

ORDINANCE NO. 2051 -C.S.

AN ORDINANCE AMENDING SECTION MAP 26-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (Planning Commission Initiated)

WHEREAS, on May 4, 1981, by Resolution No. 81-106, the Planning Commission initiated proceedings to amend Section 26-3-9 of the Zoning Map to repeal Planned Development Zone, P-D(77), allowing R-3 Zone development which had expired, and to reclassify from Planned Development Zone, P-D(77), to Low Density Residential Zone, R-1, the hereinafter described property, and

WHEREAS, after public hearing held on May 18, 1981, it was found and determined by the Planning Commission that rezoning of the property as initiated by it is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 81-125, adopted on May 18, 1981, the Planning Commission recommended to the Council that an amendment to Section 26-3-9 of the Zoning Map to reclassify the hereinafter described property from Planned Development Zone, P-D(77), to Low Density Residential Zone, R-1, be approved,

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

.SECTION 1. COUNCIL FINDINGS. After a public hearing held on June 23, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, this Council finds and determines that the Planning Commission initiated 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. P-D(77) has been expired for several years and there is no evidence that the owners intend to pursue development under the P-D(77) Zone.
2. At such time as actual development is imminent, the owners will be free to such approval of new and realistic development plans and zoning.

SECTION 2. ZONING CHANGE. Section 26-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(77), to Low Density Residential Zone, R-1 :

A portion of the Southwest Quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in Stanislaus County, California, described as follows:

Beginning at a point on the north line of Yosemite Avenue on the northerly prolongation of the centerline of Beard Avenue, which said point of beginning is located North 0° 33' 30" West 33.00 feet and South 89° 53' 24" East 1,321.00 feet from the South Quarter corner of said Section 26, and proceeding thence from said point of beginning along the said Northerly line of Yosemite Avenue North 89° 53' 24" West 491.00 feet; thence North 0° 33' 30" West 667.00 feet; thence South 89° 53' 24" East 552.57 feet; thence South 27° 27' West 31.16 feet; thence 195.46 feet along the arc of a 400-foot radius curve concave to the East, subtended by a central angle of 27° 59' 50" and having a chord bearing of South 13° 27' 05" West with a chord length of 182.21 feet; thence South 0° 32' 50" East 451.00 feet, more or less, to the point of beginning.

Excepting therefrom all of the southerly 334.00 feet of the above described property.

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

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least two (2) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Bright, 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, Muratore, Patterson, Siefkin,
Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED:


~~RICHARD A. LANG, Acting Mayor~~
RICHARD A. LANG, Acting Mayor


ATTEST:


NORRINE COYLE, City Clerk

(SEAL)

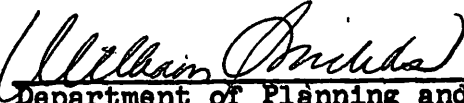
APPROVED AS TO FORM:

By


ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By


Department of Planning and
Community Development

Ordinance 1951 C.S.
Exhibit A – Map

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

Ord. No. 2051-C.S.

FINAL ADOPTION CLAUSE


The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, Councilmember Muratore 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:

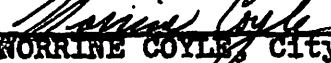
AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

APPROVED


ACTING MAYOR RICHARD A. LANG

ATTEST: 
MORRINE COYLE, City Clerk

EFFECTIVE DATE: August 6, 1981

ORDINANCE NO. 2052 -C.S..

AN ORDINANCE AMENDING SECTION MAP 13-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (Planning Commission Initiated)

WHEREAS, on May 4, 1981, by Resolution No. 81-106, the Planning Commission initiated proceedings to amend Section 13-3-8 of the Zoning Map to repeal Planned Development Zone, P-D(112), allowing a four-plex development which had expired, and to reclassify from Planned Development Zone, P-D(112) to Low Density Residential Zone, R-1, the hereinafter described property, and

WHEREAS, after public hearing held on May 18, 1981, it was found and determined by the Planning Commission that rezoning of the property as initiated by it is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 81-127, adopted on May 18, 1981, the Planning Commission recommended to the Council that an amendment to Section 13-3-8 of the Zoning Map to reclassify the hereinafter described property from Planned Development Zone, P-D(112) to Low Density Residential Zone, R-1, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on June 23, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, this Council finds and determines that the Planning Commission initiated 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. P-D(112) has been expired for several years and there is no evidence that the owners intend to pursue development under the P-D(112) Zone.
2. The revised Chrysler 99 Zoning and Development Policy designates this property as R-2 density P-D for the same density development as allowed in P-D(112) and the owner can seek a new and more realistic P-D zone when actual development is imminent.

SECTION 2. ZONING CHANGE. Section 13-3-8 of the Zoning

Map is hereby amended to reclassify the following described property

from Planned Development Zone, P-D(112),

to Low Density Residential Zone, R-1 :

The west 528 feet of the most northerly 475 feet of the following described parcel. Parcel A of the Parcel Map filed June 2, 1966, in Volume 1 of Parcel Maps, at page 153 and being a portion of the Northeast Quarter of Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian.

Including also the easterly 20 feet of Conant Avenue and the southerly 20 feet of Rumble Road immediately adjacent to the said west 528 feet of the most northerly 475 feet of said Parcel A.

SECTION 3. ZONING MAP. Section 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.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, Councilmember Muratore 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, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

APPROVED


ACTING MAYOR RICHARD A. LANG

ATTEST:


NORRINE COYLE, City Clerk

EFFECTIVE DATE: August 6, 1981

Ordinance 1952 C.S.
Exhibit A – Map

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

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

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

SECTION 1. ZONING CHANGE. Section 10-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (305) :

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

BEGINNING at the intersection of the centerline of Montevue Drive with the centerline of Bywood Lane, as shown on map of Sylvan Meadows East No. 6, filed for record in Volume 28 of Maps at Page 32, Stanislaus County Records; thence North 0°48' West, along said centerline of Montevue Drive, a distance of 930.61 feet to the intersection with the centerline of Fernview Drive; thence North 66°19'22" West 40.00 feet to the Northeast corner of Lot 6, Block 12587 in said Sylvan Meadows East No. 6; thence North 55°37'41" West, along the northeasterly line of said Lot 6, a distance of 34.98 feet; thence South 89°12' West along the northerly line of said Lot 6 and the westerly extension thereof, a distance of 125.00 feet, to the centerline of Coffee Road; thence South 0°48' East, along said centerline of Coffee Road a distance of 1032.00 feet; thence North 89°12' East, along the South line of Lot 14, Block 12574, in said Sylvan Meadows East No. 6 and the westerly extension thereof, a distance of 145.00 feet thence continuing along said south line North 31°18'08" East, 38.87 feet to the West line of Montevue Drive; thence North 36°41'06" East 40.00 feet to the point of beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(305) 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.

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

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least two (2) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Bright, was upon roll call carried and ordered printed

Ordinance 1953 C.S.
Exhibit A – Map

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

Ord. No. 2053-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, Councilmember Muratore 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, Muratore, Siefkin, Acting Mayor Lang


NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

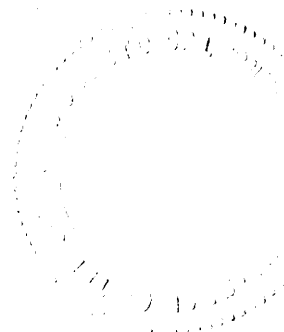
APPROVED


ACTING MAYOR RICHARD A. LANG

ATTEST:


NORRINE COYLE, City Clerk

EFFECTIVE DATE: August 6, 1981



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

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

SECTION 1. ZONING CHANGE. Section 19-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Light Industrial Zone, M-1, to Planned-Development Zone, P-D (304):

Parcels 1 and 2 as shown on the map filed in Volume 30 of Parcel Maps at page 136, Stanislaus County Records, lying in the southwest quarter of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, Modesto, California.

Including also all of the southerly 30 feet of Blue Gum Avenue and the easterly 50 feet of Carpenter Road immediately adjacent to the above described property.

SECTION 2. USES. The following uses shall be permitted in said P-D(304) 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.

Office condominiums allowing all M-1 Zone uses, a bank or other financial institution, offstreet parking as shown on the approved plans.

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

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least two (2) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, 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: Bright, Elliott, Muratore, Patterson, Siefkin,
Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED:


~~REGINALD MENSINGER, Mayor~~
RICHARD A. LANG, Acting Mayor

ATTEST:

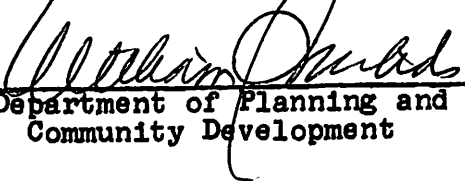

NORRINE COYLE, City Clerk

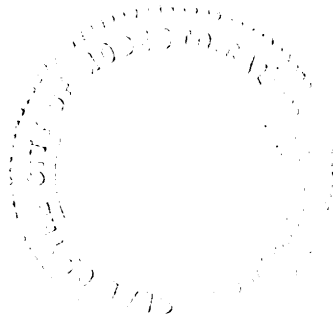
(SEAL)

APPROVED AS TO FORM:

By 
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By 
Department of Planning and
Community Development



Ordinance 1954 C.S.
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, Councilmember Muratore 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; Muratore, Siefkin, Acting Mayor Lang

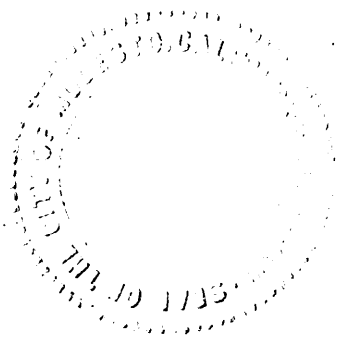
NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

APPROVED *Richard A. Lang*
ACTING MAYOR RICHARD A. LANG

ATTEST: *Morrine Coyle*
MORRINE COYLE, City Clerk

EFFECTIVE DATE: August 6, 1981



AN ORDINANCE AMENDING SECTION MAP 23-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (G. O. ENTERPRISES)

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 Neighborhood Commercial, C-1, to Planned-Development Zone, P-D (306) :

All that certain real property situate in a portion of the Southwest quarter 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:

All of Block 1405 of SCENIC VILLAGE UNIT NO. 1, as per Map filed August 19, 1964, in Volume 20 of Maps, page 82, Stanislaus County Records.

Including all of Parcel A as shown on the parcel map filed in Book 5 of Parcel Maps at page 64 in the Office of the Recorder of Stanislaus County, California, on May 1, 1968.

Also including the south one-half of Surrey Avenue, the east one-half of Oakdale Road, the 30.00 foot wide north-south alley bordering the eastern boundary of the property requested for rezoning, and the 31.77 foot wide Modesto Irrigation District easement all immediately adjacent to the above described property.

EXCEPTING THEREFROM that portion described as follows:
COMMENCING at the northeast corner of said Block 1405; thence along the North line of said Block 1405 a distance of 245.04 feet to the true point of beginning of this description; thence continuing West along said North line, 119.80 feet; thence along a curve concave to the Southeast having a radius of 15.00 feet, through a central angle of 90° 45' 00" a curve distance of 23.76 feet to a point on the West line of said Block 1405; thence South along said West line, 119.80 feet; thence East, parallel to the North line of said Block 1405, a distance of 135 feet; thence North parallel to the West line of said Block 1405 a distance of 135 feet to the true point of beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(306) 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. C-1 uses
2. Two restaurants, each with a separate cocktail lounge serving alcoholic beverages with or without meals.

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 two (2) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Bright, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and ordered printed

and published by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin,
Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED:

Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By *Erwin L. Johnson*
ERWIN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By *William Orndorff*
Department of Planning and
Community Development

Ordinance 1955 C.S.
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 7th day of July, 1981, Councilmember Muratore 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, Muratore, Siefkin, Acting Mayor Lang
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: Patterson, Mayor Mensinger

APPROVED *Richard A. Lang*
ACTING MAYOR RICHARD A. LANG

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: August 6, 1981

ORDINANCE NO. 2056 -C.S.

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF
MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1982,
AND PROVIDING FOR CERTAIN TRANSFERS OF FUNDS.

WHEREAS, pursuant to the Charter of the City of Modesto, a proposed budget for the 1981 - 82 fiscal year has been submitted to the City Council by the City Manager, and the City Council has made such revisions as it has deemed advisable, and

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

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

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

SECTION 1. That the "City of Modesto Preliminary Budget 1981 - 82", presented by the City Manager to the City Council at its meeting held May 5, 1981, and as thereafter amended by the City Council, a copy of which budget, as amended, is on file in the office of the City Clerk, is hereby adopted as the budget for the City of Modesto for the fiscal year ending June 30, 1982, and the several amounts stated therein as proposed expenditures are hereby appropriated for the various objects therein described.

SECTION 2. That funds of the City of Modesto encumbered on June 30, 1981, are hereby appropriated for the purposes for which they are encumbered and shall be a part of the budget for the fiscal year 1981-1982 adopted hereby.

SECTION 3. That Capital Projects carried over from fiscal year 1980-81 are hereby re-appropriated as a part of the budget for the fiscal year 1981-82 adopted hereby. The amount of said appropriations will equal the Reserve for Appropriated Carryover Projects established in the General Ledger Accounts of the City of Modesto for all funds as of June 30, 1981.

SECTION 4. That the City Council is authorized by resolution to transfer funds from one department to another department and to transfer and authorize the expenditure of funds from the Reserved Fund Balances for specific purposes.

SECTION 5. That the City Manager is authorized to transfer funds within departmental budgets between the following classifications, to wit: Employee Services, Professional and Contractual Services, Materials and Supplies, other operating expenses and Capital Appropriations; and to transfer appropriations for capital items budgeted within the same capital fund.

SECTION 6. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect upon adoption.

SECTION 7. This ordinance shall be published in full at least once in the Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of June, 1981, by Councilmember Muratore, who moved its adoption and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Patterson, Siefkin,
Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED: Richard A. Lang
RICHARD A. LANG, Acting 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 MAP 10-3-9 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 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(211), to Planned-Development Zone, P-D (308) :

All that certain real property situate in a portion of the Southeast 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:

BEGINNING at the East Quarter corner of said Section 10, said point being the centerline intersection of Sylvan Avenue with Oakdale Road; thence South $0^{\circ} 10' 55''$ West along the East line of said Section 10, and said centerline of Oakdale Road, a distance of 752.66 feet; thence North $89^{\circ} 49' 05''$ West, 723.45 feet; thence North $18^{\circ} 36' 35''$ West, 7.44 feet; thence Northeasterly along an arc of a tangent curve to the right, having a radius of 400.00 feet, through a central angle of $46^{\circ} 32' 00''$, an arc distance of 324.86 feet to a point of compound curvature; thence Northwesterly along an arc of a compound curve to the left, having a radius of 300.00 feet, through a central angle of $27^{\circ} 12' 10''$, an arc distance of 142.43 feet; thence tangent to the preceding curve North $0^{\circ} 43' 15''$ East, 300.00 feet to the intersection with the East-West Quarter Section Line of said Section 10 and said centerline of Sylvan Avenue; thence South $89^{\circ} 16' 45''$ East along said East-West Line and said centerline of Sylvan Avenue a distance of 663.93 feet to the Point of Beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(308) 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 neighborhood shopping center limited to C-1 zone uses.

Offstreet parking as shown on the approved plan.

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

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least two (2) 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 7th day of July, 1981, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed

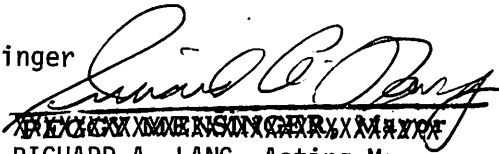
and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

APPROVED:


~~LEWYN E. JOHNSON, City Attorney~~
RICHARD A. LANG, Acting Mayor

ATTEST:


NORRINE COYLE, City Clerk

(SEAL)

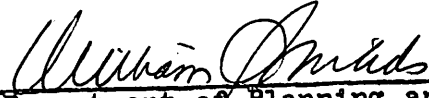
APPROVED AS TO FORM:

By


LEWYN E. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By


Department of Planning and
Community Development

Ordinance 1957 C.S.
Exhibit A – Map

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

Ord. No. 2057-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 14th day of July, 1981, 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, Lang, Muratore, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: Patterson

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: August 13, 1981

AN ORDINANCE AMENDING SECTION MAP 10-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (Planning Commission Initiated)

WHEREAS, on May 4, 1981, by Resolution No. 81-106, the Planning Commission initiated proceedings to amend Section 10-3-9 of the Zoning Map to repeal Planned Development Zone, P-D(150), allowing a Neighborhood Shopping Center and Professional Office, and to reclassify from Planned Development Zone, P-D(150) to Low Density Residential Zone, R-1, the hereinafter described property, and

WHEREAS, after public hearing held on June 1, 1981, it was found and determined by the Planning Commission that rezoning of the property as initiated by it is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 81-140, adopted on June 1, 1981, the Planning Commission recommended to the Council that an amendment to Section 10-3-9 of the Zoning Map to reclassify the hereinafter described property from Planned Development Zone, P-D(150) to Low Density Residential Zone, R-1, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on July 7, 1981, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, this Council finds and determines that the Planning Commission initiated 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. P-D(150) did not develop within the extended time limits of the revised development schedule.
2. Section 10-2.2709(c) of the Modesto Municipal Code calls for repeal or modification of expired P-D Zones.

3. The City's commercial zoning and development policy calls for allowing another major street corner property the exclusive opportunity to develop a shopping center when the approved shopping center expires.

SECTION 2. ZONING CHANGE. Section 10-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(150) to Low Density Residential Zone, R-1:

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, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the East quarter corner of said Section 10, said corner being the centerline intersection of Oakdale Road with Sylvan Avenue; thence South 89° 26' 00" West, along the East-West quarter section line of said Section 10, and the centerline of Sylvan Avenue, a distance of 663.84 feet to a point which is 10.00 feet westerly of the North-South quarter quarter quarter line of said Section 10; thence North 0° 53' 25" West, parallel with and 10.00 feet westerly measured at right angles from said North-South quarter quarter quarter line, a distance of 730.33 feet; thence North 89° 23' 40" East, 663.86 feet to a point on the East line of said Section 10; thence South 0° 53' 20" East, along said East line of Section 10, and the centerline of Oakdale Road, a distance of 730.78 feet to the point of beginning.

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 two (2) 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 7th day of July, 1981, 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, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

APPROVED:


~~BECKY MENSINGER, Mayor~~
RICHARD A. LANG, Acting Mayor

ATTEST:


~~NORRINE COYLE, City Clerk~~

(SEAL)

APPROVED AS TO FORM:

By


~~ELWYN L. JOHNSON, City Attorney~~

APPROVED AS TO DESCRIPTION:

By


Department of Planning and
Community Development

Ordinance 1958 C.S.

Exhibit A – Map

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

Ord. No. 2058-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 14th day of July, 1981, 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, Lang, Muratore, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: Patterson

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: August 13, 1981

AN ORDINANCE AMENDING SECTION MAP 28-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (BLAKE HASTON)

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

SECTION 1. ZONING CHANGE. Section 28-3-9 of the Zoning
Map is hereby amended to reclassify the following described property
from Medium High Density Residential Zone, R-3 to
Planned-Development Zone, P-D (309) :

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

Lots 8 and 9 in Block 120 of the City of Modesto, including also all of
the Northeast one-half of the alley in said Block 120 and the Southwest
one-half of 16th Street immediately adjacent to the above described
property.

SECTION 2. USES. The following uses shall be permitted in said P-D(309) 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 two-story business/professional office building and parking area.

SECTION 3. ZONING MAP. Section Map 28-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least two (2) 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 7th day of July, 1981, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Bright, was upon roll call carried and ordered printed

Ordinance 1959 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 14th day of July, 1981, 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, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: August 13, 1981

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2004-C.S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 22-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON." (OAKWOOD BUILDERS - OFFICE CONDO CONVERSION)

WHEREAS, the City Council, by Ordinance No. 2004-C.S. which was introduced on December 9, 1980, finally adopted on December 16, 1980, and which became effective on January 15, 1981, amended Section 22-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(287), property located at the southwest corner of Oakdale Road and Orangeburg Avenue, and

WHEREAS, City Council Resolution No. 80-1255 which was adopted on December 9, 1980, approved the development plan for P-D(287) and contains the conditions of approval thereof, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(287) was filed by Oakwood Builders on April 24, 1981, to allow the already approved office complex to be developed as office condominiums, and

WHEREAS, said application was set for a public hearing before the Planning Commission on June 1, 1981, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 81-137, found and determined that an amendment to P-D(287), to allow the approved office complex to be developed as office condominiums, is required by public necessity, convenience, and general welfare for the following reason:

The proposed P-D(287) amendment will allow the very same development complex except that the offices can be sold as condominiums,

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 4:00 o'clock p.m. on July 7, 1981,

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

SECTION 1. COUNCIL FINDINGS. After hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to P-D(287) to allow the approved office complex to be developed as office condominiums is required by public necessity, convenience, and general welfare for the reason set forth in Planning Commission Resolution No. 81-137 and quoted above,

SECTION 2. AMENDMENT OF ORDINANCE NO. 2004-C.S. Section 2 of Ordinance No. 2004-C.S. is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D(287) 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, professional office condominiums, and financial institution."

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 two (2) 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 7th day of July, 1981, by Councilmember Bright, 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, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None


ABSENT: Councilmembers: Patterson, Mayor Mensinger

APPROVED:


~~XXXXXXXXXXXXXXXXXXXX~~

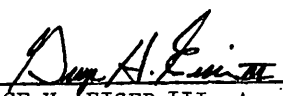
RICHARD A. LANG, Acting Mayor

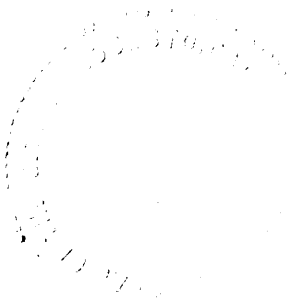
ATTEST:


NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
GEORGE H. EISER III, Assistant City Attorney



Ord. No. 2060-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 14th day of July, 1981, 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, Lang, Muratore, Siefkin,
Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: August 13, 1981

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

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

SECTION 1. ZONING CHANGE. Section 21-3-9 of the Zoning

Map is hereby amended to reclassify the following described property

from Low Density Residential Zone, R-1, and Medium Density Residential

Zone, R-2, to Planned-Development Zone, P-D(307):

R-1 to P-D

All that certain real property situate in a portion of the Southwest quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel B as shown on that certain parcel map filed in the Office of the Recorder of Stanislaus County, California, on May 7, 1974, in Book 19, of Parcel Maps, at Page 10.

Including also all of Lot 6 and the Southern 56.77 feet of Lot 7 of Palmetto Park, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on January 25, 1939, in Volume 11 of Maps, Page 56.

Including also the Eastern one-half of Melrose Avenue; all of Fairmont Avenue; and the Northwestern one-half of Modesto Irrigation District Lateral No. 4 immediately adjacent to the above described property.

R-2 to P-D

All that certain real property situate in a portion of the Southwest quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel A as shown on that certain Parcel Map filed in the Office of the Recorder of Stanislaus County, California, on March 8, 1978, in Book 26, of Parcel Maps, at Page 90.

Including also all of Parcel B shown on that certain Parcel Map filed in the Office of the Recorder of Stanislaus County, California, on March 14, 1973, in Book 16 of Parcel Maps, at Page 52.

Including also the Southern one-half of Corson Avenue immediately adjacent to the above described property.

Including also the Northern 160.00 feet of the Western 132.00 feet of Lot 15 of Fairmont Tract, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on December 27, 1911, in Volume 6 of Maps, Page 12.

SECTION 2. USES. The following uses shall be permitted in said P-D(307) 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 care home, off-street parking as shown on the approved development plan.

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

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least two (2) 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 7th day of July, 1981, by Councilmember Siefkin, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed

**Ordinance 1961 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 14th day of July, 1981, 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, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

APPROVED *Deggy Mensinger*
MAYOR DEGGY MENSINGER

ATTEST: *Morrine Coyle*
MORRINE COYLE, City Clerk

EFFECTIVE DATE: August 13, 1981



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

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

SECTION 1. ZONING CHANGE. Section 12-3-8 of the Zoning

Map is hereby amended to reclassify the following described property
from Medium Density Residential Zone, R-2, to
Planned-Development Zone, P-D (310) :

Lot 1 and Lot 2, Block 13530 Vinewood Subdivision, recorded in Book 28
of Maps, at page 21, Stanislaus County Records, in Section 12, Township
3 South, Range 8 East, Mount Diablo Base and Meridian, located in the
City of Modesto, Stanislaus County, California.

Including also all of Standiford Avenue, the southern 50 feet of Modesto
Irrigation Lateral No. 7, the northern 55 feet of the Hetch Hetchy right-
of-way, and the western 20 feet of Conant Avenue immediately adjacent to
the above described property.

SECTION 2. USES. The following uses shall be permitted in said P-D(310) 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

Off-street parking as shown on the approved plans

SECTION 3. ZONING MAP. Section Map 12-3-8 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least two (2) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1981, by Councilmember Muratore, 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: Patterson

APPROVED:

Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

Elwyn V. Johnson
ELWYN V. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By

William O'Quinn
Department of Planning and
Community Development

Ordinance 1962 C.S.
Exhibit A – Map

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

Ord. No. 2062-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, 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, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: August 20, 1981

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1563-C.S., AS PREVIOUSLY AMENDED BY ORDINANCE NO. 1915-C.S., TO REVISE THE USES PERMITTED IN PLANNED DEVELOPMENT ZONE, P-D(148). (WEST CAMPUS BUSINESS CENTER - CONDOMINIUMS)

WHEREAS, the City Council, by Ordinance No. 1563-C.S., which was introduced on November 22, 1976, finally adopted on December 6, 1976, and which became effective on January 5, 1977, amended Section Map 24-3-8 of the Zoning Map to rezone to Planned Development Zone, P-D(148) property located on the south side of Blue Gum Avenue and on the West Side of Carpenter Road for a neighborhood shopping center, a business park, and a motel-restaurant-office complex, and

WHEREAS, City Council Resolution No. 76-1263, which was adopted on November 22, 1976, approved a development plan for P-D(148) and contained the conditions of approval thereof, and

WHEREAS, a verified application for an amendment to P-D(148) was filed by David Hanna and T. A. Saletta on October 3, 1979, to revise the previously approved site plan, change the mixture of permitted uses, and revise the timing for start of construction, and

WHEREAS, City Council Resolution No. 80-102 amended Sections 2 and 3 of Resolution No. 76-1263, revising the previously approved site plan, changing the mixture of permitted uses, and revising the timing for start of construction for P-D(148) and

WHEREAS, Ordinance No. 1915-C.S., which was introduced on February 5, 1980, finally adopted on February 19, 1980, and which became effective on March 20, 1980, amended Section 2 of Ordinance No. 1563-C.S. relating to permitted uses, and

WHEREAS, a verified application for a further amendment to

P-D(148) was filed by West Campus Business Center on May 8, 1981, to permit condominiums in P-D(148), and

WHEREAS, a public hearing was held by the Planning Commission on June 15, 1981, 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 the Planning Commission, by its Resolution No. 81-161, found and determined that an amendment to P-D(148), to allow condominiums is required by public necessity, convenience, and general welfare for the following reason:

The amendment is for a change in the form of ownership only and does not change the approved site plan or P-D conditions,

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 p.m. on July 14, 1981,

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

SECTION 1. COUNCIL FINDINGS. After hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to P-D(148) to allow condominiums is required by public necessity, convenience, and general welfare for the reason set forth in Planning Commission Resolution No. 81-161 and quoted above.

SECTION 2. AMENDMENT OF ORDINANCE NO. 1563-C.S. Section 2 of Ordinance No. 1563-C.S., as previously amended by Ordinance No. 1915-C.S., is hereby further amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D(148) 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.

An industrial business park with uses as permitted in the M-1 Zone with the exception of the following: brewery, food products manufacturing, storage and processing; hatchery and sale of poultry; and animal shelter.

It is intended that any commercial uses shall be incidental only to an industrial or office use for those buildings labeled "A" and "B" on the plot plan. Commercial uses can, however, be the primary use for those buildings labeled "C" on the plot plan.

Condominiums are permitted for any of the above uses."

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 two (2) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1981, 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: Patterson

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, 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, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: None

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: August 20, 1981

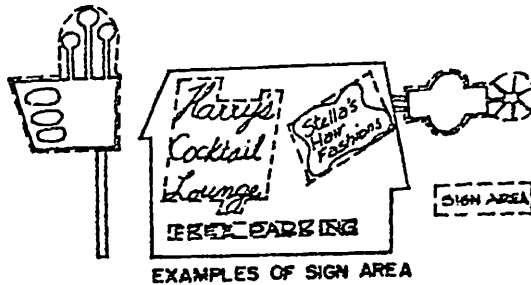
AN ORDINANCE AMENDING SECTION 10-2.3502, 10-2.3507 AND 10-2.3509 OF ARTICLE 35 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE RELATING TO SIGN REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Sections 10-2.3502, 10-2.3507 and 10-2.3509 of Article 35 of Chapter 2 of Title X of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 10-2.3502. DEFINITIONS. For the purpose of these sign regulations the following words and phrases shall have the meanings respectively ascribed to them by this section.

(a) "Area of a Sign" shall mean the entire area within a single continuous perimeter enclosing the extreme limits of all elements such as boards or frames, perforated or solid backgrounds, ornamental embellishments, writings, representations, emblems or any figures or similar characters, including any spires, masts, shafts or similar projections, but excluding the necessary supports or uprights on which such sign is placed.



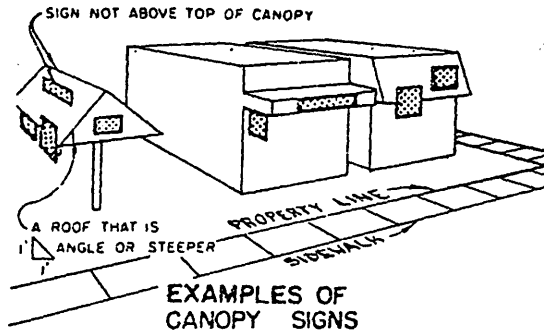
EXAMPLES OF SIGN AREA

Where a sign has two (2) or more faces, the area of all faces shall be included in determining the area of the sign, except where two (2) such faces are placed back to back and are at no point more than two (2') feet from one another, the area of the sign shall be taken as the area of one face if the two (2) faces are of equal area, or as the area of the larger face if the two (2) faces are of unequal area.

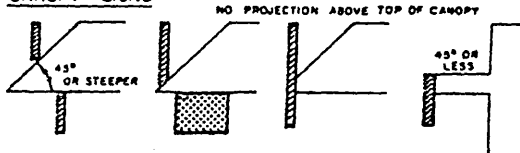
(b) "Bench Sign" shall mean a City franchised bus bench located outdoors with advertising matter thereon.

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

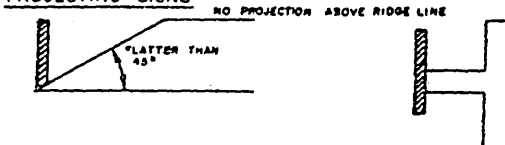
(d) "Canopy" shall mean a roof of a building or a fixed overhead shelter used as a roof, which may or may not be attached to a building and which does not encroach into nor overhang a public street or alley right-of-way.



CANOPY SIGNS



PROJECTING SIGNS



MARQUEE SIGNS

ANY OF THE ABOVE SIGNS THAT OVERHANG A PUBLIC STREET OR ALLEY IN PART OR IN TOTAL

SIGNS ON CANOPIES, ROOFS, MARQUEES

(e) "Canopy Sign" shall mean a sign attached to or hung from a canopy but not projecting from the face of the canopy. A canopy sign shall be parallel to the face of a canopy except for a sign hung under a canopy. If the canopy has a roof slope flatter than forty-five (45°) degrees (one (1) horizontal to one (1) vertical), no sign shall project above the face of the canopy. If the canopy has a slope of forty-five (45°) degrees or steeper, a canopy sign shall not project above the highest point of the canopy roof behind the sign.

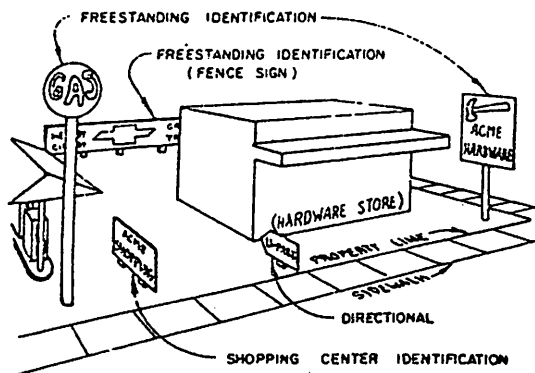
(f) "Construction Sign" shall mean a sign with the names of the architects, engineers, contractors, subcontractors and financing agencies of buildings and structures being constructed upon the premises on which the sign is located.

(g) "Corporate Flag" shall mean a flag identifying a business or firm.

(h) "Directional Sign" shall mean one of two (2) types of signs. An exterior directional sign shall mean a sign oriented to a street and used to direct and control pedestrian or vehicular traffic and located on the same lot or premises as the use which it is intended to serve. An interior directional sign shall mean a directional, warning, or informational sign not bearing any advertising message readable from any street right-of-way. It shall be located on the same lot or premises as the use which it is intended to serve.

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

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



EXAMPLES OF
FREESTANDING SIGNS

(k) "Garage Sale Sign" shall mean a sign which is used to advertise the sale of used or second-hand goods or merchandise at dwellings and on residentially zoned property; such sales are also commonly known as patio sales, yard sales, etc.

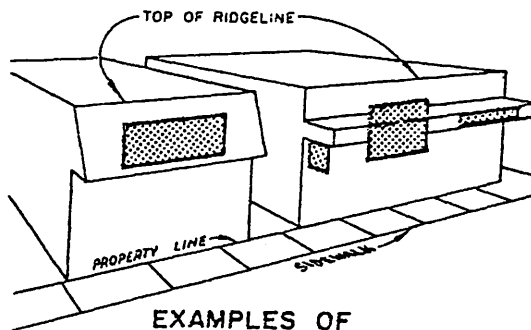
(l) "Height" shall mean the vertical distance from the highest point used in measuring the area of a sign to the top of curb of the street at a point which is closest to the highest point of the sign.

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

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

(o) "Marquee" shall mean a fixed overhead shelter used as a roof, which may or may not be attached to a building, and which projects into or overhangs a public street or alley right-of-way.

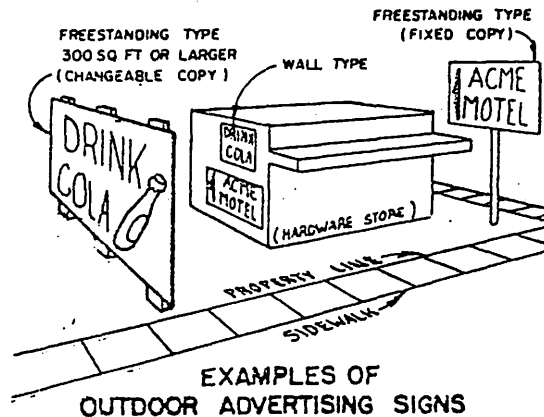
(p) "Marquee Sign" shall mean a sign attached to or hung from a marquee but not projecting from the face of the marquee or above the top of the ridgeline of the building. "Marquee Sign" shall also mean a sign similarly mounted on any other roof structure that overhangs a street or alley right-of-way.



EXAMPLES OF
MARQUEE SIGNS

(q) "Open House Directional Sign" shall mean a sign with the words "Open House" and may include an arrow or other directional symbol and real estate office name.

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



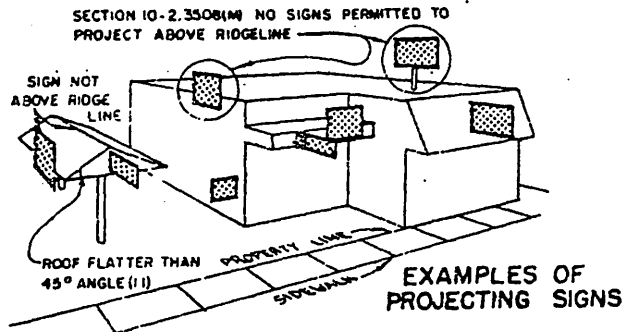
(s) "Political Sign" shall mean any impermanent sign or advertising device or display, with or without letters, words, numbers or figures thereon, which is designed to advertise a candidate for political office, a political party, or a measure scheduled for an election.

(t) "Principal Frontage" shall mean that wall of a building or structure which has frontage on a public street, highway, parking lot, walkway or mall and which is designated by the owner or occupant thereof as the principal frontage of said building or structure for the purposes of Section 10-2.3510(a)(4) of these regulations.

(u) "Projecting Sign" shall mean any of the following:

(1) Any sign attached to and projecting from the face of a wall, canopy, or marquee.

(2) Any sign mounted on a canopy roof or building roof that has a slope flatter than a forty-five (45°) degree angle (one (1) horizontal to one (1) vertical).



(v) "Ridgeline" shall mean the peak of the roof, the top of a parapet, or the top of the wall of a building.

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

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

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

(3) A properly displayed official flag of a government, school, religious group, or non-profit organization.

(4) A memorial plaque, tablet or cornerstone indicating the name of a building and date of construction, when cut or carved into any masonry surface or when made of bronze or other incombustible material and made an integral part of the building or structure, not to exceed four (4) square feet in area.

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

(6) Christmas decorations and Christmas lights, from November 15 to January 15.

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

(y) "Subdivision Directional Sign" shall mean a sign indicating the name of a recorded subdivision and information regarding location. The name of the contractor or subdivider, the name of the owner or agent and/or information regarding price and/or terms may also be noted.

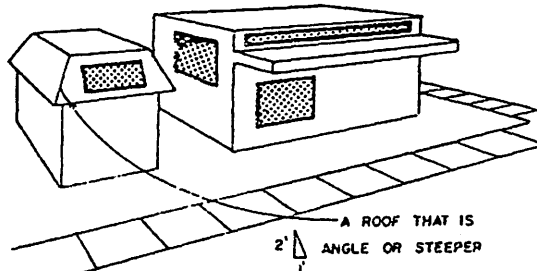
(z) "Temporary Sign" shall mean any banner, pennant, valance, balloon, streamer, placard, "A" frame, sandwich board or similar impermanent sign or advertising device or display with or without letters, words, numbers or figures thereon which directs, promotes service or price, or which is otherwise designed to attract attention, except for the following:

- (1) For Sale or Rent Sign.
- (2) Garage Sale Sign.
- (3) Open House Directional Sign.
- (4) Political Sign.
- (5) Signs for fireworks stands, pumpkin sales, Christmas tree sales lots, and temporary certified farmers' markets.
- (6) Window Sign.
- (7) Corporate Flag.

Paper signs tacked or otherwise fastened to a side of a building or bulletin board or outside a window are temporary signs unless enclosed in a frame with a glass, plexiglass, or equivalent cover. The sign area will be subject to the wall and canopy sign standards.

(aa) "Wall" shall mean any wall or element of a wall or any member or group of members, which defines the exterior boundaries or courts of a building or structure and which has a slope steeper than one (1) horizontal to (2) vertical, with the horizontal plane.

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



EXAMPLES OF
WALL SIGNS

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

(ad) "Zone" shall mean one of the various classes of areas into which the City has been divided by this chapter.

SEC. 10-2.3507. NONCONFORMING SIGNS: DEFINITIONS: REMOVAL, ALTERATION OR REPLACEMENT.

(a) For the purpose of this article, a "nonconforming sign" is either:

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

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

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

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

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

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

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

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

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

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

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

Description of Sign	Abatement Schedule
(1) Temporary signs other than those listed in paragraph (2) below:	
(aa) In the City.	By April 1, 1977.
(ab) Annexed to the City.	Three (3) calendar months from date of annexation to the City of Modesto.
(2) Paper signs tacked to side of a building or bulletin board:	
(aa) In the City.	By June 1, 1977.
(ab) Annexed to the City.	Three (3) calendar months from the date of annexation to the City of Modesto.
(3) Rotating, moving, flashing, changing or blinking portions of signs:	
(aa) Separate time and temperature signs.	Excepted, no abatement necessary if sign otherwise conforms.
(ab) Conventional clock.	Excepted, no abatement necessary if sign otherwise conforms.

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

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

(ad) All others:

- | | |
|---------------------------|---|
| (i) In the City. | By June 1, 1977. |
| the City. (ii) Annexed to | Three (3) calendar months from date of annexation to the City of Modesto. |

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

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

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

- | | |
|--|--|
| (aa) Nonconforming as a result of City-initiated rezoning of property within the City. | Ten (10) years from the effective date of the City-initiated rezoning. |
| City. (ab) Other signs in the | By January 1, 1987. |
| (ac) Annexed to the City. | By January 1, 1987, or three (3) years from date of annexation to the City of Modesto, whichever is the longer period of time. |

Description of Sign

Abatement Schedule

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

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

(7) Motor fuel price signs per Section 10-2.3510(a)(15).

By March 1, 1985. For motor fuel signs erected prior to March 1, 1981, not meeting specifications set forth in Section 10-2.3510(a)(15), March 1, 1982.

(8) All signs on nonconforming uses or nonconforming buildings shall conform to the sign regulations of the most restrictive zone in which the nonconforming use or nonconforming building would first be permitted:

(aa) Signs conforming.

When the nonconforming use or nonconforming building is terminated.

(ab) Signs not conforming as of February 28, 1971.

By January 1, 1982.

(ac) Signs not conforming as of March 1, 1977.

By January 1, 1987.

SEC. 10-2.3509. SPECIFIC REQUIREMENTS FOR TYPE, AREA, AND HEIGHT OF SIGNS IN THE R-A, R-1, R-2, R-3 AND P-0 ZONES. It shall be unlawful for any person to erect, construct or maintain on any lot or parcel any sign of a type or having an area and/or height in violation of the following specific requirements:

(a) In the R-A Zone, R-1, R-2 and R-3 Zones, the following signs are permitted, except as otherwise stated:

(1) One (1) unlighted for sale or rent sign per street frontage, not exceeding eight (8) square feet in area and six (6') feet in height.

(2) Three (3) unlighted open house directional signs, each not exceeding three (3) square feet in area and forty-two (42") inches in height, which shall be permitted during daylight hours only, for each house or group of houses offered for sale by the same realtor at

the same general location, provided they do not bear any advertising message other than the real estate office name, and that such signs are located wholly on private property with permission of the property owner on whose property they are located.

(3) One (1) wall mounted name plate not exceeding one (1) square foot in area.

(4) For uses permitted by conditional use permits additional signing as follows:

(aa) One (1) bulletin board or identification sign not exceeding twenty-five (25) square feet in area and six (6') feet in height.

(ab) Canopy and wall identification signs limited to one-half (0.5) square foot in combined sign area for each lineal foot of any wall, and not exceeding thirty-five (35') feet in height. Canopy and wall identification signs may have external illumination only; no internal illumination shall be permitted.

(5) One (1) construction sign not exceeding twenty (20) square feet in area and six (6') feet in height, provided that such sign shall be removed not later than thirty (30) days after construction is completed.

(6) One (1) subdivision sign not exceeding sixty-four (64) square feet in area and ten (10') feet in height for each recorded subdivision provided that such sign shall be removed not later than three (3) years from the recording date of the subdivision, except as follows:

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

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

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

(aa) When the boundaries of any recorded subdivision, or any part thereof abut a major street or expressway, one (1) subdivision directional sign shall be permitted, which sign may be located on any vacant lot or parcel which is owned by the subdivision owner.

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

(i) One (1) such sign may be located on property not owned by the subdivision owner.

(ii) One (1) or both signs may be located only on property owned by the subdivision owner.

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

(i) One (1) such sign may be located on property not owned by the subdivision owner.

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

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

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

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

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

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

(i) The area of each such sign shall not exceed six (6) square feet.

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

(iii) The combined area of all such signs shall not exceed sixty (60) square feet.

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

(i) The area of each such sign shall not exceed thirty-two (32) square feet.

(ii) The overall height of each such sign shall not exceed ten (10') feet.

(iii) The combined area of all such signs shall not exceed one hundred (100) square feet.

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

(ad) Political signs shall be erected no more than sixty (60) days prior to the date of election.

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

(9) Temporary signs are not permitted.

(10) Window signs are not permitted.

(11) Outdoor advertising signs are not permitted.

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

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

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

(13) Interior directional, warning, and informational signs not exceeding six (6) square feet in area and six (6') feet in height.

(14) One (1) exterior directional sign per driveway or pedestrian walkway serving five (5) or more dwelling units as follows:

(aa) Sign copy limited to any or all of the following: street name and address, housing project name and logo, for sale, for rent, for lease.

(ab) Twelve (12) square feet maximum area, external illumination only.

(ac) For a freestanding sign, six (6') feet maximum height; for a wall sign, first story maximum height not to exceed twelve (12') feet.

(b) In the P-0 Zone, the following signs are permitted:

(1) For any uses permitted in the R-3 Zone, except those permitted by conditional use permit, any signs permitted in the R-3 Zone excepting Section 10-2.3509(a)(4).

(2) For any uses permitted by conditional use permit in the R-3 Zone, any signs permitted in the R-3 Zone, including Section 10-2.3509(a)(4).

(3) For uses other than those permitted in the R-3 Zone, the following signs are permitted:

(aa) Any signs permitted in the R-3 Zone except Section 10-2.3509(a)(4).

(ab) For each site one (1) identification sign per street frontage, each sign not exceeding sixteen (16) square feet and eight (8') feet in height.

(ac) Canopy and wall identification signs limited to one-half (0.5) square foot in combined sign area for each lineal foot of any wall, and not exceeding thirty-five (35') feet in height. Canopy and wall identification signs may have external illumination only; no internal illumination shall be permitted.

(ad) One (1) corporate flag per use or occupancy, not exceeding twenty-four (24) square feet in area, dimensions relative to each other shall not exceed a ratio of 2:1. Such flags shall be flown only from a flagstaff or flagpole.

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 two (2) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of July, 1981, by Councilmember Muratore, 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: **Patterson**

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. 2064-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 21st day of July, 1981, 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, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE:

August 20, 1981

ORDINANCE NO. 2065 -C.S.

AN ORDINANCE AMENDING SECTION 3-2.1401.1 OF ARTICLE 14 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO SPEED LIMITS IN THE CITY OF MODESTO.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.1401.1 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

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

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>	<u>DATE SURVEYED</u>
BLUE GUM AVENUE, between Poust and Carpenter Roads	40 miles per hour	July 11, 1980
BOWEN AVENUE, between Tully Road and McHenry Avenue	35 miles per hour	February 10, 1978
BRIGGSMORE AVENUE, westbound between Coffee Road and McHenry Avenue	45 miles per hour	February 2, 1978

BRIGGSMORE AVENUE, (eastbound) between McHenry Avenue and 1,000 feet west of Coffee Road	45 miles per hour	March 21, 1978
BRIGGSMORE AVENUE, (eastbound), between a point 1,000 feet west of Coffee Road and Coffee Road	40 miles per hour	April 20, 1979
BRIGGSMORE AVENUE, between Coffee Road and Rose Avenue	45 miles per hour	April 13, 1979
BRIGGSMORE AVENUE, between Rose Avenue and Oakdale Road	50 miles per hour	April 13, 1979
BRIGGSMORE AVENUE, between Oakdale Road and Claus Road	55 miles per hour	April 13, 1979
BRIGGSMORE AVENUE, (east and westbound) between McHenry Avenue and Tully Road	45 miles per hour	April 28, 1980
BRIGGSMORE AVENUE, between Tully Road and Prescott Road	45 miles per hour	April 28, 1980
BRIGHTON AVENUE, between Locke Road and Coffee Road	35 miles per hour	October 27, 1978
CARPENTER ROAD, between Paradise Road and Maze Boulevard	45 miles per hour	April 13, 1979
CARPENTER ROAD, between Woodland Avenue and Blue Gum Avenue	45 miles per hour	April 13, 1979
CARVER ROAD, between 9th Street and Roseburg Avenue	35 miles per hour	February 3, 1978
CARVER ROAD, between Roseburg Avenue and Brixton Lane within the City limits	35 miles per hour	February 10, 1978

CARVER ROAD, between Brixton Lane and M.I.D. Lateral No. 6 within the City limits	40 miles per hour	August 17, 1977
CELESTE DRIVE, between Coffee Road and Oakdale Road	30 miles per hour	October 5, 1978
COFFEE ROAD, between Scenic Drive and Briggsmore Avenue	40 miles per hour	July 18, 1979
COFFEE ROAD, between Briggsmore Avenue and Floyd Avenue	40 miles per hour	July 18, 1979
COFFEE ROAD, between Floyd Avenue and Sylvan Avenue	40 miles per hour	April 13, 1979
COFFEE ROAD, between Sylvan Avenue and Mable Avenue	40 miles per hour	June 6, 1981
COLLEGE AVENUE, between Princeton Avenue and Bowen Avenue	35 miles per hour	March 16, 1978
COLLEGE AVENUE, between Rumble Road and Bowen Avenue	35 miles per hour	January 19, 1981
CROWS LANDING ROAD, School Avenue to Blankenburg Avenue, within the City of Modesto	35 miles per hour	November 2, 1978
DALE ROAD, between Standiford Avenue and Veneman Avenue	35 miles per hour	April 13, 1979
EICHER AVENUE, between Conant Avenue and Goldie Avenue	30 miles per hour	March 11, 1981
EL VISTA AVENUE, between Yosemite Boulevard and Scenic Drive	35 miles per hour	March 23, 1978
EMERALD AVENUE, between Maze Boulevard and California Avenue within the City limits	35 miles per hour	October 26, 1978
ENCINA AVENUE, between Santa Barbara Avenue and Conejo Avenue	35 miles per hour	November 8, 1978
EVERGREEN AVENUE, between Orangeburg Avenue and Carver Road	35 miles per hour	January 19, 1981

FAIRMONT AVENUE, between Coffee Road and Sunrise Avenue	30 miles per hour	October 5, 1978
FLOYD AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	February 2, 1978
FLOYD AVENUE, between Coffee Road and Oakdale Road	35 miles per hour	October 5, 1978
FRANKLIN STREET, between California Avenue and Maze Boulevard	35 miles per hour	February 2, 1978
GRANGER AVENUE, between Sunrise Avenue and McHenry Avenue	30 miles per hour	October 17, 1978
GRANGER AVENUE, between McHenry Avenue and Tully Road	30 miles per hour	October 17, 1978
KANSAS AVENUE, between Carpenter Road and Emerald Avenue within the City limits	40 miles per hour	July 9, 1981
KANSAS AVENUE, between Emerald Avenue and Eighth Street	35 miles per hour	April 13, 1979
KEARNEY AVENUE, between Coldwell Avenue and Glenwood Drive	30 miles per hour	January 19, 1981
KELLER STREET, between Rumble Road and Sylvan Avenue	30 miles per hour	April 13, 1979
LAKEWOOD AVENUE, between Scenic Drive and Orangeburg Avenue	35 miles per hour	October 26, 1978
LA LOMA AVENUE, between Buena Vista and Yosemite Boulevard	30 miles per hour	March 23, 1978
LINCOLN AVENUE, between Yosemite Boulevard and 650' north of M.I.D. Lateral No. 2	35 miles per hour	June 3, 1980
MABLE AVENUE, between Coffee Road and Oakdale Road	40 miles per hour	February 24, 1981
MILLER AVENUE, between La Loma Avenue and El Vista Avenue	35 miles per hour	February 21, 1978

MITCHELL ROAD, between Finch Road and 1,326' south of Finch Road	50 miles per hour	February 21, 1978
MORRIS AVENUE, between McHenry Avenue and Coffee Road	30 miles per hour	February 21, 1978
MT. VERNON AVENUE, between Carver Road and Prescott Road	35 miles per hour	October 18, 1978
MT. VERNON AVENUE, between College Avenue and Carver Road	30 miles per hour	October 19, 1978
NEECE DRIVE, between Tuolumne Boulevard and Rouse Avenue	35 miles per hour	December 1, 1978
NEEDHAM STREET, between L and 9th Streets	35 miles per hour	November 15, 1978
NORWEGIAN AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	October 24, 1978
OAKDALE ROAD, between Scenic Drive and Briggsmore Avenue	40 miles per hour	July 18, 1979
OAKDALE ROAD, between Briggsmore Avenue and Floyd Avenue	45 miles per hour	April 13, 1979
ORANGEBURG AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	July 21, 1980
ORANGEBURG AVENUE, between Oakdale Road and Lakewood Avenue	35 miles per hour	March 17, 1980
ORANGEBURG AVENUE, between Lakewood Avenue and Claus Road	35 miles per hour	March 17, 1980
ORANGEBURG AVENUE, between Coffee Road and Rose Avenue	35 miles per hour	July 1, 1977
ORANGEBURG AVENUE, between Rose Avenue and Oakdale Road	35 miles per hour	August 30, 1979

ORANGEBURG AVENUE, between Briggsmore Avenue and Martin Avenue	30 miles per hour	July 11, 1980
ORANGEBURG AVENUE, between Martin Avenue and McHenry Avenue	35 miles per hour	July 11, 1980
PARADISE ROAD, between Vernon Avenue and Franklin Street	35 miles per hour	April 13, 1979
PRESCOTT ROAD, between Briggsmore Avenue and Rumble Road	40 miles per hour	July 18, 1979
PRINCETON AVENUE, between College Avenue and Tully Road	25 miles per hour	July 15, 1980
RIVERSIDE DRIVE, between Edge- brook Drive and Yosemite Boulevard	35 miles per hour	January 19, 1981
ROSE AVENUE, between Scenic Drive and Briggsmore Avenue	35 miles per hour	February 17, 1978
ROSE AVENUE, between Briggsmore Avenue and Floyd Avenue	30 miles per hour	March 23, 1978
ROSEBURG AVENUE, between Sunrise Avenue and McHenry Avenue	35 miles per hour	October 24, 1978
ROSEBURG AVENUE, between McHenry Avenue and Tully Road	30 miles per hour	October 24, 1978
ROSEBURG AVENUE, between Tully Road and Carver Road	35 miles per hour	October 25, 1978
RUMBLE ROAD, between Coffee Road and McHenry Avenue within the City limits	35 miles per hour	October 21, 1978
RUMBLE ROAD, between Conant Avenue and Tully Road	30 miles per hour	October 21, 1978
RUMBLE ROAD, between Sisk Road and Conant Avenue	35 miles per hour	March 31, 1977
RUMBLE ROAD, between Tully Road and McHenry Avenue	35 miles per hour	January 19, 1981

SCENIC DRIVE, between Coffee Road and Oakdale Road	40 miles per hour	March 31, 1977
SCENIC DRIVE, Lillian Drive to Claus Road, within the City of Modesto	40 miles per hour	March 9, 1978
SCENIC DRIVE, between Oakdale Road and Lakewood Avenue	45 miles per hour	May 27, 1977
SIERRA DRIVE, between G and South 7th Streets	30 miles per hour	December 1, 1978
SISK ROAD, between Briggsmore Avenue and 600' north of Brenner Way	50 miles per hour	July 1, 1977
SISK ROAD, between 600' north of Brenner Way and Standiford Avenue	40 miles per hour	July 14, 1977
SISK ROAD, between Standiford Avenue and 600' north of Vintage Drive	40 miles per hour	March 6, 1981
STANDIFORD AVENUE, between Dale Road and Veneman Avenue	50 miles per hour	July 14, 1977
STANDIFORD AVENUE, between Veneman Avenue and Carver Road	40 miles per hour	June 30, 1977
STANDIFORD AVENUE, between Carver Road and Tully Road	45 miles per hour	July 19, 1979
STANDIFORD AVENUE, between Tully Road and McHenry Avenue	40 miles per hour	October 20, 1980
SUNRISE AVENUE, between Lucern Avenue and Floyd Avenue	35 miles per hour	October 19, 1978
SURREY AVENUE, between Oakdale Road and Eastridge Drive	25 miles per hour	May 30, 1980

SUTTER AVENUE, between Paradise Avenue and Robertson Road	30 miles per hour	February 17, 1978
SYCAMORE AVENUE, between Griswold Avenue and Orangeburg Avenue	35 miles per hour	October 31, 1978
SYLVAN AVENUE, between McHenry Avenue and Oakdale Road within the City limits	45 miles per hour	October 18, 1978
TOKAY AVENUE, between McHenry Avenue and Bodega Lane	35 miles per hour	March 31, 1977
TULLY ROAD, between Coldwell Avenue and Standiford Avenue	35 miles per hour	March 22, 1978
TULLY ROAD, between Standiford Avenue and M.I.D. Lateral No. 6	45 miles per hour	October 21, 1978
TUOLUMNE BOULEVARD, between 7th Street and Paradise Road	35 miles per hour	February 17, 1978
VENEMAN AVENUE, between Dale Road and Standiford Avenue	40 miles per hour	January 11, 1978
VIRGINIA AVENUE, between Needham Street and Roseburg Avenue	35 miles per hour	October 20, 1978
WHITMORE AVENUE, between Morgan Road and Crows Landing Road within the City limits	45 miles per hour	November 9, 1977
WOODLAND AVENUE, between Morse Avenue and Shasta Avenue, within the City limits	45 miles per hour	April 13, 1979
WOODLAND AVENUE, between Shasta Avenue and Carpenter Road within the City limits	45 miles per hour	February 5, 1980
WOODLAND AVENUE, between 9th Street and Carpenter Road within the City limits	35 miles per hour	December 6, 1977

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 28th day of July, 1981, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the ordinance adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: August 27, 1981

AN ORDINANCE AMENDING SECTION MAP 19-3-10 OF
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (PARKER ROAD RANCHES)

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

SECTION 1. ZONING CHANGE. Section 19-3-10 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 (312) :

R-1 to P-D

ALL that certain real property situate in a portion of the Northwest Quarter of Section 19, Township 3 South, Range 10 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the Northwest corner of Section 19, aforesaid and running thence South 0°44' West, 1322.03 feet along the West line of said Section 19, to the quarter quarter corner; thence South 88°45' East, 1357.35 feet along the quarter quarter Section line to the Southeast corner of the Northwest quarter of the Northwest quarter of said Section 19, being also the Southwest corner of that certain tract of land conveyed to A. T. Terry, by Deed recorded in Volume 813 of Official Records, at page 193; thence North 0°49' East along the West line of said Terry land, 635.00 feet to the true point of beginning of this description; said point of beginning being also the Northwest corner of property conveyed to C. E. Long, et al., by Deed recorded November 30, 1948, Instrument No. 25120; thence South 88°45' East, along the North line of said Long property, 445 feet to the Southwest corner of property conveyed to M. L. Cleveland by Deed recorded May 23, 1956, as Instrument No. 12410; thence North 0°49' East, along the West line of said Cleveland property, 574.56 feet to a point in the South line of a 40 foot County Road known as Parker Road, said point being also the Northwest corner of said Cleveland property; thence North 88°54'30" West along the South line of said Parker Road, 445 feet to the Northwest corner of the above mentioned Terry land; thence South 0°49' West, along the West line of said Terry land, 571.50 feet to the true point of beginning.

Including also all of Parker Road and the Southern 70.00 feet of 140.00 foot wide Modesto Irrigation District Lateral No. 3 immediately adjacent to the above described property.

SECTION 2. USES. The following uses shall be permitted in said P-D(312) 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.

Townhouse condominiums offstreet parking as shown on the approved development plans.

SECTION 3. ZONING MAP. Section Map 19-3-10 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 two (2) 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 August, 1981, by Councilmember Muratore, 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: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

APPROVED:

~~RICHARD A. LANG, Acting Mayor~~
RICHARD A. LANG, Acting Mayor

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

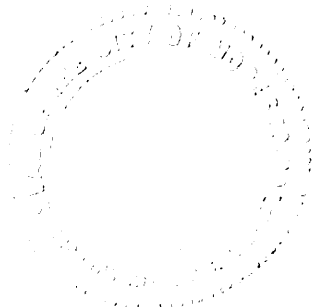
(SEAL)

APPROVED AS TO FORM:

By *Egwyn L. Johnson*
EGWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By *William Smith*
Department of Planning and
Community Development



Ordinance 1966 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 11th day of August, 1981, Councilmember Bright 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, Patterson, Siefkin, Mayor Mensinger

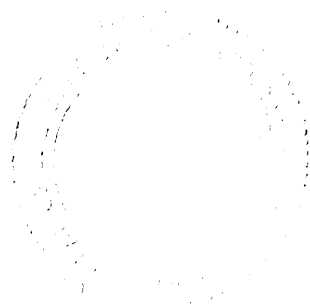
NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: September 10, 1981



AN ORDINANCE AMENDING SECTION MAP 23-3-9 OF
 THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
 CERTAIN PROPERTY LOCATED THEREON. (SONOMA GLEN INVESTMENT
 GROUP - KFIV)

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, to

Planned-Development Zone, P-D (313) :

All that real property situate in the north half of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at the southeast corner of the East 490 feet of the South 504 feet of the West half of Lot 5 of the O. McHenry Ranch as shown in Volume 2 of Maps at Page 7, Stanislaus County Records, said point being on the centerline of present 60 foot wide Orangeburg Avenue; thence North 89°27'15" West on the south line of said East 490 feet of the South 504 feet of the West half of said Lot 5 and the centerline of said Orangeburg Avenue, 490.04 feet to the southwest corner of the East 490 feet of the South 504 feet of the West half of said Lot 5; thence North 0°14'00" West on the west line of the East 490 feet of the South 504 feet of the West half of said Lot 5, a distance of 136.22 feet to the beginning of a curve concave to the north having a radius of 180 feet, a central angle of 97°00'06" and from which point the radius point of said curve bears North 48°11'29" East; thence southeasterly and northeasterly on the arc of said curve 304.74 feet to a point of cusp with a curve concave to the north having a radius of 180 feet a central angle of 101°24'29" and from which point the radius point of said curve bears North 11°57'14" East; thence southeasterly and northeasterly on the arc of said curve 318.58 feet; thence South 89°27'15" East 2.39 feet to the east line of the East 490 feet of the South 504 feet of the West half of said Lot 5; thence South 0°14'00" East on said east line 316.71 feet to the point of beginning of this description.

SECTION 2. USES. The following uses shall be permitted in said P-D(313) 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 one story professional office building offstreet parking as shown on the approved plan.

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 two (2) 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 August, 1981, 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: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson, Mayor Mensinger

APPROVED:


~~RICHARD A. MENSINGER, Mayor~~
RICHARD A. LANG, Acting Mayor

ATTEST:



NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
MELWYN E. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By 
Department of Planning and
Community Development

Ordinance 1967 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 11th day of August, 1987, Councilmember Bright 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, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: September 10, 1987



AN ORDINANCE AMENDING SECTION 10-2.3503 OF CHAPTER 2 OF TITLE 10 OF THE MODESTO MUNICIPAL CODE RELATING TO ZONING REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 10-2.3503 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.3503. ADMINISTRATION. (a) Duty to Enforce. It is the duty of the Chief Building Official to enforce all of the provisions of this article.

(b) Inspection. Every sign prior to erection in the City of Modesto shall be subject to approval by the Chief Building Official to assure compliance with all provisions of this article and all other laws and ordinances of the City.

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

(d) Permits Required. It shall be unlawful for any person to erect, alter, change copy, or relocate within the City any sign as defined in this article without first obtaining a permit from the Chief Building Official and making payment of the fee required in subsection (i) of this section; except that the following listed signs are not required to have permits or pay permit fees, but shall meet all other requirements of this article.

- (1) Construction Sign.
- (2) For Sale or Rent Sign.
- (3) Garage Sale Sign.
- (4) Unlighted Interior Directional, Warning, or Information Sign.
- (5) Name Plate, one (1) square foot maximum size.

(6) Open House Directional Sign.

(7) Political signs permitted by Sections 10-2.3509 or 10-2.3510 of these sign regulations.

(8) Signs for Fireworks Stands, Pumpkin Sales, Christmas Tree Sale lots, and temporary certified farmers' markets.

(9) Subdivision Directional Sign.

(10) Corporate Flag.

(11) Bench Sign.

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

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

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

(3) Name, address and telephone number of the sign contractor, and contractor's state license number.

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

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

(aa) The position of the sign in relation to adjacent buildings or structures.

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

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

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

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

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

(f) Permit Issued If Application In Order. It shall be the duty of the Chief Building Official, upon the filing of an application for a sign permit, to investigate the application, and if it shall appear that the proposed sign is in compliance with all the requirements of this article and all other laws and ordinances of the City, he shall then issue the sign permit. If the work authorized under a sign permit has not been completed within one hundred and twenty (120) days after date of issuance, the permit shall become null and void.

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

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

(i) Permit Fees. Each application for a sign for which a permit is required by this article and each application for a change of copy of an existing sign shall be accompanied by a sign permit fee as established by City Council resolution from time to time. The required fees shall be doubled for any sign erected or painted prior to the securing of a sign permit when a sign permit is required.

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

(k) Unsafe and Unlawful Signs. If the Chief Building Official shall find that any sign regulated herein is unsafe or insecure, or is a menace to the public, or is in a dilapidated, decayed, or neglected state, or has been constructed, erected, or painted or is being maintained in violation of the provisions of this article, he shall give written notice to the permittee or owner thereof. If the

permittee or owner fails to remove or alter the structure or sign so as to comply with the standards herein set forth within ten (10) days after such notice, or within three (3) days for temporary signs, such sign may be removed or altered to comply by the Chief Building Official and any expense incidental thereto shall be paid by the permittee or owner of the property upon which it is located. No permit shall be issued thereafter to any permittee or owner who has not paid the costs so assessed. The Chief Building Official may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice.

(1) Removal of the Copy of Certain Signs. The copy of any sign now or hereafter existing which no longer advertises a bona fide business conducted, or a product available for purchase by the public, shall be taken down, removed, painted over, or covered as approved by the Chief Building Official, by the owner, agent, or person having the beneficial use of the building, structure, or premises upon which such sign may be found. This action shall occur within ten (10) days after written notification from the Chief Building Official. Upon failure to comply with such notice within the time specified in such order, the Chief Building Official is hereby authorized to take down, remove, paint over, or cover such sign or sign copy, or to cause such action to be taken. Any expense incidental thereto shall be paid by the owner of the building or structure to which such sign is attached, or by the owner of said sign.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least two (2) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Patterson, 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: Bright, Elliott, Lang, Muratore, Patterson, 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

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 18th day of August, 1981, 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, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: Elliott

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: September 17, 1981

AN ORDINANCE OF THE CITY OF MODESTO GRANTING
A FRANCHISE TO OPERATE A WATER COMPANY WITHIN
THE CITY TO DEL ESTE WATER COMPANY, A
CORPORATION.

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

SECTION 1. DEFINITIONS. For the purposes of this ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. Provisions of this ordinance shall be construed in accordance with the laws of the State of California.

(a) Franchise Property: All property retained by the Grantee in a street under authority of this franchise.

(b) Freeway: A highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands or in respect to which such owners have only limited or restricted right or easement of access.

(c) Grantee: The person to whom this franchise is granted by the Council, and the lawful successor or assignee thereof, and who or which has filed with the City an acceptance and bond, referred to in Section 10.

(d) Streets: The surface of, and the space above and below any public street, road, highway, freeway, lane, alley, court, sidewalk, parkway, or drive, now or hereafter existing as such within the City.

(e) Total Gross Receipts: Any and all compensation or other consideration in any form whatever received directly or indirectly by Grantee

as a result of conducting a water distribution facility within the City, except, however, advances made by subdividers or other persons for the purpose of installing or extending water distribution facilities.

(f) Person: Any individual, association, co-partnership or corporation.

SECTION 2. FRANCHISE GRANT. A franchise be and the same is hereby granted to DEL ESTE WATER COMPANY, a corporation, to lay, construct, install, operate, alter, repair, replace, reconstruct, maintain and use a system of water pipes and pipelines, mains, tubes, conduits, and all appliances, attachments, facilities and appurtenances for the purpose of distributing water for domestic, commercial, industrial and irrigation purposes, and for any and all purposes, for which water can be used, on, along, in, under, over, and/or across any street within the City of Modesto, State of California, which is located within an area of the City presently being served by Grantee, and such other streets or areas now or hereafter within the City as may be approved by resolution of the City Council, upon the terms and conditions hereinafter set forth.

SECTION 3. DURATION AND EFFECTIVENESS OF GRANT. This franchise shall become effective upon written acceptance thereof filed by the Grantee with the City Clerk provided such written acceptance shall have been filed within thirty (30) days after the ordinance granting the franchise becomes effective unless the time is extended by the Council. The term of this franchise shall be indefinite provided, however, parties hereto shall review and reconsider said franchise at the expiration of ten (10) years from the effective date thereof and at the end of each ten (10) years thereafter as long as the franchise remains in effect.

SECTION 4. MANNER OF WORK. The water pipes, mains, tubes, pipelines, appliances, attachments, facilities and appurtenances to be constructed and operated hereunder, shall (excluding any which may be already installed) be built in a good and workmanlike manner and shall be constructed and located, and shall (including any which may already be installed) be maintained, altered and replaced in conformity with the provisions of this ordinance and all the lawful ordinances, resolution, orders and regulations heretofore or hereafter adopted by the Council in the exercise of its police powers.

SECTION 5. FRANCHISE PAYMENTS.

(a) The Grantee, shall, pay to the City, in lawful money of the United States, the sum of two (2%) percent of the gross annual receipts of the Grantee arising from the use, operation and possession of the franchise within the corporate limits of the City, including monies received from the use, sale, rental or furnishing of water for any and all purposes.

(b) In any year, or portion thereof during which payments under this section amount to less than One Hundred and no/100ths (\$100.00) Dollars, Grantee agrees to pay the City the minimum amount of One Hundred and no/100ths (\$100.00) Dollars.

(c) Grantee agrees to provide fire protection facilities and water for fire protection in accordance with rate schedules prescribed by and on file with the Public Utilities Commission of the State of California, and in accordance with its facilities as they presently exist or as they may exist in the future, provided, however, that Grantee shall be under no obligation to expand its present existing facilities. All facilities installed hereafter within the City shall be installed with main sizes of not less than four (4)

inches in diameter, and with fire hydrants located in accordance with the standards of the Insurance Services Office.

SECTION 6. REMOVAL AND RELOCATION OF FACILITIES. The Grantee shall, at its expense, protect, support, temporarily disconnect, relocate in the same street, alley, or public place, or remove from any street, alley or public place, any franchise property when required by the Director of Public Works by reason of traffic conditions, public safety, street vacation, street construction, change or establishment of street grade, installation of sewers, drains, power lines and tracks or any other type of structures or improvements by governmental agencies when acting in a governmental or proprietary capacity, or any other structures or public improvements; provided, however, that Grantee shall in all such cases have the privileges and be subject to the obligation to abandon franchise property in place, as provided in Section 14.

Grantee shall be under no contractual obligation to relocate within a state freeway any of its facilities maintained in said freeway which was not a freeway at the time such utility facility was originally installed; provided, however, that the City does not assume any obligation to provide for the relocation of Grantee's facilities within any state freeway.

SECTION 7. TIME OF PAYMENT. It shall be the duty of Grantee to file with the City Clerk prior to March 1 of each year during the term of this franchise, the verified statements required in Section 8, and to make the compensation payments specified in Section 5 within the time and in the manner specified therein.

SECTION 8. FILING OF ANNUAL STATEMENT BY GRANTEE.

(a) It shall be the duty of the Grantee to file with the City Clerk

annually, a statement, verified by the oath of the Grantee showing the total gross annual receipts collected or received by the Grantee during the preceding calendar year from the use, sale, rental or furnishing of water within the corporate limits of the City.

(b) Within ten (10) days after the time for the filing of said statement it shall be the duty of the Grantee to pay to the Director of Finance the aggregate sum of said percentage upon the amount of the gross annual receipts arising from the use, operation or possession of this franchise within the corporate limits of the City.

(c) The Grantee shall at all times maintain accurate and complete accounts of all revenue and income arising out of its operations under this franchise. The City shall accept as an accurate representation of the gross revenues of the Grantee derived from sale, use, furnishing, or rental of water for any and all purposes within the corporate limits of the City, the annual certified report of the Grantee to the Public Utilities Commission of the State of California. Grantee shall furnish a copy of said annual certified report to City on or before April 15th of each year. In the event that an audit of Grantee's books and records is made by the Public Utilities Commission or its agents, servants or employees, and said audit should determine that the annual report to said Public Utilities Commission was inaccurate as to the annual gross revenues from the operation of the Grantee under this franchise, said Grantee and the City agree to be bound by the determination of said audit, and the Grantee will pay franchise tax upon the total gross receipts as determined by any audit of the Public Utilities Commission, and if payment in such amount is not made, it may be collected by suit instituted by City.

SECTION 9. FORFEITURE. Any neglect, omission or refusal by the Grantee to file such verified statements or to pay such percentage of its gross annual receipts at the times and in the manner herein-above provided, and the continuance of such neglect, omission or refusal for a period of ten (10) days after written notice thereof to the Grantee, shall ipso facto work a forfeiture of this franchise and of all rights hereunder to the City.

SECTION 10. FAITHFUL PERFORMANCE BOND.

(a) The Grantee shall, concurrently with the filing of an acceptance of award of this franchise, file with the Council, and at all times thereafter maintain in full force and effect for the term of this franchise at its expense, a corporate surety bond, in a company approved by the Director of Finance and in a form satisfactory to the City Attorney, in duplicate, in the amount of Fifteen Thousand and no/100ths (\$15,000.00) Dollars, renewable annually, and conditioned upon the faithful performance of Grantee and that in the event the Grantee shall fail to comply with any one or more of the provisions of this franchise, then there shall be recoverable jointly and severally from the principal and surety of such bond, any damages or loss suffered by the City as a result thereof, including the full amount of any compensation, indemnification, or cost of removal or abandonment of property as prescribed by this ordinance which may be in default, plus a reasonable allowance for attorneys fees and costs, up to the full amount of the bond; said condition to be a continuing obligation for the duration of this franchise and thereafter until the Grantee has liquidated all of its obligations with the City that may have arisen from the acceptance of this franchise by the Grantee or from its exercise of any privilege herein granted. The bond shall provide that thirty (30) days prior written notice of intention not to renew, cancellation or material change be given to the City.

(b) Neither the provisions of this section, any bond accepted by the City pursuant thereto, nor any damages recovered by the City thereunder shall be construed to excuse faithful performance by the Grantee or limit the liability of the Grantee under this franchise or for damages, either to the full amount of the bond or otherwise.

SECTION 11. INDEMNIFICATION OF CITY. Grantee shall indemnify and save harmless the City, its officers, boards, commissions, agents and employees, from and against any and all liabilities, claims, demands, losses, damages and costs, including all costs of defense thereof, arising from, or in any manner connected directly or indirectly with, the operations of grantee under this franchise; and the Grantee shall, at all times during the existence of this franchise, maintain in full force and effect, at its own cost and expense, a comprehensive general liability insurance policy, protecting the City and its officers, boards, commissions, agents and employees against liability for bodily injury, including death, and property damage, occasioned by the operations of Grantee under this franchise, with a combined single limit of one million dollars (\$1,000,000.00). The Grantee shall, concurrently with the filing of an acceptance of award of this franchise, file with the City Clerk a certificate of insurance evidencing the policy in a form satisfactory to the City Attorney. Such policy of insurance, and any certificate evidencing the same, shall contain contractual liability coverage extending the policy to cover the liability assumed by grantee under this franchise, and shall also contain a provision that such policy may not be canceled except after thirty (30) days' notice in writing to be given to the City Clerk.

SECTION 12. INSPECTION OF PROPERTY AND RECORDS. At all reasonable times, the Grantee shall permit any duly authorized representative

of the City to examine all franchise property, together with any appurtenant property of the Grantee situated within the City, and to examine and transcribe any and all maps kept or maintained by the Grantee or under its control which show the location of pipelines and necessary appurtenances of Grantee within the City. The Grantee shall, at all times, make and keep in the City full and complete plans, maps, and records showing the exact location of all equipment installed or in use by Grantee in streets, alleys and public places of the City.

SECTION 13. LOCATION OF FRANCHISE PROPERTIES. Franchise property shall be constructed or installed in the streets within the City only at such locations and in such manner as may be approved by the Director of Public Works acting in the exercise of reasonable discretion. Construction or installation of franchise property in all other public places within the City shall be subject to the approval of and regulation by the Council.

SECTION 14. ABANDONMENT OF FRANCHISE PROPERTY.

(a) In the event that the use of any franchise property is discontinued for any reason for a continuous period of twelve (12) months or that franchise property has been installed in any street without complying with the requirements of this franchise, the Grantee shall promptly remove from the street all such property other than any which the Director of Public Works may permit to be abandoned in place. In the event of any such removal, the Grantee shall promptly restore the street or other area from which such property has been removed to a condition satisfactory to the Director of Public Works.

(b) Franchise property to be abandoned in place shall be abandoned in such manner as the Director of Public Works shall prescribe in his reasonable discretion. Upon permanent abandonment of any franchise property in place,

the Grantee shall submit to the City Clerk an instrument, satisfactory in form to the City Attorney, transferring to the City the ownership of such property.

SECTION 15. RIGHTS RESERVED TO CITY.

(a) There is hereby reserved to the City every right and power which is required to be herein reserved or provided by any ordinance of the City, and the Grantee by its acceptance of this franchise agrees to be bound thereby and to comply with any action or requirement of the City in its exercise of any such right or power, heretofore or hereafter enacted or established.

(b) Neither the granting of this franchise nor any of the provisions contained herein shall be construed to prevent the City from granting any identical, or similar, franchise to any person or corporation other than the Grantee.

(c) If, at any time during the existence of this franchise, City shall exercise its right to acquire the property of Grantee to the extent that such acquisition is authorized or permitted by law, in fixing the price to be paid by the City for the acquisition of Grantee's property, no allowance shall be made for the value of the franchise granted by this ordinance, or for increased value of right of way, if any, resulting therefrom.

SECTION 16. LIMITATIONS ON GRANT.

(a) No privilege or exemption is granted or conferred by this franchise except those specifically prescribed herein.

(b) Any privilege claimed under this franchise by the Grantee in any street shall be subordinate to any prior lawful occupancy of the streets, or other public property.

(c) Time is of the essence of this franchise. The Grantee shall not be relieved of its obligation to comply promptly with any of its provisions by any failure of the City to enforce prompt compliance.

(d) Any right or power in, or duty impressed upon, any officer, employee, department, or board of the City, is subject to transfer by the City to any other officer, employee, department or board of the City.

(e) Grantee is subject to all requirements of the City Charter and all ordinances, rules, regulations, and specifications of the City, heretofore or hereafter enacted or established, including, but not limited to, those concerning street work, street excavations, use, removal and relocation of property within a street, and other street work.

SECTION 17. SURRENDER OF OTHER FRANCHISES. This franchise shall be in lieu of all other franchises, rights or privileges now or heretofore owned by Grantee for the distribution of water for any and all purposes within the limits of the City as they now or may hereafter exist and acceptance of this franchise by Grantee shall be deemed a waiver and abandonment of all other franchises, rights and privileges owned by Grantee for the distribution of water within the limits of the City.

SECTION 18. ENFORCEMENT REMEDIES. If Grantee shall fail or refuse to comply with any of the provisions, conditions, obligations or duties set out in this franchise, City may notify Grantee in writing to perform such obligations or duties. In the event that Grantee shall fail to comply with said notice within thirty (30) days, the City may, at its option, as a separate and alternate remedy, proceed to perform the duties or obligations itself; provided, however, that in cases of emergency, the City may proceed without giving notice to Grantee to perform the duties and obligations. All costs incurred by

the City thereby shall charge against the Grantee. If Grantee fails or refuses to pay the amount of such costs within thirty (30) days from the date that such costs are submitted to the said Grantee in writing, the City may proceed to collect such costs by an action at law.

SECTION 19. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held illegal, invalid, or unconstitutional, such invalidity shall not affect the validity of the ordinance or any of the remaining portions thereof. The invalidity of any portion of this ordinance shall not abate, reduce, or otherwise affect any consideration or other obligation required of the Grantee by this franchise.

SECTION 20. 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 21. PUBLICATION. This ordinance shall be published in full at least once at least two (2) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of August, 1981, by Councilmember Bright, 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, Lang, Muratore, Patterson, 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: 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 18th day of August, 1981, 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, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: September 17, 1981

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

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 Professional Office Zone, P-0, to

Planned-Development Zone, P-D (315) :

P-0 to P-D

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

Parcel B

All of Parcel 2 as shown on the Official Parcel Map filed in the Office of
the Recorder of Stanislaus County, California, on September 16, 1970 in
Volume 9 of Parcel Maps, Page 86.

Including also all of the northern 30.00 feet of Celeste Drive and the
eastern 60.00 feet of Coffee Road immediately adjacent to the above described
property.

SECTION 2. USES. The following uses shall be permitted in said P-D(315) 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.

All P-O Zone permitted uses plus 1 sandwich shop not exceeding 1000 square feet in area.

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

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least two (2) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and ordered printed

and published by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, 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 *Edwyn L. Johnson*
EDWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By *William Smith*
Department of Planning and
Community Development

Ordinance 1970 C.S.

Exhibit A – Map

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

Ord. No. 2070-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 25th day of August, 1981, 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, Patterson, Siefkin, Mayor Mensinger
NOES: Councilmembers: None
ABSENT: Councilmembers: None

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

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

EFFECTIVE DATE: September 24, 1981

AN ORDINANCE AMENDING SECTION MAP 14-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (ARLO AND MARVENE HILKEY)

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 (314) :

Lot 1, Hilkey Subdivision, as recorded in Volume 26
of Maps, page 43, Stanislaus County Records.

Including also all of the northern 30.00 feet of Merle
Avenue located immediately adjacent to the above
described property.

SECTION 2. USES. The following uses shall be permitted in said P-D(314)

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.

Phase I - existing single-family dwelling, out buildings and temporary chain link fencing.

Phase II - 10-unit townhouse apartment complex, offstreet parking, and pool and recreation area.

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 two (2) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981, by Councilmember Lang, 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: Bright, Lang, Muratore, Patterson, 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 *Althea Smith*
Department of Planning and
Community Development

Ordinance 1971 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 25th day of August, 1981, 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, Patterson, Siefkin, Mayor Mensinger
NOES: Councilmembers: None
ABSENT: Councilmembers: None

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

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

EFFECTIVE DATE: September 24, 1981

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1643-C.S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 11-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON (T. M. I. CORPORATION) (CAL ROSSI COMPANY, LTD.)" AS AMENDED BY ORDINANCE 1876-C.S. (R. T. HUGHES)

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 1643- C.S. Section 2 of Ordinance No. 1643- C.S. is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D(166) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code:

1. A department store and other uses permitted in the H-1 Zone.
2. A 208 dwelling unit multiple family residential condominium complex including tennis courts, swimming pools and recreation building.
3. Off-street parking for the above uses."

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 two (2) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of August, 1981,

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, Lang, Muratore, Patterson, 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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 25th day of August, 1981, 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, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED Peggy Mensinger
MAYOR PEGGY MENSINGER

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

EFFECTIVE DATE: September 24, 1981

AN ORDINANCE AMENDING SECTION 5-5.32 OF CHAPTER 5 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO GARBAGE DISPOSAL.

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

SECTION 1. AMENDMENT OF CODE. Section 5-5.32 of Chapter 5 of Title V of the Modesto Municipal Code is hereby amended to add subsection (d) and to read as follows:

SEC. 5-5.32. CHARGES. (a) Charges to customers for garbage service shall be set by the City Council by resolution for a license, or upon acceptance of a bid received for a license. Said charges may be revised by the Council from time to time after the holding of a public hearing thereon.

(b) The basic minimum rate in the schedule of charges adopted by the City Council shall provide for the collection of one (1) standard container of garbage per week per occupied premises by the collector.

(c) Charges for industrial garbage service shall be as negotiated between the collector and the customer and shall not be subject to City review and mediation.

(d) The Council may impose, in addition to the basic charge for garbage service, a separate solid waste recycling program charge. If such a charge is imposed, it shall be added to the charge for garbage service collected by the licensee and transmitted to the City. The method of accounting for the amount of such recycling program charges collected by the licensee and the time and manner of transmitting them to the City shall be as determined by 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 two (2) 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 August, 1981, by Councilmember Lang, who moved its introduction and passage

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 September, 1981, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmembers:** Bright, Patterson, Siefkin, Acting Mayor Lang
- NOES: Councilmembers:** Elliott, Muratore
- ABSENT: Councilmembers:** Mayor Mensinger

APPROVED Richard A. Lang
ACTING MAYOR RICHARD A. LANG

ATTEST: Morrine Coyle
MORRINE COYLE, City Clerk

EFFECTIVE DATE: October 1, 1981

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1091-C.S. TO REVISE THE USES PERMITTED IN PLANNED DEVELOPMENT ZONE, P-D(85). (BRIPAK CORPORATION C/O JAMES PRICE)

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 1091-C.S. Section 2 of Ordinance No. 1091-C.S., is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D(85) 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. 132 residential condominium units.
2. At least 198 off-street parking spaces - at least 132 spaces covered.
3. 2 single bedroom and bath guest units with occupancy limited to guests of residents within the P-D Zone.
4. Accessory buildings and facilities as shown on the 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 two (2) 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 August, 1981, 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: Patterson

ABSENT: Councilmembers: None

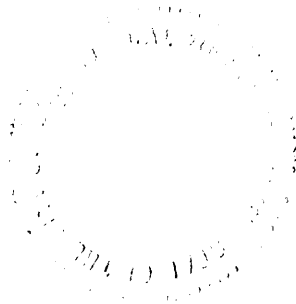
APPROVED: *Peggy Mensinger*
PEGGY MENSINGER, Mayor

ATTEST:

By *Judy C. Hall*
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
JUDY C. HALL, Acting 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 1st day of September, 1981, Councilmember Elliott moved its final adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the ordinance adopted by the following vote:

- AYES:** Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Lang
- NOES:** Councilmembers: Patterson
- ABSENT:** Councilmembers: Mayor Mensinger

APPROVED *Richard A. Lang*
ACTING MAYOR RICHARD A. LANG

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: October 1, 1981

AN ORDINANCE AMENDING SECTION MAP 7-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (HISCHIER NURSERY)

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 reclassify the following described property
from Low Density Residential Zone, R-1, to
Planned-Development Zone, P-D (316) :

All that certain real property situate in a portion of Section 7,
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:

COMMENCING at the centerline intersection of Carver Road and Standiford
Avenue as shown on that certain map entitled "Tully Manor No. 6" filed
in Volume 23 of Maps, at page 55, Stanislaus County Records; thence
South 89°08'00" East along said centerline of Standiford Avenue, a
distance of 922.92 feet to the POINT OF BEGINNING of this description;
thence continuing on said centerline 395.22 feet; thence leaving said
centerline South 1°01'24" East, a distance of 270.15 feet, to the
North line of said Tully Manor No. 6; thence North 89°08'00" West
along said North line of Tully Manor No. 6, a distance of 395.22 feet;
thence leaving said North line of Tully Manor No. 6, North 1°01'24"
West, 270.15 feet to the Point of Beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(316) 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.

Retail nursery and C-1 Zone uses only in the area labeled "shop rental" on the approved plan.

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 two (2) 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 August, 1981, 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

Ordinance 1975 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 September, 1981, Councilmember Bright 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, Muratore, Patterson, Siefkin, Acting Mayor Lang
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: Mayor Mensinger

APPROVED *Richard A. Lang*
ACTING MAYOR RICHARD A. LANG

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: October 1, 1981