reclassify the hereinafter described property from a portion of Planned Development Zone, P-D(150), to Medium High Density Residential Zone, R-3, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on May 27, 1980, 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. R-3 zoning as proposed would allow a reasonable and compatible land use buffer between an existing shopping center site and low density residential development.
2. The area proposed for R-3 zoning would allow Medium-High Density Residential development that would conform to the Neighborhood Zoning and Development prototype of the General Plan.

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

Map is hereby amended to reclassify the following described property  
from a portion of Planned Development Zone, P-D(150),  
to Medium High Density Residential Zone, R-3 :

ALL that certain real property situate in a portion of the Northeast quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

"PARCEL 2" as shown on that certain Parcel Map filed on September 24, 1979, in Volume 29 of Parcel Maps at Page 100, Stanislaus County Records.

Including also the Southerly 30-feet of Bridgewood Way and the Westerly 50-feet of Oakdale Road immediately adjacent to the above described property.

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 May, 1980, by Councilmember Muratore, 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: Bright, Elliott, Lang, Muratore, Siefkin,  
Mayor Mensinger,

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

APPROVED: Peggy Mensinger  
PEGGY MENSINGER, 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 1946 C.S.  
Exhibit A – Map

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

Ord. No. 1946-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of June, 1980, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Bright

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: July 3, 1980

ORDINANCE NO. 1947 -C.S.

AN ORDINANCE AMENDING SECTION MAP 27-3-9 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (HARDIN, TOLER AND HAYS)

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

SECTION 1. ZONING CHANGE. Section 27-3-9 of the Zoning

Map is hereby amended to reclassify the following-described property

from Medium Density Residential Zone, R-2 to

Planned-Development Zone, P-D (266) :

Lots 5, 12, and 13 of Sunnyside Acres, in the  
City of Modesto, County of Stanislaus, State of  
California, as filed in Volume 5 of Maps, page 45,  
Stanislaus County Records.

Containing 2.16 acres net.

**SECTION 2. USES.** The following uses shall be permitted in said P-D(266) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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.

2 five story residential structures, parking, and related recreational facilities.

SECTION 3. ZONING MAP. Section Map 27-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1980, by Councilmember Bright, 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: Bright, Elliott, Lang, Muratore, Siefkin  
Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

APPROVED:

Peggy Mensinger  
PEGGY MENSINGER, 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 Nichols  
Department of Planning and  
Community Development

Ordinance 1947 C.S.  
Exhibit A – Map

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

Ord. No. 1947-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of June, 1980, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Bright

APPROVED

*Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE:

July 3, 1980

ORDINANCE NO. 1948 -C.S.

AN ORDINANCE AMENDING SECTION MAP 15-3-9 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. ( U. S. BY-PRODUCTS)

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

SECTION 1. ZONING CHANGE. Section 15-3-9 of the Zoning

Map is hereby amended to reclassify the following-described property  
from Medium Density Residential Zone, R-2, Planned Development Zone, P-D(153) and  
a portion of Planned Development Zone, P-D(211) to Planned Development Zone, P-D(265):

R-2 to P-D

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

BEGINNING at the centerline intersection of Floyd Avenue and Pridmore Avenue as shown on that certain map entitled "PERSIAN TERRACE NO. 2" filed in Volume 26 of Maps at Page 91, Stanislaus County Records; thence North 0°57'25" West along said centerline of Pridmore Avenue, a distance of 130.01 feet to the intersection with the Westerly prolongation of the Northerly line of Lot 4, as shown on said map; thence North 89°38'35" East along said Westerly prolonged line and along said Northerly line of said Lot 4, a distance of 109.89 feet to the Northeast corner of said Lot 4; thence South 0°21'25" East along the Easterly line of said Lot 4, a distance of 130.00 feet to the intersection with the centerline of Floyd Avenue, as shown on said map; thence South 89°38'35" West along said centerline of Floyd Avenue, a distance of 108.53 feet to the Point of Beginning.

Containing 0.32 Acres of Land.

P-D(153) to P-D

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

BEGINNING at a point along the centerline of Floyd Avenue distant thereon North 89°38'35" East 108.53 feet from the centerline intersection of Floyd Avenue and Pridmore Avenue, as shown on that certain map entitled "PERSIAN TERRACE NO. 2" filed in Volume 26 of Maps at Page 91, Stanislaus County Records; thence North 0°21'35" West, along the Southerly prolongation of the Westerly line of Lot 3 as shown on said map and along the Westerly line of said Lot 3, a distance of 130.00 feet; thence North 89°38'35" East along the Northerly lines of Lots 3 - 1, a distance of 264.00 feet and to the Northeast corner of said Lot 1; thence South 0°21'25" East along the Easterly line of said Lot 1, a distance of 130.00 feet to the intersection with the centerline of Floyd Avenue, as shown on said map; thence South 89°38'35" West along said centerline of Floyd Avenue, a distance of 264.00 feet to the Point of Beginning.

Containing 0.79 Acres of Land.

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

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

BEGINNING at a point along the centerline of Floyd Avenue distant thereon North 89°38'35" East 372.53 feet from the centerline intersection of Floyd Avenue and Pridmore Avenue, as shown on that certain map entitled "PERSIAN TERRACE NO. 2" filed in Volume 26 of Maps at Page 91, Stanislaus County Records; thence North 0°21'35" West 130.00 feet; thence North 89°38'35" East along a line parallel with and distant thereon 130.00 feet Northwesterly, measured right angles, from the centerline of Floyd Avenue, a distance of 405.00 feet; thence South 0°21'25" East, a distance of 130.00 feet to the intersection with said Floyd Avenue; thence South 89°38'35" West along said centerline a distance of 405.00 feet to the Point of Beginning.

Containing 1.21 Acres of Land.

**SECTION 2. USES.** The following uses shall be permitted in said P-D(265) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, 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.

Duplexes

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1980, 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: Bright, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Elliott

ABSENT: Councilmembers: Kullijian

APPROVED:

Peggy Messinger  
PEGGY MENSINGER, 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 Nichols  
Department of Planning and  
Community Development

Ordinance 1948 C.S.  
Exhibit A – Map

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

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of June, 1980, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Bright

APPROVED Regy Mensinger  
MAYOR REGY MENSINGER

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: July 3, 1980

AN ORDINANCE AMENDING SECTION MAP 17-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (WILLIAM WITZKE)

WHEREAS, a verified application for an amendment to Section 17-3-9 of the Zoning Map was filed by William Witzke on March 6, 1980, to reclassify from Low Density Residential Zone, R-1, to Professional Office Zone, P-O, the hereinafter described property,

ALL that certain real property situate in a portion of the Southwest quarter of the Northeast quarter of Section 17, 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 West quarter corner of said Section 17 being on the center line of 90.00 foot wide Tully Road; thence along said center line North  $0^{\circ}48'30''$  West 130.02 feet; thence South,  $88^{\circ}53'$  East 45.02 feet to a point on the East line of Tully Road, said point also being on the south line of a 20.00 foot wide alley in Block 6726 as shown in Bel-Air Subdivision No.1 according to the official map thereof, filed in the office of the Recorder of Stanislaus County, California, on February 24, 1956, in Volume 18 of Maps, at page 48 and also being the true point of beginning of this description. Thence South  $88^{\circ}53'$  East along said south alley line and the south line of lot 20 of Block 6726 of said Bel-Air Subdivision No.1, 212.29 feet to the Southeast corner of said lot 20; thence along the West line of Monte Vista Avenue on a curve concave to the West having a central angle of  $5^{\circ}16'44''$ , a radius of 940.00 feet and a length of 86.61 feet; thence along a curve concave to the northwest having a central angle of  $84^{\circ}13'40''$ , a radius of 15.00 feet and a length of 22.05 feet to the north line of Bowen Avenue; thence along Bowen Avenue North  $88^{\circ}53'$  West 189.28 feet to the northeast corner of Tully Road and Bowen Avenue; thence North  $0^{\circ}48'30''$  West along the East line of Tully Road 100.00 feet to the point of beginning.

Including also the east 45.00 feet of Tully Road, the North 30.00 feet of Bowen Avenue, and West 30.00 feet of Monte Vista Avenue immediately adjacent to the above described property,

and

WHEREAS, after a public hearing held on April 17, 1980, it was found and determined by the Planning Commission that rezoning of the property described above, as requested, is not required by public necessity, convenience, and general welfare, but that rezoning the property to Medium Density Residential Zone, R-2, is required by public necessity, convenience and general welfare for the following reasons:

1. P-O zoning on the property could create a precedent toward adjoining dwellings being sought for similar P-O zoning resulting in an undesirable "hodge-podge" mixture of residences and offices in this well-established low-medium density residential area.
2. R-2 zoning on the property would allow full and efficient development which would be compatible with adjoining R-1 and R-2 properties.
3. R-2 zoning on the property would provide a good transition and a logical completion to the existing R-2 zoning pattern, and

WHEREAS, by Resolution No. 80-90, adopted on April 7, 1980, the Planning Commission recommended to the Council that Section 17-3-9 of the Zoning Map be amended to reclassify the above described property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and

WHEREAS, after a public hearing held on May 13, 1980, and thereafter continued to May 27, 1980, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, this Council found and determined that Medium Density Residential Zone, R-2, should be granted for the westerly portion of the above described property, and that such 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. 80-90, and quoted above, and

WHEREAS, at said continued hearing on May 27, 1980, the Council, after hearing evidence both oral and documentary, found and determined that rezoning of

the easterly portion of the property included in the above description to Medium Density Residential Zone, R-2, as recommended by the Planning Commission in its Resolution No. 80-90 should be denied, and the decision of the Planning Commission should be overruled for the following reason:

1. R-2 zoning on the easterly portion of the above described property would be an introduction of R-2 uses in an established single family neighborhood,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on May 13, 1980, and continued to May 27, 1980, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, this Council finds and determines that the recommended rezoning of the hereinafter described portion of the above described property 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. R-2 zoning on a portion of the property would allow full and efficient development which would be compatible with adjoining R-1 and R-2 properties.
2. R-2 zoning on a portion of the property would provide a good transition and a logical completion to the existing R-2 zoning pattern.

SECTION 2. ZONING CHANGE. Section 17-3-9 of the Zoning

Map is hereby amended to reclassify the following described property  
from Low Density Residential Zone, R-1,  
to Medium Density Residential Zone, R-2 :

All that certain real property situate in a portion of the Southwest quarter of the Northeast quarter of Section 17, 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 West quarter corner of said Section 17, being on the center line of 90.00 foot wide Tully Road; thence along said center line North 0°48'30" West 130.02 feet; thence South, 88°53' East 45.02 feet to a point on the East line of Tully Road, said point also being on the south line of a 20.00 foot wide alley in Block 6726 as shown in Bel-Air Subdivision No. 1 according to the official map thereof, filed in the office of the Recorder of Stanislaus County, California, on February 24, 1956, in Volume 18 of Maps, at page 48 and also being the true point of beginning of this description. Thence South 88°53' East along said south alley line and the south line of lot 20 of Block 6726 of said Bel-Air Subdivision No.1, 126.00; thence South 0°48'30" East 100.00 feet to the north line of Bowen Avenue; thence along said north line, North 88°53' West 126.00 feet to the northeast corner of Tully Road and Bowen Avenue; thence North 0°48'30" West along the East line of Tully Road 100.00 feet to the point of beginning.

Including also the east 45.00 feet of Tully Road, and the North 30.00 feet of Bowen Avenue, immediately adjacent to the above described property.

SECTION 3. ZONING MAP. Section 17-3-9 of the Zoning

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



Ordinance 1949 C.S.  
Exhibit A – Map

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

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10th day of June, 1980, 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: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: Elliott

APPROVED *Peppy Mensinger*  
MAYOR PEPPI MENSINGER

ATTEST: *Morrine Coyle*  
MORRINE COYLE, City Clerk

EFFECTIVE DATE: July 10, 1980

ORDINANCE NO. 1950 -C. S.

AN ORDINANCE AMENDING SECTION 5-6.06 OF CHAPTER 6 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO SUBTRUNK SEWER EXTENSION CHARGES.

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

SECTION 1. AMENDMENT OF CODE. Section 5-6.06 of Chapter 6 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-6.06. SUBTRUNK SEWER EXTENSION CHARGE.

(a) Residential and Commercial Areas.

(1) For those territories which are annexed to and made a part of the City of Modesto pursuant to Modesto City Council Resolutions No. 80-191 (South Airport Annexation to the City of Modesto, 80-192 (Butte-Glenn Annexation to the City of Modesto), and 80-194 (North Airport Annexation to the City of Modesto), all of which were adopted on the 4th day of March, 1980, a subtrunk sewer extension charge of One Hundred Fifty and no/100ths (\$150.00) Dollars per gross acre shall be paid to the City for each residential and/or commercial area served, unless said area has previously participated in the cost of construction of a subtrunk sewer.

(2) In all other residential and commercial areas, a subtrunk sewer extension charge of Five Hundred and no/100ths (\$500.00) Dollars per gross acre shall be paid to the City for each residential and/or commercial area served, unless said area has previously participated in the cost of construction of a subtrunk sewer.

(b) Industrial Areas. For industrial areas, the extension of subtrunk sewers will be on an individual basis for areas served since size of these subtrunk sewers is dependent upon specific need.

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 27th day of May, 1980, 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: **Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger**

NOES: Councilmembers: **None**

ABSENT: Councilmembers: **Kullijian**

APPROVED: *Peggy Mensinger*  
PEGGY MENSINGER, Mayor

ATTEST:

By *Norrine Coyle*  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10th day of June, 1980, 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: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
- NOES: Councilmembers: None
- ABSENT: Councilmembers: Elliott

APPROVED *Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST: *Horrine Coyle*  
HORRINE COYLE, City Clerk

EFFECTIVE DATE: July 10, 1980

ORDINANCE NO. 1951 -C. S.

AN ORDINANCE AMENDING SECTION 5-2.102 OF CHAPTER 2 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO MASSAGE REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 5-2.102 of Chapter 2 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-2.102. DEFINITIONS. For the purpose of this chapter the following words and phrases shall have the meanings respectively ascribed to them by this section.

(a) "Applicant": A person who is required to file an application for a permit under this Chapter, including a masseur, masseuse, instructor, trainee, individual owner, managing partner, managing officer of a corporation, or any other operator, manager or employee of a massage establishment or school of massage.

(b) "Baths": The giving or furnishing of Russian, Finnish, Swedish, hot air, vapor, electric cabinet, steam, mineral, sweat, salt, Japanese, sauna, fomentation or electric baths or baths of any kind whatever, excluding ordinary tub baths or showers where an attendant is not required.

(c) "Bona Fide Nonprofit Organization": Any fraternal, charitable, religious, benevolent, or any other nonprofit organization having a regular membership association primarily for mutual, social, mental, political, and civic welfare to which admission is limited to the members and guests and revenue accruing therefrom is to be used exclusively for the purposes of said organization, and which organization or agency is exempt from taxation, under the Internal Revenue Laws of the United States, as a bona fide fraternal, charitable, religious, benevolent, or other nonprofit organization and in which any massage or bath services provided are incidental to its primary operation.

(d) "Bona Fide Sports, Athletic, or Health Club": Any sports, athletic, or health club, having on its premises a minimum of six (6) sports or athletic facilities, such as swimming pool, exercise room, racquetball, handball, or tennis courts, at least three (3) of which facilities are of separate and distinct types, and in which club a maximum of two (2) persons provide massage services, which services are only incidental to the club's primary operation.

(e) "Health Officer": The Health Officer of the City of Modesto or his duly authorized agent.

(f) "Instructor": A person employed by a school of massage for the purpose of teaching and/or demonstrating courses in said school.

(g) "Massage": Any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external parts of a human body with the use of the hands, arms, or other portion of another human body, with or without the aid of any mechanical or electrical apparatus or appliances and with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments or other similar preparations commonly used on the human body. Massage shall also include the giving of any baths as listed under subsection (b) hereof.

(h) "Massage Establishment": Any establishment having a fixed place of business where any person, firm, association, or corporation engages in, or carries on, or permits to be engaged in or carried on any of the activities mentioned in subsection (b) or (g) of this section. Any establishment engaged in or carrying on, or permitting any combination of massage and bath shall also be deemed a massage establishment.

(i) "Masseur or Masseuse": Any person who, for any consideration whatsoever, engages in the practice of massage as herein defined unless otherwise excepted.

(j) "Out Call Massage": The engaging in or carrying on massage for a fee not at a massage establishment or school of massage, but at a location designated by the customer or client, by any permittee or by any other party.

(k) "Person": Any individual, partnership, co-partnership, firm, association, joint stock company, corporation, or combination of the above in whatever form or character.

(l) "School of Massage": Any school or institution of learning which has for its purpose the teaching of the theory, method, profession, or work of massage, which school requires a resident course of study not less than one hundred eighty (180) class hours to be given in not less than three (3) calendar months before the student shall be furnished with a diploma or certificate of graduation from such school or institution of learning following the successful completion of such course of study or learning, and which school has been approved pursuant to Section 29007.5 of the Education Code of the State of California.

(m) "Trainee": A person accepted for enrollment in a course of study leading to a degree or certificate of graduation from a school of massage in the City of Modesto.

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 27th day of May, 1980, by Councilmember Elliott, who moved its adoption and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

APPROVED: *Peggy Mensinger*  
PEGGY MENSINGER 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. 1957-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of June, 1980, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Bright

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: \_\_\_\_\_

July 3, 1980