

AN ORDINANCE AMENDING SECTIONS 2 AND 4 OF ORDINANCE NO. 261-C.S., ENTITLED "AN ORDINANCE ESTABLISHING BUILDING LINE SETBACKS ALONG CERTAIN STREETS, PROHIBITING THE ERECTION OF BUILDINGS OR STRUCTURES OR THE INSTALLATION OF WELLS, EXCAVATIONS, AND OTHER SUB-SURFACE STRUCTURES THEREIN, PROVIDING FOR THE ENFORCEMENT THEREOF AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF".

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

SECTION 1. AMENDMENT OF ORDINANCE. Section 2 of Ordinance No. 261-C.S. is hereby amended to read as follows:

SECTION 2. NECESSITY FOR ESTABLISHMENT OF MINIMUM BUILDING LINE SETBACKS. The Council declares that the City of Modesto, through the Planning Commission and the Council, has adopted a General Plan and is engaged in developing a streets element, within the City for the purpose of assuring ample transportation facilities, proper relationship of property to thoroughfares, dilution of gases which are the product of combustion in engines; and distances between buildings on opposite sides of streets for the present and future; that the magnitude of the undertaking precludes such plans being completed in their entirety in time to fully guide the rapid development occurring within the City; that the surveys, hearings, map preparation and requirements of law governing such matters necessitate such plans being developed progressively; that to conserve the public interest and to assure the public safety and welfare it is imperative that certain streets and highways within the City be protected against encroachment by permanent physical improvements, the existence of which would make unnecessarily difficult or make impractical the operation, retention, or creation of thoroughfares adequate in alignment, dimensions, and visions clearance, to serve the public needs, safety and welfare; that to deal effectively with the practical problem thus presented, it is necessary to establish certain minimum building line setbacks on certain streets in the City.

SECTION 2. AMENDMENT OF ORDINANCE. Section 4 of Ordinance No. 261-C.S. is hereby amended to read as follows:

SECTION 4. BUILDING LINE SETBACK ON McHENRY AVENUE. A building line setback is hereby established along each side of McHenry Avenue between the south line of the Modesto Irrigation District Lateral No. 3 right-of-way and the north City limits line which building line setback shall be ~~seventy-five (75) feet~~ <sup>seventy-five (75)</sup> feet on each side of the established center line plus any additional setback which may be required as a front yard or side street side yard by the zoning regulations of the City.

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after

thirty (30) days after its final passage and adoption.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of April, 1964, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Allen Grimes  
ALLEN GRIMES, City Attorney


Ord. No. 651-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20th day of April, 1964, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Patton, Shastid

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: May 20, 1964

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN  
 AS THE YOSEMITE LANES ADDITION TO  
 THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by W. W. Russell, Louise Russell, Chet Cummins, Douglas Oil Company of California, Beard Land Improvement Company on February 20, 1964, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the YOSEMITE LANES ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 9th day of March, 1964, set said petition for hearing at the hour of 4:30 o'clock P.M. on the 20th day of April, 1964, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on March 19, 1964, and on March 26, 1964, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest,

either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

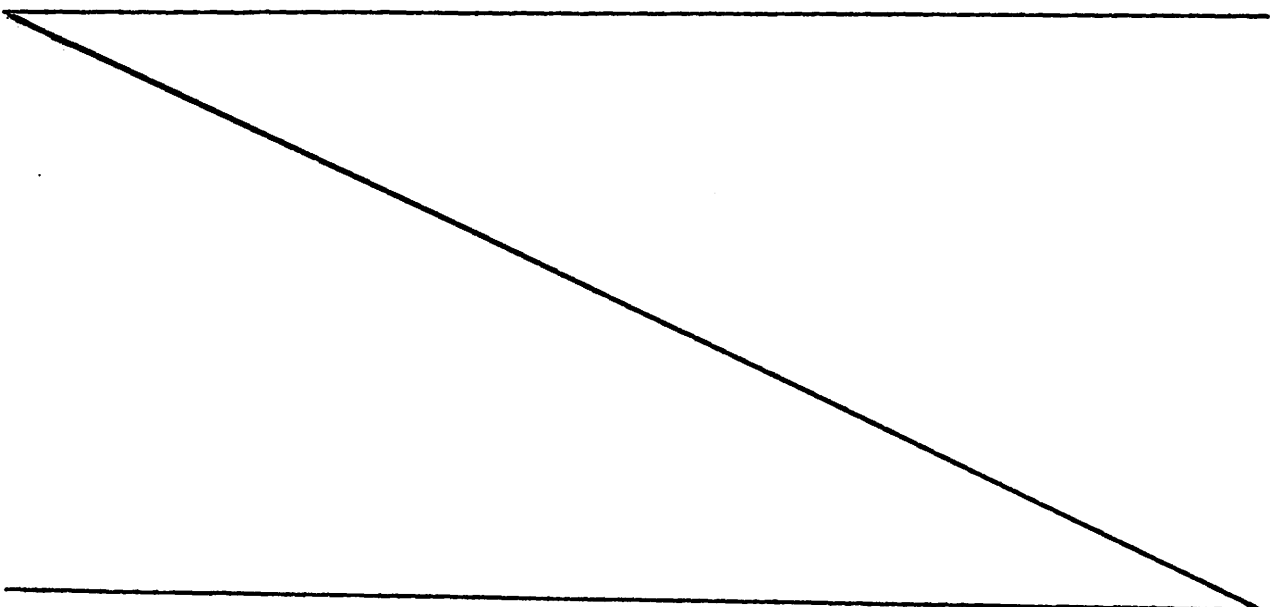
WHEREAS, on the 20th day of April, 1964, at the hour of 4:30 o'clock P.M., in the Council Chambers at the City Hall, 801 - 11th Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

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

SECTION 2. The area or territory so annexed, designated as the YOSEMITE LANES ADDITION, is located in the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:



All that real property in the State of California, County of Stanislaus, Sections 26, 27, 34 and 35, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a corner of the La Loma-Yosemite Addition as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records, said point being on the Northern line of a 20 foot alley in Block 2264 at the Southeastern corner of Lot 1 in Block 2264, as said Block is shown on the map of Alta Vista Tract No. 2, filed in Volume 16 of Maps, at Page 43, Stanislaus County Records; thence along the Easterly extension of the Northern line of the 20 foot alley in Block 2264 and the Northern line of a 20 foot alley in Block 2322, as shown on said Alta Vista Tract No. 2, South  $89^{\circ} 54' 15''$  East, 526.55 feet, to the Southeastern corner of Lot 1 in Block 2322; thence along the Eastern line of said Lot 1 and the Western line of a 20 foot alley, North  $0^{\circ} 35' 55''$  West, 100.00 feet, to the Northeastern corner of said Lot 1 and the Southern Line of Glendale Avenue; thence along the Southern line of Glendale Avenue, South  $89^{\circ} 54' 15''$  East, 125.18 feet; thence on a tangent curve concave to the Southwest, having a radius of 15 feet, a Central Angle of  $89^{\circ} 18' 20''$ , an Arc Length of 23.38 feet; thence South  $0^{\circ} 35' 55''$  East, 85.18 feet, to the intersection of the Westerly extension of the Northern line of a 20 foot alley in Block 2265; thence along said extension and the Northern line of said alley, as shown on the map of Yosemite Villa, as per map filed in Volume 17 of Maps, at Page 1, Stanislaus County Records, South  $89^{\circ} 54' 15''$  East, 656.55 feet, to the Western line of Trask Lane; thence along the Western line of Trask Lane and its Southerly extension across Yosemite Boulevard, South  $0^{\circ} 35' 20''$  East, 301.00 feet, to the Northern line of the Modesto and Empire Traction Company Railroad Right of Way; thence along the Northern line of the Modesto and Empire Traction Company Railroad Right of Way, North  $89^{\circ} 54' 15''$  West, 1323.02 feet, to a point on the existing City Limits as established by the La Loma-Yosemite Addition; thence along the existing City Limits, North  $0^{\circ} 36' 30''$  West, 301.00 feet, to the point of beginning, containing 9.461 Acres, more or less.

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

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

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of April, 1964, by Councilman Mitchell, who moved its adoption and passage to print, which motion being duly seconded by Councilman Hughes, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Shastid

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM BY: Allen Grimes  
ALLEN GRIMES, City Attorney

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of May, 1964, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Patton, Tabbert, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Shastid

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Allen Grimes  
ALLEN GRIMES, City Attorney

Ordinance 653 C.S.  
Exhibit A – Map

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

Ord. No. 653-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 June, 1964, Councilman Tabbert moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Hughes, VanderWall

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 1, 1964

AN ORDINANCE AMENDING SECTION MAP 8 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (KIRKPATRICK)

WHEREAS, a verified application for an amendment to Section 8 of the Zoning Map was filed by John Kirkpatrick on March 24, 1964, to reclassify from One-Family Zone, R-1, to Two-Family Zone, R-2, and from One-Family Zone, R-1, to Multiple-Family Zone, R-3, the hereinafter described properties, and

WHEREAS, after public hearing held on April 21, 1964, it was found and determined by the Planning Commission that rezoning of the properties as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The area is being designed as part of a subdivision with the high density uses backing up to one-family and two-family uses;

2. Access will be by way of a major street, minimizing traffic congestion on adjacent residential streets;

3. This is a large parcel under single ownership, proposed as a unified development in harmony with adjacent low density uses; and

4. The area will permit a desirable transition and variety in housing types in newly developing sections of the community; and

WHEREAS, by Resolution No. 64-39, adopted on April 21, 1964, the Planning Commission recommended to the Council that the application of John Kirkpatrick to amend Section 8 of the Zoning Map to reclassify the hereinafter described properties from One-Family Zone, R-1, to Two-Family Zone, R-2 and from One-Family Zone, R-1, to Multiple-Family Zone, R-3, be approved, and

WHEREAS, after public hearing held on May 18, 1964, the Council found and determined that the requested rezoning is

in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource,

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

SECTION 1. ZONING CHANGE. Section 8 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Two-Family Zone, R-2:

Commencing at the Northwest corner of Lot 35 of Standiford Colony, said corner being on the Southerly line of Standiford Avenue; thence South  $0^{\circ} 54'$  East along the Westerly line of said Lot 35 a distance of 216.95 feet to the point of beginning of this description; thence continuing South  $0^{\circ} 54'$  East along said Westerly line of Lot 35 a distance of 220.99 feet; thence North  $45^{\circ} 58' 03''$  East 69.98 feet; thence North  $53^{\circ} 10' 20''$  East 60.60 feet; thence North  $44^{\circ} 09' 10''$  East 100.00 feet; thence North  $26^{\circ} 44' 55''$  West 91.61 feet; thence South  $82^{\circ} 21'$  West 131.89 feet to the point of beginning.

SECTION 2. ZONING CHANGE. Section 8 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Multiple-Family Zone, R-3:

Beginning at the Northwest corner of Lot 35 of Standiford Colony, said corner being on the Southerly line of Standiford Avenue; thence South  $89^{\circ} 09' 45''$  East along said Southerly line of Standiford Avenue 1223.13 feet to the Northeast corner of Lot 32 of said Standiford Colony; thence South  $0^{\circ} 54' 30''$  East along the Easterly line of said Lot 32 a distance of 160.03 feet; thence North  $89^{\circ} 09' 45''$  West 201.94 feet; thence South  $0^{\circ} 54' 30''$  East 250.20 feet; thence North  $89^{\circ} 05'$  West 266.00 feet; thence North  $22^{\circ} 56' 05''$  West 218.62 feet; thence North  $89^{\circ} 09' 45''$  West 180.00 feet; thence South  $29^{\circ} 10'$  West 182.71 feet; thence North  $67^{\circ} 41'$  West 250.84 feet; thence North  $26^{\circ} 44' 55''$  West 91.61 feet; thence South  $82^{\circ} 21'$  West 131.89 feet to the Westerly line of said Lot 35; thence North  $0^{\circ} 54'$  West along said Westerly line of Lot 35 a distance of 216.95 feet to the point of beginning.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of May, 1964, by Councilman Patton, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Patton, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Shastid

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Allen Grimes  
ALLEN GRIMES, City Attorney

**Ordinance 654 C.S.  
Exhibit A – Map**

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

Ord. No. 654-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 June, 1964, Councilman Patton moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES:	Councilmen:	Mitchell, Patton, Shastid, Tabbert, Mayor Johansen
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Hughes, VanderWall

APPROVED

Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:

Rex E. Gailfus  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 1, 1964

AN ORDINANCE AMENDING SECTION 3-2.1504 OF ARTICLE 15 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO PARKING METERS AND REPEALING SECTION 8 OF ORDINANCE NO. 648-C.S.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.1504 of Article 15 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1504. TIME LIMITS AND RATES OF FEES. It shall be unlawful for any person to cause, allow, permit, or suffer any vehicle registered in his name or operated or controlled by him to be parked in any parking space for more than the time indicated by proper signs placed on such parking meter or zone indicating the maximum parking time allowed in such parking space or any time during which the meter is displaying a signal indicating that the space is illegally in use, except during the time necessary to set the said meter to show legal parking. Each period of overparking for more than the period stated on the time limit sign constitutes a separate offense.

The time limits for the parking of vehicles in parking meter zones are hereby established as follows:

- (a) PM-1 The time limits for legal parking in PM-1 zone shall be those established by the Director based on engineering surveys.
- (b) PM-2 Three (3) hour limit, 9 a.m. to 10 p.m. daily.
- (c) PM-3 No time limit, 9 a.m. to 10 p.m. daily.
- (d) PM-4 No time limit, 7:30 a.m. to 5:00 p.m., Sundays excepted.
- (e) PM-5 No time limit, 9:00 a.m. to 4:30 p.m., Sundays excepted.
- (f) PM-6 Three (3) hour limit, 9 a.m. to 6 p.m., Sundays excepted.
- (g) PM-7 No time limit, 9 a.m. to 10 p.m. daily.
- (h) PM-8 Five (5) hour limit, 9 a.m. to 10 p.m. daily.
- (i) PM-9 No time limit, 9 a.m. to 6 p.m., Sundays excepted.

(j) PM-10 No time limit, 9 a.m. to 10 p.m. daily.

The rates of fees for parking in the parking meter zones shall be as follows:

- (a) PM-1 One (1¢) cent per twelve (12) minutes or fraction.
- (b) PM-2 Five (5¢) cents per one half ( $\frac{1}{2}$ ) hour or fraction.
- (c) PM-3 Five (5¢) cents per <sup>(1)</sup> one half ~~( $\frac{1}{2}$ )~~ hour or fraction.
- (d) PM-4 Five (5¢) cents per two and one half ( $2\frac{1}{2}$ ) hours or fraction.
- (e) PM-5 Ten (10¢) cents first two (2) hours or fraction; ten (10¢) cents next two (2) hours or fraction; ten (10¢) cents next five (5) hours or fraction; thirty (30¢) cents for nine (9) hours.
- (f) PM-6 Five (5¢) cents per one half ( $\frac{1}{2}$ ) hour or fraction.
- (g) PM-7 Five (5¢) cents per one half ( $\frac{1}{2}$ ) hour or fraction.
- (h) PM-8 Five (5¢) cents per one half ( $\frac{1}{2}$ ) hour or fraction.
- (i) PM-9 Five (5¢) cents per one-half ( $\frac{1}{2}$ ) hour or fraction.
- (j) PM-10 Five (5¢) cents per one hour or fraction.

SECTION 2. REPEALS. Section 8 of Ordinance No.

648-C.S. is hereby repealed.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of May, 1964, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Patton, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Shastid

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM: ^

By Allen Grimes  
ALLEN GRIMES, City Attorney

The foregoing ordinance was amended at a regular meeting of the Council of the City of Modesto held on the 25th day of May, 1964, by Councilman Hughes, who moved its amendment and republication, which motion being duly seconded by Councilman Patton, was unanimously carried.

Ord. No. 655-C.S.

FINAL ADOPTION CLAUSE


The foregoing ordinance, having been printed and 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 June, 1964, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, VanderWall

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 1, 1964

AN ORDINANCE AMENDING SECTION MAP 8 OF THE ZONING MAP OF THE CITY OF MOBESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (STONE BROS. REAL ESTATE)

WHEREAS, a verified application for an amendment to Section 8 of the Zoning Map was filed by Stone Bros. Real Estate on March 30, 1964, to reclassify from One-Family Zone, R-1, to Two-Family Zone, R-2, and from One-Family Zone, R-1, to Multiple-Family Zone, R-3, the hereinafter described properties, and

WHEREAS, after public hearing held on April 21, 1964, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The area is being designed as part of a subdivision with the high density uses backing up to one-family and two-family uses;
2. Access to the area will be by way of a major street, minimizing traffic congestion on adjacent residential streets;
3. This is a large parcel under single ownership, proposed as a unified development in harmony with adjacent low density uses; and
4. The area will permit a desirable transition and variety in housing types in newly developing area; and

WHEREAS, by Resolution No. 64-40, adopted on April 21, 1964, the Planning Commission recommended to the Council that the application of Stone Bros. Real Estate to amend Section 8 of the Zoning Map to reclassify the hereinafter described properties from One-Family Zone, R-1, to Two-Family Zone, R-2, and from One-Family Zone, R-1, to Multiple-Family Zone, R-3, be approved, and

WHEREAS, after public hearing held on May 18, 1964, the Council found and determined that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource,

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

SECTION 1. ZONING CHANGE. Section 8 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Two-Family Zone, R-2:

Commencing at the Northeast corner of Lot 36 of Standiford Colony, said corner being on the Southerly line of Standiford Avenue; thence South  $0^{\circ} 54'$  East along the Easterly line of said Lot 36 a distance of 216.95 feet to the point of beginning; thence continuing South  $0^{\circ} 54'$  East along said Easterly line of Lot 36 a distance of 220.99 feet; thence North  $68^{\circ} 15' 42''$  West 143.10 feet; thence North  $79^{\circ} 30' 01''$  West 90.84 feet; thence South  $89^{\circ} 06'$  West 25.00 feet; thence North  $33^{\circ} 51' 38''$  East 157.58 feet; thence North  $82^{\circ} 21'$  East 157.37 feet to the point of beginning.

SECTION 2. ZONING CHANGE. Section 8 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Multiple-Family Zone, R-3:

Beginning at the Northeast corner of Lot 36 of said Standiford Colony, said corner being on the Southerly line of Standiford Avenue; thence South  $0^{\circ} 54'$  East along the Easterly line of said Lot 36 a distance of 216.95 feet; thence South  $82^{\circ} 21'$  West 157.37 feet; thence South  $33^{\circ} 51' 38''$  West 157.58 feet; thence South  $89^{\circ} 06'$  West 153.00 feet; thence North  $0^{\circ} 34'$  West 377.01 feet to said Southerly line of Standiford Avenue; thence South  $89^{\circ} 09' 45''$  East along said Southerly line 399.31 feet to the point of beginning.

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

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

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

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

SECTION 1. ZONING CHANGE. Section 8 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Two-Family Zone, R-2:

Commencing at the Northeast corner of Lot 36 of Standiford Colony, said corner being on the Southerly line of Standiford Avenue; thence South  $0^{\circ} 54'$  East along the Easterly line of said Lot 36 a distance of 216.95 feet to the point of beginning; thence continuing South  $0^{\circ} 54'$  East along said Easterly line of Lot 36 a distance of 220.99 feet; thence North  $68^{\circ} 15' 42''$  West 143.10 feet; thence North  $79^{\circ} 30' 01''$  West 90.84 feet; thence South  $89^{\circ} 06'$  West 25.00 feet; thence North  $33^{\circ} 51' 38''$  East 157.58 feet; thence North  $82^{\circ} 21'$  East 157.37 feet to the point of beginning.

SECTION 2. ZONING CHANGE. Section 8 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Multiple-Family Zone, R-3:

Beginning at the Northeast corner of Lot 36 of said Standiford Colony, said corner being on the Southerly line of Standiford Avenue; thence South  $0^{\circ} 54'$  East along the Easterly line of said Lot 36 a distance of 216.95 feet; thence South  $82^{\circ} 21'$  West 157.37 feet; thence South  $33^{\circ} 51' 38''$  West 157.58 feet; thence South  $89^{\circ} 06'$  West 153.00 feet; thence North  $0^{\circ} 34'$  West 377.01 feet to said Southerly line of Standiford Avenue; thence South  $89^{\circ} 09' 45''$  East along said Southerly line 399.31 feet to the point of beginning.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of May, 1964, by Councilman VanderWall who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Mitchell, Patton, Tabbert, VanderWall, Mayor Johansen
- NOES: Councilmen: None
- ABSENT: Councilmen: Hughes, Shastid

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Allen Grimes  
ALLEN GRIMES, City Attorney

**Ordinance 656 C.S.  
Exhibit A – Map**

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

Ord. No. 656-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 June, 1964, Councilman Tabbert moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, VanderWall

APPROVED Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 1, 1964

ORDINANCE NO. 64-43.  
AN ORDINANCE AMENDING SECTION MAP 19 OF THE ZONING  
MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN  
PROPERTY LOCATED THEREON. (WOO)

WHEREAS, a verified application for an amendment to Section 19 of the Zoning Map was filed by Minnie Woo on March 9, 1964, to reclassify from One-Family Zone, R-1, to Multiple-Family Zone, R-3, the hereinafter described property, and

WHEREAS, after public hearing held on April 21, 1964, it was found and determined by the Planning Commission that rezoning of the property as requested is not required by public necessity, convenience and general welfare for the following reasons:

1. The property is not located on a major street and R-3 uses would create additional traffic congestion on surrounding collector and residential streets;

2. The requested R-3 zone could constitute an illegal spot zone, as it would create a zone out of continuity with surrounding zoning and isolate an R-1 area between two less restrictive zones; and

3. The property requested for R-3 zoning is adjacent to or facing single-family development on three sides; and

WHEREAS, it was determined by the Planning Commission that rezoning to Two-Family Zone, R-2, is required by public necessity, convenience, and general welfare for the following reasons:

1. The property is located on a collector street, near a traffic generating area;

2. Rezoning to R-2 will provide a buffer between the C-1 uses to the south and R-1 uses to the north; and

3. R-2 zoning will permit development compatible with existing single-family uses; and

WHEREAS, by Resolution No. 64-43, adopted on April 21, 1964, the Planning Commission recommended to the Council that Section 19 of the Zoning Map be amended to reclassify the hereinafter described property from One-Family Zone, R-1, to Two-Family Zone, R-2; and

WHEREAS, after public hearing held on May 18, 1964,

~~XXXXXXXXXX~~ the Council found and determined that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource,

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

SECTION 1. ZONING CHANGE. Section 19 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Two-Family Zone, R-2:

Beginning at a point at the intersection of the center line of Carver Road and Pearl Street; thence South  $89^{\circ} 03'$  East 185.21 feet to the center line of the north-south alley in Block 6081; thence South  $0^{\circ} 31'$  East along the center line of said alley 157.5 feet; thence North  $89^{\circ} 03'$  West 185.21 feet to the center line of Carver Road; thence North  $0^{\circ} 31'$  West along the center line of Carver Road 157.5 feet to the point of beginning; said property being located at the southeast corner of Carver Road and Pearl Street.

SECTION 2. ZONING MAP. Section 19 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 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of May, 19 64, by Councilman Tabbert, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Patton, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Shastid

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Allen Grimes  
ALLEN GRIMES, City Attorney

Ordinance 657 C.S.  
Exhibit A – Map

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

Ord. No. 657-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 June, 1964, Councilman Patton moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, VanderWall

APPROVED

Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:

REX E. GAILFUS  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 1, 1964

## AN ORDINANCE AMENDING SECTION MAP 20 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (GALAS BROS.)

WHEREAS, a verified application for an amendment to Section 20 of the Zoning Map was filed by Galas Bros. on February 4, 1964, to reclassify from One-Family Zone, R-1, and Multiple-Family Zone, R-3, to General Commercial Zone, C-2, the following described property:

Beginning at a point on the center line of Mensinger Avenue, said point bears North 89° 10' 30" West 190 feet from the center line of McHenry Avenue, and running thence North 1° 15' West 302.84 feet parallel to the center line of McHenry Avenue; thence North 89° 10' 30" West 195.00 feet; thence South 1° 15' East 52.84 feet; thence North 89° 10' 30" West 10.65 feet; thence South 1° 15' East 250 feet to a point on the center line of Mensinger Avenue; thence South 89° 10' 30" East 205.65 feet along the center line of Mensinger Avenue to the point of beginning; said property being located on the north side of Mensinger Avenue 190 feet from the center line of McHenry Avenue and continuing westerly therefrom, and

WHEREAS, after public hearing held on April 21, 1964, it was found and determined by the Planning Commission as follows:

1. That rezoning of a portion of the property as requested is required by public necessity, convenience and general welfare for the following reason:

(a) The area fronts on a major street and the proposed additional zoning will permit complete utilization of a deep parcel, the frontage of which is zoned commercial.

2. That rezoning of the westerly one hundred fifty (150') feet of the property as requested is not required by public necessity, convenience and general welfare for the following reasons:

(a) It would permit commercial uses and buildings to be located ten (10') feet from established residential uses.

(b) It would permit a commercial development on Mensinger Avenue with access to only this residential street, and facing existing single-family residences to the south.

(c) The westerly one hundred fifty (150') feet could still be used for commercial development upon the securing of appropriate use permits from the Board of Zoning Adjustment, thus assuring compatibility of the commercial uses with existing residential uses, and

WHEREAS, by Resolution No. 64-44, adopted on April 21, 1964, the Planning Commission recommended to the Council that the application of Galas Bros. to amend Section 20 of the Zoning Map to reclassify the property described above, excepting therefrom the westerly one hundred fifty (150') feet thereof, from One-Family Zone, R-1, to General Commercial Zone, C-2, be approved, and

WHEREAS, after public hearing held on May 25, 1964, the Council found and determined that the rezoning as recommended 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,

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

SECTION 1. ZONING CHANGE. Section 20 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to General Commercial Zone, C-2:

Beginning at a point on the center line of Mensinger Avenue, said point bears North  $89^{\circ} 10' 30''$  West a distance of 190 feet from the center line of McHenry Avenue; thence continuing along the center line of Mensinger Avenue North  $89^{\circ} 10' 30''$  West a distance of 55.65 feet; thence North  $1^{\circ} 15'$  West a distance of 302.84 feet; thence South  $89^{\circ} 10' 30''$  East a distance of 55.65 feet; thence South  $1^{\circ} 15'$  East a distance of 302.84 feet to the point of beginning.

SECTION 2. ZONING MAP. Section 20 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 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, 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 May, 1964, by Councilman Tabbert, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid, VanderWall

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex B. Gailfus  
REX B. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Allen Grimes  
ALLEN GRIMES, City Attorney

Ordinance 658 C.S.  
Exhibit A – Map

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

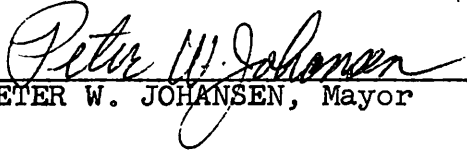
Ord. No. 658-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of June, 1964, Councilman Hughes moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: Shastid  
ABSENT: Councilmen: None

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 8, 1964

AN ORDINANCE AMENDING SECTION MAP 27 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.  
(WILSON)

WHEREAS, a verified application for an amendment to Section 27 of the Zoning Map was filed by Elmo Wilson on March 16, 1964, to reclassify from Neighborhood Commercial Zone, C-1, to General Commercial Zone, C-2, the following described property:

Beginning at the Southwest corner of Section 27, T3S, R9E, M.D.B. & M., said point being the intersection of the center line of Yosemite Boulevard and the center line of Santa Barbara Avenue; thence North  $0^{\circ} 33'$  West 692.96 feet along the center line of Santa Barbara Avenue to its intersection with the center line of Miller Avenue; thence South  $89^{\circ} 50'$  East 331.73 feet along the center line of Miller Avenue to its intersection with the center line of La Loma; thence South  $42^{\circ} 38' 15''$  East 838.58 feet along the center line of La Loma to the beginning of a tangent curve concave to the Northeast having a radius of 240.78 feet, a central angle of  $47^{\circ} 13' 30''$ , and an arc length of 198.46 feet to a point being the intersection of the center line of La Loma and the South line of Section 27, being also the center line of Yosemite Boulevard; thence North  $89^{\circ} 50'$  West 1069.12 feet along the South line of said Section 27 to the Southwest corner of said Section 27, the point of beginning. Said property is located on the north side of Yosemite Boulevard, east of Santa Barbara Avenue, west of La Loma, and south of Miller Avenue; and

WHEREAS, after public hearing held on April 21, 1964, it was found and determined by the Planning Commission that rezoning of a portion of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. Rezoning of the area is a continuation of existing C-2 zoning on Yosemite Boulevard;
2. The area is in the general location recommended for a community shopping center in the General Plan; and
3. The area contains two nonconforming C-2 uses; and

WHEREAS, by Resolution No. 64-42, adopted on April 21, 1964, the Planning Commission recommended to the Council that a portion of the application of Elmo Wilson to amend Section 27 of

the zoning map to reclassify the hereafter described property from Neighborhood Commercial Zone, C-1, to General Commercial Zone, C-2, be approved, and

WHEREAS, after public hearing held on May 25, 1964, the Council found and determined that a portion of the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource,

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

SECTION 1. ZONING CHANGE. Section 27 of the Zoning Map is hereby amended to reclassify the following described property from Neighborhood Commercial Zone, C-1, to General Commercial Zone, C-2, and that portion not hereafter described is hereby denied:

Beginning at a point at the intersection of the center lines of Yosemite Boulevard and Santa Barbara Avenue; thence North  $0^{\circ} 33'$  West 258.00 feet along the center line of Santa Barbara Avenue; thence South  $89^{\circ} 50'$  East 535.52 feet more or less to the center line of the 30-foot north-south alley in Block 2086; thence north along the center line of said alley to its intersection with the center line of La Loma, a 60-foot street; thence Southeasterly along the center line of La Loma to its intersection with the center line of Yosemite Boulevard; thence North  $89^{\circ} 50'$  West 998.10 feet along the center line of Yosemite Boulevard to the center line of Santa Barbara Avenue and the point of beginning.

SECTION 2. ZONING MAP. Section 27 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 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, 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 May, 1964, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid, VanderWall

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Allen Grimes  
ALLEN GRIMES, City Attorney

Ordinance 659 C.S.  
Exhibit A – Map

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

Ord. No. 659-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of June, 1964, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 8, 1964

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN  
AS THE EARLMAR ADDITION TO  
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

Arthur J. Wylie and Florence E. Wylie

on April 17, 1964, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the EARLMAR ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 27th day of April, 1964, set said petition for hearing at the hour of 8:00 o'clock P.M. on the 8th day of June, 1964, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on May 7, 1964, and on May 14, 1964, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated, at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest,

either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

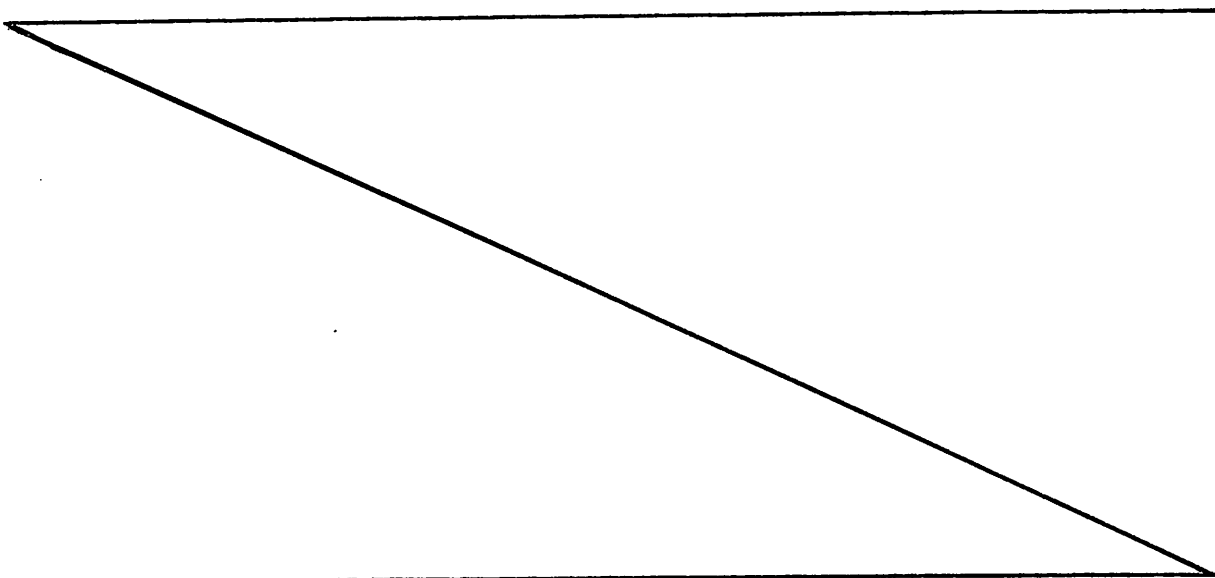
WHEREAS, on the 8th day of June, 1964, at the hour of 8:00 o'clock P.M., in the Council Chambers at the City Hall, 801 - 11th Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

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

SECTION 2. The area or territory so annexed, designated as the EARLMAR ADDITION, is located in the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:



EARLMAR ADDITION

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

Beginning at a point on the existing City Limits, as established by the Northwestern corner of the CATHERINE EVERETT SCHOOL ADDITION, as per description filed May 20, 1963, as Instrument 1907~~4~~<sup>4</sup>, Stanislaus County Records, and by the Eastern line of the CORNWELL ADDITION, as per description filed December 29, 1960, as Instrument 36792, Stanislaus County Records, said point being 20.00 feet, at right angles, West of the center line of Carver Road and on the Northern line of Mount Vernon Drive, as shown on the map of WYLDEWOOD PARK NO. 1, as per map filed in Volume 20 of Maps, at Page 17, Stanislaus County Records; thence along the existing City Limits and the Eastern line of said Cornwell Addition, North  $0^{\circ} 46' 30''$  West, 659.73 feet, to a point on the Northern line of the South half of the North half of said Section 18; thence along said North line, South  $89^{\circ} 07' 45''$  East, 783.29 feet; thence South  $0^{\circ} 40' 45''$  East, 523.83 feet, to a point on the Northerly line of Mount Vernon Drive, said point being on a curve concave to the South, from which a radial line bears South  $10^{\circ} 53' 11''$  East; thence along said Northerly line of Mount Vernon Drive, on said curve, having a Radius of 930.00 feet a Central Angle of  $0^{\circ} 18' 46''$ , and an Arc Length of 5.08 feet, to its point of tangency; thence continuing along the Northerly line of Mount Vernon Drive, South  $78^{\circ} 48' 03''$  West, 527.19 feet; thence on a tangent curve concave to the North, having a Radius of 1070.00 feet, a Central Angle of  $10^{\circ} 25' 27''$ , and an Arc Length of 194.67 feet; thence South  $89^{\circ} 13' 30''$  West, 45.00 feet, to the center line of Carver Road; thence North  $89^{\circ} 12' 09''$  West, 20.01 feet, to the point of beginning, containing 10.828 Acres, more or less.

SECTION 3. The area hereinabove described shall become a part of the Modesto City School District of Stanislaus County upon its annexation to the City of Modesto.

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

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of June, 1964, by Councilman Hughes, who moved its adoption and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM BY: Robert C. Bienvenu  
ROBERT C. BIENVENU, Acting City Attorney

AN ORDINANCE AMENDING SECTION 9-2.110 OF ARTICLE 1 OF CHAPTER 2 OF TITLE IX OF THE MODESTO MUNICIPAL CODE RELATING TO THE PLUMBING CODE.

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

SECTION 1. AMENDMENT OF CODE. Section 9-2.110 of Article 1 of Chapter 2 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-2.110. TO WHOM PERMITS MAY BE ISSUED. That Section 1.10 of said Plumbing Code be amended to read as follows:

Section 1.10. (a) Application for a plumbing permit, describing the work to be done, shall be made in writing to the Chief Building Official by the person, firm or corporation installing the work.

(b) The Chief Building Official may issue to an individual a special owner's permit authorizing said individual to do plumbing work in, on or about a building of which said individual is owner and in which he resides or intends to reside but not elsewhere; provided, that no plumbing work authorized under any such special owner's permit shall be done, nor shall the owner holding any such permit allow any such work to be done, except personally by the owner to whom the permit is issued, or by a member of his immediate family; and if this or any other provision hereof shall be violated by the holder of such special owner's permit, such permit shall be subject to immediate cancellation by the Chief Building Official and the holder thereof shall be liable to the penalty herein provided for violation of this Code.

(c) A special permit may be issued to any appliance dealer to install appliances which require connection to the water distribution system, such as: evaporative coolers, air conditioners (requiring refrigeration as a cooling system), water softeners, lawn sprinkler systems, dish washers, garbage disposal units and/or garbage grinders not regularly classed as plumbing fixtures which are approved by the Director of Public Works and/or Chief Building Official, and which will not contaminate or pollute the potable water system by reason of such installation; and provided further that all such appliance dealers shall have passed a satisfactory examination showing their qualifications to do such work and have issued to them a Certificate of Competency by the

Board of Plumbing Examiners, or have in their employ such person who shall have passed such examination, unless such person holds a valid Contractor's License in the proper classification issued by the State of California, as specified in Section 9-2202 of this chapter.

The issuance of such permit shall not be construed as allowing the installation of any waste pipe beyond the opening to receive the fixture trap and no trap or piping shall exceed two (2') feet from the vent pipe serving such trap.

(d) Every person selling water-using appliances in the City shall keep an accurate record of such appliances sold that are to be installed within the corporate limits, together with the name and address of the person to whom sold, and shall mail a copy of same to the office of the Chief Building Official on the first of the month following the sale of such appliance.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of June, 1964, by Councilman Patton, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM BY: Robert C. Bienvenu  
ROBERT C. BIENVENU, Acting City Attorney

Ord. No. 661-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 22nd day of June, 1964, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

APPROVED *Peter W. Johansen*  
PETER W. JOHANSEN, Mayor

ATTEST: *Rex E. Gailfus*  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 22, 1964

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1965, AND PROVIDING FOR CERTAIN TRANSFERS OF FUNDS.

WHEREAS, pursuant to the Charter of the City of Modesto a proposed budget for the 1964-65 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 1964-65", presented by the City Manager to the City Council at its meeting held May 4, 1964, 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, 1965, and the several amounts stated therein as proposed expenditures are hereby appropriated for the various objects therein described.

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

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

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

SECTION 5. This ordinance shall be published in full at least once in The Modesto Tribune, 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 29th day of June, 1964, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried by the following vote:

AYES: Councilmen: Hughes, Patton, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Robert C. Bienvenu  
ROBERT C. BIENVENU, Acting City Attorney

AN ORDINANCE ADDING CHAPTER 8 TO TITLE IX OF THE MODESTO MUNICIPAL CODE, RELATING TO THE DECLARING OF CERTAIN BUILDINGS AND STRUCTURES FOUND UNSAFE, DANGEROUS OR HAZARDOUS, TO BE NUISANCES AND PROVIDING FOR THE ABATEMENT THEREOF.

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

SECTION 1. AMENDMENT OF CODE. Chapter 8 entitled "Unsafe Structure Code", is hereby added to Title IX of the Modesto Municipal Code to read as follows:

CHAPTER 8 - UNSAFE STRUCTURE CODE

SEC. 9-8.01. DECLARATION OF PURPOSE. It is the purpose of the provisions of this chapter to provide a just, equitable, and practicable method, to be cumulative with and in addition to any other remedy available at law, whereby buildings or structures which are dilapidated, unsafe, dangerous, insanitary, or are a menace to the life, limb, health, morals, property, safety and general welfare of the people of the City, or which tend to constitute a fire hazard, may be required to be repaired, vacated or demolished. This chapter is titled and may be referred to as the "Unsafe Structure Code".

SEC. 9-8.02. PUBLIC NUISANCE DEFINED. All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, as specified by the Fire Prevention Code of the City, or any other provisions of law, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health, or public welfare, by reason of inadequate maintenance, neglect, decay, dilapidation, obsolescence, or abandonment as specified in the Building Code of the City, or any other provision of law are, for the purpose of this chapter, declared to be a public nuisance and shall be repaired, vacated and repaired or demolished as hereinafter provided.

SEC. 9-8.03. ENFORCEMENT. The Director of Public Works is charged with the enforcement of the provisions of this chapter. Whenever the term "Chief Building Official" is used herein, relating to the abatement of dangerous buildings pursuant to this chapter only, it shall be construed to mean the Director of Public Works. The Health Officer and the Fire Chief shall make or cause to be made such inspections of facilities in buildings as may be affected or controlled by State or local laws under their respective jurisdictions as required by the Director of Public Works pursuant to this chapter. Officials named in this chapter shall include assistants, deputies and authorized representatives of such officials.

SEC. 9-8.04. DANGEROUS BUILDING DEFINED. For the purpose of this chapter, any building or structure which has any

or all of the conditions or defects hereinafter described shall be deemed a dangerous building:

(a) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size, or is not so arranged as to provide safe and adequate means of exit, in case of fire or panic, for all persons housed or assembled therein who would be required to, or might, use such door, aisle, passageway, stairway or other means of exit.

(b) Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half (1½) times the working stress or stresses allowed in the Building Code of the City.

(c) Whenever any portion thereof has been damaged by earthquake, wind, flood, or by any other cause, in such a manner that the structural strength or stability thereof is appreciably less than it was before such catastrophe and is less than the minimum requirements of the Building Code of the City for a building of similar structure, purpose or location.

(d) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

(e) Whenever any portion of a building, or any member appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place as to be capable of resisting a wind pressure of one half (½) that specified in the Building Code of the City without exceeding the working stresses permitted in the Building Code of the City.

(f) Whenever any portion thereof has settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of new construction.

(g) Whenever the building or structure, or any portion thereof, because of dilapidation, deterioration, decay, faulty construction, or because of the removal or movement of some portion of the ground necessary for the purpose of supporting such building or portion thereof, or some other cause, is likely to partially or completely collapse, or some portion of the foundation or under-pinning is likely to fall or give way.

(h) Whenever, for any reason whatsoever, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is used.

(i) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle third of the base.

(j) Whenever the building or structure, exclusive of the foundation, shows thirty-three (33%) per cent or more of damage or deterioration to the member or members, or fifty (50%) per cent of damage or deterioration of a nonsupporting enclosing or outside wall or covering.

(k) Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children who might play therein to their danger, or as to afford a harbor for vagrants, criminals or immoral persons, or as to enable persons to resort thereto for the purpose of committing nuisance or unlawful or immoral acts.

(l) Any building or structure which has been constructed, or which now exists or is maintained in violation of any specific requirement or prohibition, applicable to such building or structure, of the building regulations of this City as set forth in the Building Code of the City or of any provisions of the Fire Prevention Code of the City, when so determined and reported by the Fire Inspector, or of any law or ordinance of this State or City relating to the condition, location, or structure of buildings.

(m) Any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member or portion, less than fifty (50%) per cent, or in any supporting member less than sixty-six (66%) per cent of the strength, fire-resisting qualities or characteristics or weather-resisting or characteristics required by law or ordinance in the case of a newly constructed building of like area, height and occupancy in the same location.

(n) Whenever a building or structure, used or intended to be used for dwelling purposes, because of dilapidation, decay, damage, or faulty construction or arrangement, or otherwise, is insanitary or unfit for human habitation or is in a condition that is likely to cause sickness or disease, when so determined by the Health Officer, or is likely to work injury to the health, safety or general welfare of those living within.

(o) Whenever the building or structure, used or intended to be used for dwelling purposes, has light, air, and sanitation facilities inadequate to protect the health, safety, or general welfare of persons living within.

(p) Whenever any building or structure by reason of obsolescence, dilapidated condition, deterioration, damage, electric wiring, gas connections, heating apparatus, or other cause, is in such condition as to be a fire hazard and is so situated as to endanger life or other buildings or property in the vicinity or provide a ready fuel supply to augment the spread and intensity of fire arising from any cause.

SEC. 9-8.05. DEFINITIONS. (a) Chief Building Official. Chief Building Official shall mean the Building Official of the City, or his authorized agents, assistants, deputies, or representatives.

(b) Fire Inspector. Fire Inspector shall mean the Chief of the Fire Department of the City, or his authorized agents, assistants, deputies or representatives.

(c) Board of Appeals. Board of Appeals shall mean the Board created to hear and determine appeals from a decision or order of the Chief Building Official rendered pursuant to this chapter.

(d) Health Officer. The official of the City or the County responsible for the enforcement of laws, ordinances, rules and regulations of the State and the City relating to public health, sanitation, food handling and environmental health, including his authorized agents, assistants, deputies or representatives.

(e) Director of Public Works. The official of the City responsible for the administration of the Public Works Department of the City. The term "Director of Public Works" shall mean the Director of Public Works or his authorized agents, assistants, deputies or representatives.

(f) Occupy. "Occupy" shall mean to use for human occupation for living, sleeping, cooking or eating purposes, or any combination thereof or for the conduct of any business, profession, occupation or calling, including the storage of merchandise or materials of any kind.

SEC. 9-8.06. NOTICE TO REPAIR, VACATE AND REPAIR OR DEMOLISH. If the Fire Inspector or the Health Officer finds that any building or structure or any portion thereof, is a fire or health hazard, he shall report the same to the Chief Building Official. If the Chief Building Official finds that any building or structure, or portion thereof, is unsafe, dangerous or a hazard, or if the Fire Inspector or Health Officer has reported to him that any building or structure, or portion thereof, is a fire or health hazard, he shall prepare a notice in writing stating in detail the conditions which render the building or structure, or portion thereof, a nuisance, as defined in Section 9-8.02 of this chapter, and ordering the repair, vacation and repair, or demolition thereof within sixty (60) days from the date of personal service or mailing of the notice. The Chief Building Official may, when it is determined that additional time will be necessary to complete the work ordered, extend said time for an additional thirty (30) day period upon the application of the owner or person charged with the duty of complying with said order.

No person, firm, or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure in the City, or cause the same to be done, without first obtaining a separate building permit for each such building or structure from the Chief Building Official.

SEC. 9-8.07. DESCRIPTION. The notice shall set forth the street address and a description sufficient for identification of the building or structure, and the premises upon which the building or structure is located.

SEC. 9-8.08. SERVICE AND POSTING OF NOTICE. The Chief Building Official shall cause copies of the notice to be served upon each of the following: the person, if any, in real or apparent charge and control of the premises involved; the owner of record title; the holder of any mortgage, trust deed, or other lien or encumbrance of

record; the owner or holder of any lease of record; the record holder of any other estate or interest in or to the building or structure or the land upon which it is located.

The notice shall be served personally upon any person entitled thereto if he can be found within the city limits of the City. If any person entitled thereto is not found within the city limits, service shall be made by depositing a copy of said notice in the United States post office, properly enclosed in a sealed envelope and with the postage thereon fully prepaid. Said mail shall be registered or certified, return receipt requested, and addressed to the person entitled thereto at the address of such person as it appears on the last equalized assessment roll of the County or as known to the Fire Inspector or the Chief Building Official. If no such address so appears or is known to the Fire Inspector or the Chief Building Official then a copy shall be addressed to such person at the address of the building or structure involved. Service by registered or certified mail shall be complete on the day of mailing. The failure of any owner or other person to receive such notice shall not affect in any manner the validity of any proceedings taken hereunder.

One copy of the notice shall be conspicuously posted on the building or structure involved.

Upon giving notice as provided herein, the Chief Building Official shall file with the City Clerk an affidavit thereof certifying to the time and manner in which such notice was given and posted. He shall also file therewith any receipt card which may have been returned to him in acknowledgment of the receipt of such notice by registered or certified mail.

SEC. 9-8.09. BOARD OF APPEALS. There shall be and there is hereby created a Board of Appeals, consisting of five (5) members who are qualified by experience and training to pass upon matters pertaining to building construction and fire prevention. The City Manager shall designate a person to act as Secretary of the Board, who shall keep a record of the proceedings and transactions. The Board of Appeals shall be appointed by the Council in accordance with the provisions of Article XI of the City Charter. The Board shall adopt reasonable rules and regulations for conducting its investigations and hearings, and shall render all decisions and findings in writing to the Chief Building Official, with a duplicate copy to the appellant, and may recommend to the Council such new legislation as is consistent therewith. The duties and responsibility of the Board of Appeals may, by ordinance, be vested in any existing or duly created Board or Commission of the City.

SEC. 9-8.10. APPEALS FROM ORDER TO REPAIR, VACATE AND REPAIR, OR DEMOLISH; PROCEDURE. Any person aggrieved by any order of the Chief Building Official hereunder to repair, vacate and repair, or demolish any building or structure, or portion thereof, may appeal such order to the Board of Appeals. The appeal shall be in writing and shall state the substance of the order appealed from, shall be submitted to the Chief Building Official within twenty (20) days from the date of personal service or mailing of the notice of order to repair, vacate and

repair, or demolish, which is being appealed. The Chief Building Official shall set the matter for hearing before the Board of Appeals. Notice of the date, hour and place of hearing shall be posted and served at least ten (10) days before the date set for the hearing in the manner and upon the persons specified in Section 9-8.08 of this chapter. The notice shall order all interested parties who desire to be heard to appear and show cause, if any they have, why the building or structure, or portion thereof, involved in the proceedings should not be repaired, vacated and repaired, or demolished.

SEC. 9-8.11. HEARING BEFORE BOARD OF APPEALS. At the time stated in the notice, the Board of Appeals shall hold a hearing, and hear and consider any relevant evidence offered by the Fire Inspector, the Chief Building Official, the Health Officer and the Director of Public Works, as well as the owner, occupant or person in charge and control, mortgagee or beneficiary under any deed of trust, lessee, or any other person having any estate or interest in said building or structure, pertaining to the matters set forth in the notice to repair, vacate and repair, or demolish. Within thirty (30) days after the conclusion of the hearing, the Board of Appeals shall make written findings of fact as to whether or not the building or structure or portion thereof, is unsafe and a public nuisance, and shall render its decision.

SEC. 9-8.12. STANDARDS FOR REPAIR, VACATION AND REPAIR, OR DEMOLITION. The following standards, where applicable, shall be followed in substance by the Board in ordering the repair, vacation, or demolition of any building or structure. Any order to demolish, rendered pursuant to this section, shall not indicate an alternative permission to repair; however, an order to repair may be satisfied by demolition.

(a) If the unsafe building can reasonably be repaired so that it will no longer exist in violation of the terms of this chapter, it shall be ordered repaired.

(b) If the unsafe building is in such condition as to make it dangerous to the health, morals, safety, or general welfare of its occupants, it shall be ordered to be vacated and repaired.

(c) If the unsafe building is fifty (50%) per cent damaged, or decayed, or deteriorated, it shall be demolished.

(d) In all cases where an unsafe building cannot be repaired so that it will no longer exist in violation of the terms of this chapter, it shall be vacated and demolished.

(e) In cases where an unsafe building is a fire hazard, as specified by the Fire Prevention Code of the City, existing or erected in violation of the terms of this chapter, or any other law or ordinance of this City, or statute of the State, it shall be repaired, except where the cost of such repairs would exceed fifty (50%) per cent of the value of such unsafe building, in which case it shall be demolished.

SEC. 9-8.13. BUILDING VALUE AND ESTIMATE OF DEGREE OF DAMAGE OR DILAPIDATION. The Chief Building Official shall determine the value of any structure by applying the ratio of market value to assessed value used by the Assessor of the County. The Chief Building Official may use the services of registered civil and structural engineers to determine percentage of damage or dilapidation of any structure.

SEC. 9-8.14. BOARD OF APPEALS MAY REQUEST REPORTS OF OTHER DEPARTMENTS. Whenever in the course of any proceedings taken hereunder, the Board shall have cause to request additional information, the same may be requested of the Fire Department, or the Building Department, or the Health Department, or any other agencies charged by law with enforcement of health or safety requirements of local or state law.

SEC. 9-8.15. ORDER OF THE BOARD: WHEN TO BE RENDERED. Within thirty (30) days after the conclusion of the hearing, the Board of Appeals shall render its decision, either closing the proceedings, or if it finds that the building or structure, or portion thereof, is unsafe, and a nuisance, ordering that it be repaired, vacated and repaired, or demolished.

SEC. 9-8.16. ORDER TO REPAIR, VACATE AND REPAIR, OR DEMOLISH. If, from a full and fair consideration of the evidence and testimony received at the hearing, the Board of Appeals shall determine that the building or structure, or any portion thereof, is unsafe and a public nuisance, then it shall deny the appeal and issue an order certified by the Secretary of said Board:

(a) That the building or structure must be repaired, vacated and repaired or demolished;

(b) That the occupant, lessee, or other person in possession must vacate said building or structure, or that he may remain in possession while repairs are being made;

(c) That any mortgagee, beneficiary under a deed of trust, or any other person having an interest or estate in said building or structure may, at his own risk, repair, vacate and repair, or demolish it.

SEC. 9-8.17. ORDER TO REPAIR, VACATE AND REPAIR, OR DEMOLISH - CONTENTS. The order shall:

(a) Set forth the information required in Sections 9-8.06 and 9-8.07 of this chapter.

(b) Contain a statement of the particulars which render the building or structure unsafe and a public nuisance.

(c) Contain a statement of the things required to be done.

(d) The time within which the work required must be commenced, which shall be not less than ten (10) days after the issuance of the order.

(e) A reasonable time within which the work shall be completed.

SEC. 9-8.18. SERVICE AND POSTING OF ORDER. The Chief Building Official shall cause copies of the order to be posted on the building or structure involved and served in the manner and upon the persons specified in Section 9-8.08.

SEC. 9-8.19. VIOLATIONS. The owner or other person having charge and control over any building or structure determined by the Chief Building Official, or upon appeal by the Board of Appeals, to be unsafe and a public nuisance who shall fail to comply with any order to repair, vacate and repair, or demolish said building or structure, or any portion thereof, shall be guilty of a misdemeanor.

The occupant or lessee in possession who fails to comply with any order to vacate said building or structure, or any portion thereof, in accordance with any order given as provided for in this chapter shall be guilty of a misdemeanor.

Any person who removes any notice or order posted as required in this chapter, shall be guilty of a misdemeanor.

SEC. 9-8.20. SALE, REPAIR OR DEMOLITION. Whenever an order to repair, vacate and repair, or demolish any building or structure, or any portion thereof, has not been complied with within the time set by the Chief Building Official, or, upon appeal, by the Board of Appeals, the Chief Building Official or the Board of Appeals shall have the power, in addition to any other remedy herein provided, to:

(a) Cause the building or structure ordered to be repaired to be vacated until such time as the necessary repairs have been made. No person shall thereafter occupy or permit to be occupied any such building until and unless the necessary repairs have been made and the Chief Building Official has approved same and issued a permit to reoccupy said building or structure.

(b) Request the Director of Public Works to cause the building or structure to be demolished, and the land restored to a reasonably clear and level condition, including the filling of any excavation to the finished grade of the surrounding area. The demolition of any building or structure, and the sale of the materials thereof, shall be by a contract awarded following advertisement for bids, to the best bidder. The Director of Public Works may sell any such building or structure singly or otherwise. Any surplus from the sale of any building or structure, or group of buildings or structures, over and above the cost of demolition, and of cleaning the site, shall be retained to be distributed to the parties or persons lawfully entitled thereto.

SEC. 9-8.21. RECORD OF COST OF REPAIR OR DEMOLITION. Upon completion of the demolition of any building or structure, or any portion thereof, the Director of Public Works of the City shall cause to be prepared and filed with the Council a report specifying:

(a) The work done.

(b) The cost of the work and incidental expenses.

(c) A description of the real property upon which the building or structure was located.

(d) The names and addresses of the persons entitled to notice pursuant to Section 9-8.08.

(e) The assessment against each lot or parcel of land proposed to be levied to pay the cost thereof.

Any such report may include demolition work on any number of buildings or structures on any number of parcels of property, whether contiguous to each other or not. The term "incidental expenses" shall include, but not be limited to the expenses and costs of the City in the preparation of notices, specifications and contracts, inspection of the work, and the costs of printing and mailing required hereunder. The advanced cost of such work shall be from the General Fund of the City and proceeds of any sale or redemption shall be deposited in the General Fund of the City.

SEC. 9-8.22. NOTICE OF ASSESSMENT HEARING. Upon filing of the report of the Director of Public Works, the Council, by resolution, shall fix the day, hour, and place when it will hear and pass upon the report, together with any objections or protests which may be raised by any property owner liable to be assessed for the cost of such demolition, and any other interested persons. At least ten (10) days before the date set for the hearing, the Director of Public Works shall cause copies of his report and notice of the filing of his report and of the day, hour, and place when the Council will hear and pass upon the report, and any objections or protests thereto, to be posted and served in the manner and upon the persons specified in Section 9-8.06 of this chapter. A copy of the notice shall be published once at least ten (10) days prior to the date set for the hearing in the official newspaper of the City.

SEC. 9-8.23. ASSESSMENT HEARING. Any person interested in and affected by the proposed assessment may file written protests or objections with the City Clerk at any time prior to the hour set for the hearing on the report of the Director of Public Works. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. Upon the day and hour fixed for the hearing, the Council shall hear and pass upon the report of the Director of Public Works, together with any objections or protests which may be raised by any of the property owners liable to be assessed for the cost of the demolition, and any other interested persons. The Council may make such revisions, corrections, or modifications in the report as it may deem just, and the report as submitted or as revised, corrected or modified, together with the assessment shall be confirmed by resolution. The decision of the Council on the report and the assessment and all protests or objections shall be final and conclusive. The Council may adjourn the hearings from time to time.

SEC. 9-8.24. CONTESTING ASSESSMENT. The validity of any assessment levied under the provisions of this chapter shall not be contested in any action or proceeding unless the same is commenced within thirty (30) days after the assessment is confirmed.

SEC. 9-8.25. ASSESSMENT OF COSTS AGAINST PROPERTY: LIEN. The amount of the cost of abating such nuisance upon the various lots or parcels of land, including incidental

expenses, as confirmed by the Council, shall constitute special assessments against the respective lots or parcels of land, and as thus made and confirmed shall constitute a lien on said property for the amount of such assessments, respectively, until paid. Such lien shall, for all purposes, be upon a parity with the lien of State, County and City taxes.

SEC. 9-8.26. COLLECTION. On or before August 10th of the year in which the special assessments are confirmed by the Council, the City Clerk shall cause a certified copy of said confirmed special assessments to be filed with the officer responsible for assessing real property in the City in order that the said officer may enter each such assessment on the City tax roll opposite the parcel of land. Thereafter such amounts shall be collected at the same time and in the same manner as general City taxes are collected and shall be subject to the same penalties and interest, and the same procedure in sale in case of delinquency as provided by law for City taxes. All laws and ordinances applicable to the levy, collection and enforcement of City taxes are hereby made applicable to such special assessments.

SEC. 9-8.27. INTERFERENCE PROHIBITED. It shall be unlawful for any person to obstruct, impede or interfere with any officer, agent or employee of the City, or with any person who owns or holds any estate or interest in any building or structure, or any portion thereof, which has been ordered to be repaired, vacated and repaired, or demolished, or with any person to whom such building or structure has been lawfully sold pursuant to the provisions of this chapter, whenever any such officer, agent, employee, purchaser or person having an interest or estate in such building or structure is engaged in repairing, vacating and repairing, or demolishing any such building or structure pursuant to the provisions of this chapter, or in performing any necessary act preliminary to or incidental to such work, or authorized or directed pursuant thereto.

SEC. 9-8.28. LIABILITY OF OFFICERS, AGENTS OR EMPLOYEES. No officer, agent or employee of the City shall be personally liable for damage incurred or alleged to be incurred as a result of any act required, permitted or authorized to be done or performed in the discharge of his duties pursuant to this chapter. Any suit brought against any officer, agent or employee of the City as a result of any act required, permitted or authorized in the discharge of his duties under this chapter shall be deemed an action against the City and shall be defended by the City Attorney.

SEC. 9-8.29. FIRE PREVENTION CODE AND BUILDING CODE PROVISIONS UNAFFECTED HEREBY. The provisions of this chapter shall not be deemed to repeal by implication any provision of the Fire Prevention Code of the City, the Building Code of the City, or any other law or ordinance of the City, and the adoption hereof shall not be deemed to affect or diminish the power or authority of any officer or employee of the City to condemn any building or structure erected or maintained in violation of any provision of the Fire Prevention Code of the City, the Building Code of the City, or any other law or ordinance of the City.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of July, 1964, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: [Signature]  
~~XXXXXXXXXXXX~~ / City Clerk  
Acting

(SEAL)

APPROVED AS TO FORM:

By [Signature]  
ALLEN GRIMES, City Attorney



ORDINANCE NO. \_\_\_\_\_ C.D.  
AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN  
AS THE WYLIE NO. 3 ADDITION TO  
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by  
Wolverine Building Service, Inc., Arthur J. Wylie, Florence E. Wylie,  
Adolph Swenson, Anna Swenson, Leon H. Boyd, Wilfred G. Vient,  
Wm. B. Hughes, Lenore Hughes, Rudy Bonzi and Mary Bonzi

on May 28, 1964, to annex to the City of Modesto under  
the provisions of the Annexation of Uninhabited Territory Act of  
1939, as amended, certain uninhabited territory, hereinafter  
described and designated as the WYLIE NO. 3  
ADDITION, situate in the County of Stanislaus, State of California,  
and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the  
8th day of June, 1964, set said petition for hear-  
ing at the hour of 4:30 o'clock P.M. on the 20th day of  
July, 1964, in the Council Chambers at the City Hall,  
801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so  
finds that a copy of the resolution giving notice of the proposed  
annexation and fixing the time and place for hearing objections  
to the proposed annexation was published in newspapers of general  
circulation to wit: The Modesto Tribune, a newspaper pub-  
lished in the City of Modesto on June 18, 1964,  
and on June 25, 1964; and in the Turlock Daily  
Journal, a newspaper published outside the City of Modesto, but  
in the County of Stanislaus, on June 18, 1964, and  
on June 25, 1964, for the time and in the manner  
required by law, which publications were completed at least  
twenty (20) days prior to the date set for hearing; that written  
notice of the proposed annexation has been mailed by the City  
Clerk of the City of Modesto to each person to whom land within  
the territory proposed to be annexed was assessed on the last  
equalized assessment roll available on the date the proceedings  
were initiated, at the address as shown thereon, or as known to  
said Clerk, and to any person who has filed his name and address  
and the designation of the lands in which he has any interest,

either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

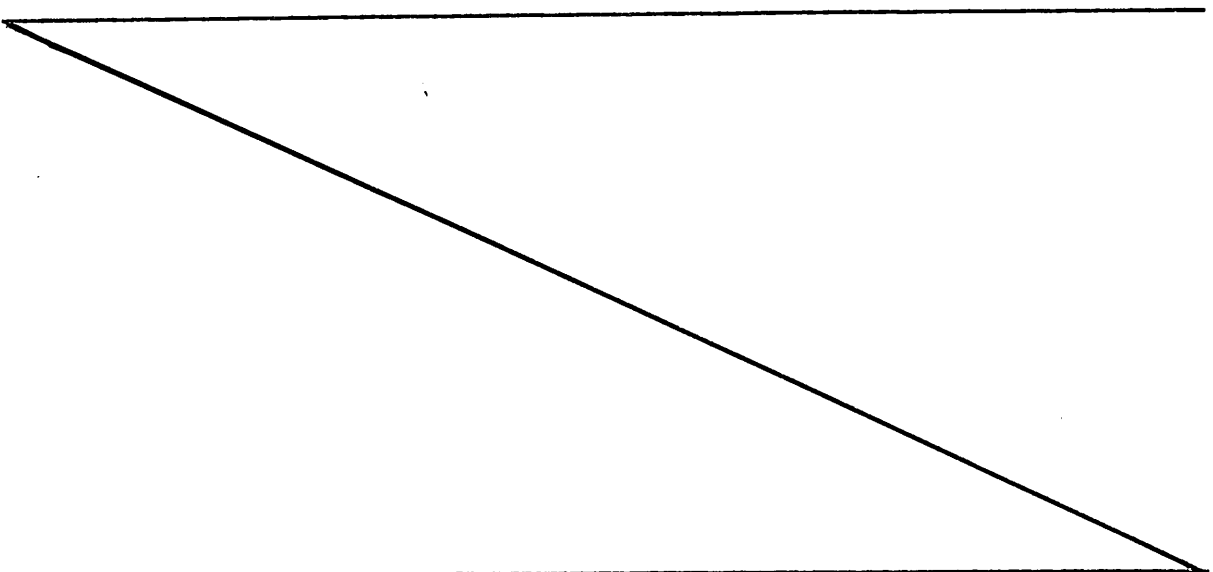
WHEREAS, on the 20th day of July, 1964, at the hour of 4:30 o'clock P.M., in the Council Chambers at the City Hall, 801 - 11th Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

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

SECTION 2. The area or territory so annexed, designated as the WYLIE NO. 3 ADDITION, is located in the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:



WYLIE NO. 3 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, as established by the Northeastern corner of the DOWNEY HIGH SCHOOL SITE ADDITION, as per description filed July 27, 1950, Instrument 16443, the Southeastern corner of DOWNEY PARK ADDITION, as per description filed February 21, 1963, Instrument 6991, and the Southwestern corner of the LORENZEN ADDITION, as per description filed June 27, 1961, Instrument 20145, Stanislaus County Records; thence along the Southern line of the Lorenzen Addition, South  $89^{\circ} 56' 30''$  East, 300.01 feet, to the Northwestern corner of the WYLIE NO. 2 ADDITION, as per description filed July 18, 1963, Instrument 27042, Stanislaus County Records; thence along the Western line of the Wylie No. 2 Addition, South  $0^{\circ} 30' 30''$  East, 823.09 feet to the Southwest corner thereof; thence along the Southern line of Wylie No. 2 Addition and the Southern line of WYLIE ADDITION, as per description filed July 23, 1962, Instrument 27724, Stanislaus County Records, and its Easterly extension, South  $89^{\circ} 57' 45''$  East, 1017.42 feet, to a point on the Center Line of a Public Road known as Rose Avenue; thence along the Center Line of Rose Avenue, South  $0^{\circ} 37'$  East, 330.84 feet to the Easterly extension of the Southern line of property conveyed to Rudy Bonzi, et ux, by Deed recorded July 10, 1958, Instrument 16927, Stanislaus County Records and the Northern line of the DOWNEY VILLA TRACT NO. 2, as per map filed April 27, 1959, in Volume 19 of Maps, Page 18, Stanislaus County Records; thence along the Southern line of said Bonzi property and the Northern line of Downey Villa Tract No. 2 the following bearings and distances: North  $89^{\circ} 58' 13''$  West, 228.71 feet; North  $0^{\circ} 37'$  West, 2.00 feet; and North  $89^{\circ} 58' 13''$  West, 431.14 feet, to the Southwestern corner of said Bonzi property and the Southeastern corner of property conveyed to Per Adolph Swenson, et ux, by Deed recorded March 19, 1935, Instrument 3010, Stanislaus County Records; thence along the Southern line of said Swenson property and the Northern line of Downey Villa Tract No. 2, North  $89^{\circ} 58' 13''$  West, 454.20 feet to the Northwestern corner of Downey Villa Tract No. 2; thence along the Western line of Downey Villa Tract No. 2, South  $0^{\circ} 30' 30''$  East, 330.07 feet to the Southwestern corner thereof and the Southern line of property conveyed to Leon H. Boyd, Jr., by Deed recorded January 9, 1964, Instrument 1105, Stanislaus County Records; thence along the Southern line of said Boyd property and its Westerly extension, North  $89^{\circ} 58' 13''$  West, 204.00 feet to the Center Line of a Public Road known as Brighton Avenue and a point on the existing City Limits as established by the Downey High School Site Addition; thence along the Center Line of Brighton Avenue and the existing City Limits, North  $0^{\circ} 30' 30''$  West, 1482.17 feet to the point of beginning, containing 17.176 Acres, more or less.

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

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

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of July, 1964, by Councilman Mitchell, who moved its adoption and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: [Signature]  
~~HEATHER GARDNER~~ City Clerk  
Acting

(SEAL)

APPROVED AS TO FORM BY: [Signature]  
~~ALLEN G. BROWN, City Attorney~~  
ROBERT C. BIENVENU, Acting City Attorney

AN ORDINANCE AMENDING SECTION 11-1.06 OF CHAPTER 1 OF TITLE XI OF THE MODESTO MUNICIPAL CODE RELATING TO WATER RATES.

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

SECTION 1. AMENDMENT OF CODE. Section 11-1.06 of Chapter 1 of Title XI of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 11-1.06. CHARGES FOR METERED WATER SERVICES. All water delivered through the meter shall be charged as follows:

For the first six thousand (6,000) cubic feet per bimonthly period, One and 35/100ths (\$1.35) Dollars per one thousand (1,000) cubic feet. For the next sixty thousand (60,000) cubic feet per bimonthly period, One and 12½/100ths (\$1.12½) Dollars per one thousand (1,000) cubic feet. For the next thirty-four thousand (34,000) cubic feet per bimonthly period, One and 05/100ths (\$1.05) Dollars per one thousand (1,000) cubic feet. For all over one hundred thousand (100,000) cubic feet per bimonthly period, sixty-five (65¢) cents per one thousand (1,000) cubic feet; provided, however, that in any event, the following minimum rates shall be charged and paid:

CUBIC FEET FOR MINIMUM RATE

<u>Size of Meter</u>	<u>Bimonthly Rate</u>	<u>Cubic Feet</u>
5/8" and 3/4"	\$ 4.50	3,333
1"	6.00	4,444
1¼"	7.50	5,555
1½"	7.50	5,555
2"	9.00	6,800
3"	12.00	9,466
4"	16.50	13,466
6"	24.00	20,133
8"	30.00	25,466

Independent fire sprinkler systems used as stand-by service shall pay a minimum of one half (½) of the above minimum meter rate.

If a meter shall be found out of order, the bimonthly charge shall be determined by the Director of Finance based upon previous water consumption.

If a consumer has more than one meter, a separate minimum charge will be made for each meter as well as the amount of water registered for each meter. Compound meters, however, shall be construed to be a single meter.

The rate for any person using temporary meters for any purpose which are installed for less than one year shall be One and 50/100ths (\$1.50) Dollars per one thousand (1,000) cubic feet, plus a Three and no/100ths (\$3.00) Dollar installation charge. When a meter is not installed, a minimum rate of Seven and 50/100ths (\$7.50) Dollars per bimonthly period shall be charged.

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

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption, but shall apply retroactively for the bimonthly billing period ending September 30, 1964.

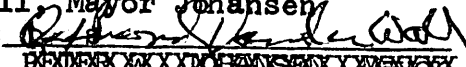
SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of July, 1964, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by ~~Councilman~~ Vice Mayor VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Patton, Shastid, Tabbert, VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mitchell, Mayor Johansen

APPROVED:   
~~Richard VanderWall, Vice Mayor~~  
Richard VanderWall, Vice Mayor

ATTEST:   
REX E. GAILFUS, City Clerk  
(SEAL)

APPROVED AS TO FORM:

By ELWYN L. JOHNSON, City Attorney

Ord. No. 665-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of August, 1964, Councilman Hughes moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert,  
Vice Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Mayor Johansen

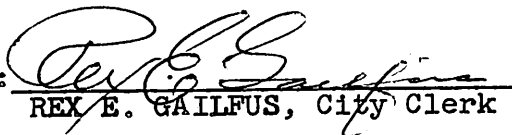
APPROVED



~~PETER W. JOHANSEN, Mayor~~

RICHARD VANDERWALL, Vice Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: September 2, 1964

AN ORDINANCE AMENDING SECTION MAP 31 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (P-D(12) TO R-1)

WHEREAS, the Planning Commission on May 5, 1964, initiated proceedings to amend Section 31 of the Zoning Map to reclassify from Planned Development Zone, P-D(12), to One-Family Zone, R-1, the hereinafter described property, and

WHEREAS, after public hearing held on July 21, 1964, it was found and determined by the Planning Commission that rezoning as initiated is required by public necessity, convenience, and general welfare, and

WHEREAS, by Resolution No. 64-71, adopted on July 21, 1964, the Planning Commission recommended to the Council that Section 31 of the Zoning Map be amended to reclassify the hereinafter described property from Planned Development Zone, P-D(12), to One-Family Zone, R-1,

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

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

SECTION 2. ZONING CHANGE. Section 31 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(12), to One-Family Zone, R-1:

Beginning at a point on the existing city limits as established by the southeastern line of the Emerald Gardens Addition, as per description filed February 5, 1962, Instrument 4485, Stanislaus County Records, said point being North 34° 37' East, 31.19 feet from the Southeastern corner of said Emerald Gardens Addition; thence continuing along said line, North 34° 37' East, 631.37 feet; thence along the Northern line and its Westerly extension of property conveyed

to Tally E. Taylor, et ux, by Deed recorded March 3, 1948, Instrument 4993, Stanislaus County Records, North 89° 57' East, 560.26 feet, to the Western line of a 40 foot public road known as Spencer Avenue; thence along the Western line of Spencer Avenue, South 0° 10' West, 518.33 feet, to the Southern line of property conveyed to Jesse P. Bailey, et ux, by Deed recorded March 12, 1959, Instrument 7283, Stanislaus County Records; thence along the Southern line of said Bailey property and the Southern line of the property conveyed to Edna Alice Taylor by Deed recorded December 13, 1946 as Instrument Numbers 35674 and 35675, Stanislaus County Records, and its Westerly extension, South 89° 54' West 917.43 feet, to the point of beginning, containing 8.796 acres, being located north of California Avenue between Spencer Avenue and MID Lateral No. 5.

SECTION 3. ZONING MAP. Section 31 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of August, 1964, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

ATTEST: REX E. GAILFUS, City Clerk

APPROVED: Peter W. Johansen

PETER W. JOHANSEN, Mayor

(SEAL)  
APPROVED AS TO FORM:

BY ELWYN L. JOHNSON, City Attorney

Ordinance 666 C.S.  
Exhibit A – Map

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

Ord. No. 666-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 24th day of August, 1964, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

APPROVED Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Pauline P. Stanley  
~~BEK B. GILLES, City Clerk~~  
PAULINE P. STANLEY, Acting City Clerk

EFFECTIVE DATE: September 23, 1964

## AN ORDINANCE AMENDING SECTION MAP 19 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (HAUB)

WHEREAS, the Planning Commission on June 3, 1964, initiated proceedings to amend Section 19 of the Zoning Map to reclassify from One-Family Zone, R-1, to Two-Family Zone, R-2, the hereinafter described property, and

WHEREAS, after public hearing held on July 21, 1964, it was found and determined by the Planning Commission that rezoning as initiated is required by public necessity, convenience, and general welfare, and

WHEREAS, by Resolution No. 64-72, adopted on July 21, 1964, the Planning Commission recommended to the Council that Section 19 of the Zoning Map be amended to reclassify the hereinafter described property from One-Family Zone, R-1, to Two-Family Zone, R-2,

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

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

SECTION 2. ZONING CHANGE. Section 19 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Two-Family Zone, R-2:

Beginning at a point on the intersection of the center lines of Carver Road and Teresa Street; thence North 0° 31' West along the center line of Carver Road a distance of 85 feet to the true point of beginning; thence continuing North 0° 31' West along the center line of Carver Road a distance of 92.5 feet; thence South 89° 03' East a distance of 185.21 feet; thence South 0° 31' East a distance of 92.5 feet; thence North 89° 03' West a distance of

185.21 feet to the point of beginning, being located on the east side of Carver Road 55 feet north of Teresa Street.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of August, 1964, by Councilman Tabbert, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

APPROVED:

Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:

REX E. GAILFUS  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ordinance 667 C.S.  
Exhibit A – Map

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

Ord. No. 667-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 24th day of August, 19   , Councilman Tabbert moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

APPROVED *Peter W. Johansen*  
PETER W. JOHANSEN, Mayor

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

EFFECTIVE DATE: September 23, 1964

AN ORDINANCE AMENDING SECTION MAP 9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (CRESTWOOD TERRACE NO. 2 ADDITION)

WHEREAS, the Planning Commission on June 16, 1964, initiated proceedings to amend Section 9 of the Zoning Map to reclassify from Residential-Agricultural Zone, R-A, to One-Family Zone, R-1, the hereinafter described property, and

WHEREAS, after public hearing held on July 21, 1964, it was found and determined by the Planning Commission that rezoning as initiated is required by public necessity, convenience, and general welfare, and

WHEREAS, by Resolution No. 64-73, adopted on July 21, 1964, the Planning Commission recommended to the Council that Section 9 of the Zoning Map be amended to reclassify the hereinafter described property from Residential-Agricultural Zone, R-A, to One-Family Zone, R-1,

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

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

SECTION 2. ZONING CHANGE. Section 9 of the Zoning Map is hereby amended to reclassify the following described property from Residential-Agricultural Zone, R-A, to One-Family Zone, R-1:

Beginning at a point on the city limits line as established by the southwestern corner of the Crestwood Terrace Addition; thence North 89° 30' West a distance of 659.05 feet; thence North 0° 45' 30" West a distance of 719.34 feet; thence continuing North 0° 45' 30" West a distance of 441.23 feet; thence South 89° 30' East a distance of 659.21 feet; thence South 0° 45' East a distance of 240.57 feet; thence South 89° 30' East a distance

of 659.29 feet; thence South 0° 44' 30" East a distance of 260 feet; thence North 89° 30' West a distance of 659.25 feet; thence South 0° 45' East a distance of 240 feet; thence continuing South 0° 45' East a distance of 420 feet to the point of beginning; said property being located on the north side of Rumble Road, containing Sherwood Elementary School, adjacent park site, and Crestwood Terrace No. 3 Subdivision.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of August, 1964, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:  Rex E. Gailfus   
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

**Ordinance 668 C.S.  
Exhibit A – Map**

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

Ord. No. 668-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 <sup>24<sup>th</sup></sup>~~25<sup>th</sup>~~ day of August, 19 64, Councilman VanderWall, moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

APPROVED

Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:

Pauline P. Stanley  
~~REX E. GATLIS, City Clerk~~

PAULINE P. STANLEY, Acting City Clerk

EFFECTIVE DATE: September 23, 1964

## AN ORDINANCE AMENDING SECTION MAP 16 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (QUINTANA, INC.)

WHEREAS, a verified application for an amendment to Section 16 of the Zoning Map was filed by Quintana, Inc., \_\_\_\_\_ on March 30, 1964, to reclassify from One-Family Zone, R-1, to General Commercial Zone, C-2, the hereinafter described property, and

WHEREAS, after public hearing held on April 21, 1964, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The property is located on a major street across from C-2 zoning and adjacent to an industrial use and commercial uses to the north; and
2. The proposed rezoning will not conflict with current studies relating to commercial development of McHenry Avenue; and

WHEREAS, by Resolution No. 64-45, adopted on April 21, 1964, the Planning Commission recommended to the Council that the application of Quintana, Inc., \_\_\_\_\_ to amend Section 16 of the Zoning Map to reclassify the hereinafter described property from One-Family Zone, R-1, to General Commercial Zone, C-2, be approved, and

WHEREAS, after public hearing held on May 25,

1964, the Council found and determined that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource,

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

SECTION 1. ZONING CHANGE. Section 16 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to General Commercial Zone, C-2:

Beginning at a point on the center line of McHenry Avenue and the center line of Tokay Avenue; thence North  $0^{\circ} 47' 40''$  West along the center line of McHenry Avenue a distance of 659.74 feet; thence South  $89^{\circ} 37' 17''$  East a distance of 657.92 feet; thence South  $0^{\circ} 49' 10''$  East a distance of 659.82 feet to the center line of Tokay Avenue; thence North  $89^{\circ} 36' 55''$  West along the center line of Tokay Avenue a distance of 658.48 feet to the point of beginning; said property being located on the Northeast corner of McHenry and Tokay Avenues.

SECTION 2. ZONING MAP. Section 16 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 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of August, 19 64, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Pauline P. Stanley  
~~REXXEXXCLERK~~ ~~REXXEXXCLERK~~ ~~REXXEXXCLERK~~  
PAULINE P. STANLEY, Acting City Clerk  
(SEAL)

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

Ordinance 669 C.S.  
Exhibit A – Map

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

Ord. No. 669-C.S.

FINAL ADOPTION CLAUSE


The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of September, 19 64, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Tabbert

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 8, 1964

WHEREAS, a verified application for an amendment to Section 18 of the Zoning Map was filed by Arthur J. Wylie and Florence E. Wylie on June 29, 1964, to reclassify from Residential-Agricultural Zone, R-A, to Two-Family Zone, R-2, and One-Family Zone, R-1, the hereinafter described property, and

WHEREAS, after public hearing held on July 21, 1964, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 64-75, adopted on July 21, 1964, the Planning Commission recommended to the Council that the application of Arthur J. Wylie and Florence E. Wylie to amend Section 18 of the Zoning Map to reclassify the hereinafter described property from Residential-Agricultural Zone, R-A, to Two-Family Zone, R-2, and One-Family / 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, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource.

SECTION 2. ZONING CHANGE. Section 18 of the Zoning Map is hereby amended to reclassify the following described property from Residential-Agricultural Zone, R-A, to One-Family Zone, R-1:

Beginning at a point on the North line of Mount Vernon Drive, 130.09 feet east of the center line of Carver Road; thence North 0° 46' 30" West 652.59 feet, thence South 89° 07' 45" East a distance of 633.23 feet; thence South 0° 40' 45" East a distance of 523.83 feet to the north line of Mount Vernon Drive; thence southwesterly along the north line of Mount Vernon Drive a distance of 641.85 feet to the point of beginning. Being all of that portion of the Wyldewood Park No. 2 Subdivision lying east of lots fronting on Carver Road.

SECTION 3. ZONING CHANGE. Section 18 of the Zoning Map is hereby amended to reclassify the following described property from Residential-Agricultural Zone, R-A, to Two-Family Zone, R-2:

Beginning at a point 20 feet, at right angles, west of the center line of Carver Road and on the Northern line of Mount Vernon Drive; thence North 0° 46' 30" West 659.70 feet; thence South 89° 07' 45" East along the north line of lot 1, Block 6666, a distance of 150.05 feet to the east line of lot 1, Block 6666; thence South 0° 46' 30" East along the east line of lots 1 through 10, Block 6666, a distance of 652.59 feet to the north line of Mount Vernon Drive; thence along the north line of Mount Vernon Drive a distance of 150.09 feet more or less to the point of beginning. Said area being lots 1 through 10, Block 6666, located on the east side of Carver Road north of Mount Vernon Drive.

4.  
SECTION/~~3~~. ZONING MAP. Section 18 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.

5.  
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.

6.  
SECTION/~~5~~. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of August, 1964, by Councilman Shastid,

being duly seconded by Councilman VanderWall, was  
upon roll call carried and ordered printed and published by  
the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Pauline P. Stanley  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
PAULINE P. STANLEY, Acting City Clerk  
(SEAL)

APPROVED AS TO FORM:

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

Ordinance 670 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 printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of September, 1964, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Tabbert

APPROVED *Peter W. Johansen*  
PETER W. JOHANSEN, Mayor

ATTEST: *Rex E. Gailfus*  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 8, 1964

AN ORDINANCE AMENDING SECTION MAP 19 OF THE  
ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (FRANCE)

WHEREAS, a verified application for an amendment to  
Section 19 of the Zoning Map was filed by Harold  
France on May 5,  
19 64, to reclassify from One-Family Zone,  
R-1, to Multiple-Family Zone, R-3,  
the hereinafter described property, and

WHEREAS, after public hearing held on July 21,  
19 64, it was found and determined by the Planning Commission  
that rezoning of the property as requested is required by public  
necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 64-76, adopted on  
July 21, 19 64, the Planning Commission recommended  
to the Council that the application of Harold France  
to amend Section 19 of the Zoning  
Map to reclassify the hereinafter described property from One-  
Family Zone, R-1, to Multiple-Family  
Zone, R-3, be approved,

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

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

SECTION 2. ZONING CHANGE. Section 19 of the  
Zoning Map is hereby amended to reclassify the following described  
property from One-Family Zone, R-1,  
to Multiple-Family Zone, R-3:

Beginning at a point at the intersection of the center lines of Orangeburg Avenue and Carver Road; thence South 83° 32' 10" West a distance of 115.45 feet; thence South 89° 44' 30" West a distance of 55 feet; thence North 0° 31' West a distance of 150.22 feet; thence South 89° 44' 30" East a distance of 200 feet; thence South 0° 31' East a distance of 107.54 feet; thence North 89° 03' West a distance of 30 feet to the center line of Carver Road; thence South 0° 31' East a distance of 30 feet to the true point of beginning, said property being located at the northwest corner of Carver Road and West Orangeburg Avenue.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of August, 19 64, by Councilman Tabbert,



Ordinance 672 C.S.  
Exhibit A – Map

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

Ord. No. 672-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of September, 1964, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Tabbert

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 8, 1964

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

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

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

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

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

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

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

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

(e) Allocation of Costs. Notwithstanding the provisions of subsections (a), (b) and (c) above, the

Director of Public Works is hereby authorized to approve and process applications for water service to portions of parcels of land in accordance with the rates specified in the above subsections subject to all of the following terms and conditions:

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

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

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

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

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

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

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

(f) Water Connection Charges to Subdivisions.  
Each subdivision of land for which the tentative map is submitted subsequent to October 8, 1964, shall be served by the City water system only if the developer of said subdivision agrees that if the water main connection charges set forth in subsections (a), (b) and (c) above have not been paid for eighty (80%) per cent of all lots within said subdivision within three (3) years and ninety (90) days from date of recordation of the final map, developer, or his assignees, shall forthwith pay to City water main connection charges for all lots for which said fees have not been paid.

Notwithstanding the provisions of this subsection, the City may enter into special agreements with developers of industrial subdivisions which shall provide the basis upon which water mains shall be constructed and financed.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of August, 1964, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Pauline P. Stanley  
~~REMOVED FROM PUBLIC RECORDS~~  
CITY CLERK

PAULINE P. STANLEY, Acting City Clerk  
(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 673-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of September, 1964, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Tabbert

APPROVED Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 8, 1964

AN ORDINANCE ADDING ARTICLE 6 TO CHAPTER 2 OF TITLE VIII OF THE MODESTO MUNICIPAL CODE RELATING TO IMPOSING A TAX UPON THE PRIVILEGE OF TRANSIENT OCCUPANCY AND PROVIDING FOR THE COLLECTION THEREOF.

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

SECTION 1. AMENDMENT OF CODE. Article 6 is hereby added to Chapter 2 of Title VIII of the Modesto Municipal Code to read as follows:

ARTICLE 6. TRANSIENT OCCUPANCY TAX

SEC. 8-2.601. TITLE. This tax shall be known as the "Uniform Transient Occupancy Tax of the City of Modesto".

SEC. 8-2.602. DEFINITIONS. Except where the context otherwise requires, the definitions given in this section govern the construction of this article.

(a) Person. "Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

(b) Hotel. "Hotel" means any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobilehome or house trailer at a fixed location, or other similar structure or portion thereof.

(c) Occupancy. "Occupancy" means the use or possession, or the right to the use or possession of any room or rooms or portion thereof, in any hotel for dwelling, lodging or sleeping purposes.

(d) Transient. "Transient" means any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days. Any such person so occupying space in a hotel shall be deemed to be a transient until the period of thirty (30) days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. In determining whether a person is a transient, uninterrupted periods of time extending both prior and subsequent to the effective date of this tax may be considered.

(e) Rent. "Rent" means the consideration charged, whether or not received, for the occupancy of space in a hotel valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits and property and services of any kind or nature, without any deduction therefrom whatsoever.

(f) Operator. "Operator" means the person who is proprietor of the hotel, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other capacity. Where the operator performs his functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this article and shall have the same duties and liabilities as his principal. Compliance with the provisions of this article by either the principal or the managing agent shall, however, be considered to be compliance by both.

(g) Tax Administrator. "Tax Administrator" means the Director of Finance of the City of Modesto.

SEC. 8-2.603. TAX IMPOSED. For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of four (4%) per cent of the rent charged by the operator. Said tax constitutes a debt owed by the transient to the City which is extinguished only by payment to the operator or to the City. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the Tax Administrator may require that such tax shall be paid directly to the Tax Administrator.

SEC. 8-2.604. EXEMPTIONS. No tax shall be imposed upon:

(a) Any person as to whom, or any occupancy as to which, it is beyond the power of the City to impose the tax herein provided;

(b) Any federal or State of California officer or employee when on official business;

(c) Any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty.

No exemption shall be granted except upon a claim therefor made at the time rent is collected and under penalty of perjury upon a form prescribed by the Tax Administrator.

SEC. 8-2.605. OPERATOR'S DUTIES. Each operator shall collect the tax imposed by this article to the same extent and at the same time as the rent is collected from every transient. The amount of tax shall be separately stated from the amount of the rent charged, and each transient shall receive a receipt for payment from the operator. No operator of a hotel shall advertise or state in any manner, whether directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the operator, or that it will not be added to the rent, or that, if added, any part will be refunded except in the manner hereinafter provided.

SEC. 8-2.606. REGISTRATION. Within thirty (30) days after the effective date of this tax, or within thirty (30) days after commencing business, whichever is later, each operator of any hotel renting occupancy to transients shall register said hotel with the Tax Administrator and obtain

from him a "Transient Occupancy Registration Certificate" to be at all times posted in a conspicuous place on the premises. Said certificate shall, among other things, state the following:

- (a) The name of the operator;
- (b) The address of the hotel;
- (c) The date upon which the certificate was issued;

(d) "This Transient Occupancy Registration Certificate signifies that the person named on the face hereof has fulfilled the requirements of the Uniform Transient Occupancy Tax by registering with the Tax Administrator for the purpose of collecting from transients the Transient Occupancy Tax and remitting said tax to the Tax Administrator. This certificate does not authorize any person to conduct any unlawful business or to conduct any lawful business in an unlawful manner, nor to operate a hotel without strictly complying with all local applicable laws, including but not limited to those requiring a permit from any board, commission, department or office of this City. This certificate does not constitute a permit."

SEC. 8-2.607. REPORTING AND REMITTING. Each operator shall, on or before the last day of the month following the close of each calendar quarter, or at the close of any shorter reporting period which may be established by the Tax Administrator, make a return to the Tax Administrator, on forms provided by him, of the total rents charged and received and the amount of tax collected for transient occupancies. At the time the return is filed, the full amount of the tax collected shall be remitted to the Tax Administrator. The Tax Administrator may establish shorter reporting periods for any certificate holder if he deems it necessary in order to insure collection of the tax and he may require further information in the return. Returns and payments are due immediately upon cessation of business for any reason. All taxes collected by operators pursuant to this article shall be held in trust for the account of the City until payment thereof is made to the Tax Administrator.

SEC. 8-2.608. PENALTIES AND INTEREST.

(a) Original Delinquency. Any operator who fails to remit any tax imposed by this article within the time required shall pay a penalty of ten (10%) per cent of the amount of the tax in addition to the amount of the tax.

(b) Continued Delinquency. Any operator who fails to remit any delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent shall pay a second (2nd) delinquency penalty of ten (10%) per cent of the amount of the tax in addition to the amount of the tax and the ten (10%) per cent penalty first imposed.

(c) Fraud. If the Tax Administrator determines that the non-payment of any remittance due under this article is due to fraud, a penalty of twenty-five (25%) per cent of the amount of the tax shall be added thereto in addition to the penalties stated in subparagraphs (a) and (b) of this section.

(d) Interest. In addition to the penalties imposed, any operator who fails to remit any tax imposed by this article shall pay interest at the rate of one-half (1/2) of 1 (1%) per cent per month or fraction thereof on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent until paid.

(e) Penalties Merged With Tax. Every penalty imposed and such interest as accrues under the provisions of this section shall become a part of the tax herein required to be paid.

#### SEC. 8-2.609. FAILURE TO COLLECT AND REPORT TAX.

(a) Determination of Tax by Tax Administrator. If any operator shall fail or refuse to collect said tax and to make, within the time provided in this article, any report and remittance of said tax or any portion thereof required by this article, the Tax Administrator shall proceed in such manner as he may deem best to obtain facts and information on which to base his estimate of the tax due. As soon as the Tax Administrator shall procure such facts and information as he is able to obtain upon which to base the assessment of any tax imposed by this article and payable by any operator who has failed or refused to collect the same and to make such report and remittance, he shall proceed to determine and assess against such operator the tax, interest and penalties provided for by this article. In case such determination is made, the Tax Administrator shall give a notice of the amount so assessed by serving it personally or by depositing it in the United States mail, postage prepaid, addressed to the operator so assessed at his last known place of address. Such operator may within ten (10) days after the serving or mailing of such notice make application in writing to the Tax Administrator for a hearing on the amount assessed. If application by the operator for a hearing is not made within the time prescribed, the tax, interest and penalties, if any, determined by the Tax Administrator shall become final and conclusive and immediately due and payable. If such application is made, the Tax Administrator shall give not less than five (5) days written notice in the manner prescribed herein to the operator to show cause at a time and place fixed in said notice why said amount specified therein should not be fixed for such tax, interest and penalties. At such hearing, the operator may appear and offer evidence why such specified tax, interest and penalties should not be so fixed. After such hearing the Tax Administrator shall determine the proper tax to be remitted and shall thereafter give written notice to the person in the manner prescribed herein of such determination and the amount of such tax, interest and penalties. The amount determined to be due shall be payable after fifteen (15) days unless an appeal is taken as provided in Section 8-2.610.

SEC. 8-2.610. APPEAL. Any operator aggrieved by any decision of the Tax Administrator with respect to the amount of such tax, interest and penalties, if any, may appeal to the City Council by filing a notice of appeal with the City Clerk within fifteen (15) days of the serving or mailing of the determination of tax due. The City Council shall fix a time and place for hearing such appeal, and the City Clerk shall give notice in writing to such operator at his last known place of address. The findings of the City Council shall be final and conclusive and shall be served upon the appellant in the manner prescribed above for

service of notice of hearing. Any amount found to be due shall be immediately due and payable upon the service of notice.

SEC. 8-2.611. RECORDS. It shall be the duty of every operator liable for the collection and payment to the City of any tax imposed by this article to keep and preserve, for a period of three (3) years, all records as may be necessary to determine the amount of such tax as he may have been liable for the collection of and payment to the City, which records the Tax Administrator shall have the right to inspect at all reasonable times.

SEC. 8-2.612. REFUNDS.

(a) Whenever the amount of any tax, interest or penalty has been overpaid or paid more than once or has been erroneously or illegally collected or received by the City under this article it may be refunded as provided in subparagraphs (b) and (c) of this section provided a claim in writing therefor, stating under penalty of perjury the specific grounds upon which the claim is founded, is filed with the Tax Administrator within three (3) years of the date of payment. The claim shall be on forms furnished by the Tax Administrator.

(b) An operator may claim a refund or take as credit against taxes collected and remitted the amount overpaid, paid more than once or erroneously or illegally collected or received when it is established in a manner prescribed by the Tax Administrator that the person from whom the tax has been collected was not a transient; provided, however, that neither a refund nor a credit shall be allowed unless the amount of the tax so collected has either been refunded to the transient or credited to rent subsequently payable by the transient to the operator.

(c) A transient may obtain a refund of taxes overpaid or paid more than once or erroneously or illegally collected or received by the City by filing a claim in the manner provided in subparagraph (a) of this section, but only when the tax was paid by the transient directly to the Tax Administrator, or when the transient having paid the tax to the operator, establishes to the satisfaction of the Tax Administrator that the transient has been unable to obtain a refund from the operator who collected the tax.

(d) No refund shall be paid under the provisions of this section unless the claimant establishes his right thereto by written records showing entitlement thereto.

SEC. 8-2.613. ACTIONS TO COLLECT. Any tax required to be paid by any transient under the provisions of this article shall be deemed a debt owed by the transient to the City. Any such tax collected by an operator which has not been paid to the City shall be deemed a debt owed by the operator to the City. Any person owing money to the City under the provisions of this article shall be liable to an action brought in the name of the City of Modesto for the recovery of such amount.

SEC. 8-2.614. VIOLATIONS. It shall be unlawful for any operator or other person to fail or refuse to register as required herein, or to fail or refuse to furnish any



Ord. No. 674-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of September, 1964, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: Patton  
ABSENT: Councilmen: Hughes, Tabbert

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 8, 1964

AN ORDINANCE AMENDING SECTION MAP 27 OF THE  
ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (KLINK)

WHEREAS, a verified application for an amendment to  
Section 27 of the Zoning Map was filed by Norris L.  
Klink on June 11,  
19 64, to reclassify from Neighborhood Commercial Zone,  
C-1, to Multiple-Family Zone, R-3,  
the hereinafter described property, and

WHEREAS, after public hearing held on July 21,  
19 64, it was found and determined by the Planning Commission  
that rezoning of the property as requested is required by public  
necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 64-82, adopted on  
July 21, 1964, the Planning Commission recommended  
to the Council that the application of Norris L. Klink  
to amend Section 27 of the Zoning  
Map to reclassify the hereinafter described property from Neighborhood  
Commercial Zone, C-1, to Multiple-Family  
Zone, R-3, be approved,

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

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

SECTION 2. ZONING CHANGE. Section 27 of the  
Zoning Map is hereby amended to reclassify the following described  
property from Neighborhood Commercial Zone, C-1,  
to Multiple-Family Zone, R-3:

Beginning at a point on the center line of Santa Barbara Avenue and the south line of lot 18, Block 2088A extended; thence North 0° 33' West along the center line of Santa Barbara Avenue 150.00 feet; thence South 89° 50' East a distance of 180 feet; thence South 0° 33' East a distance of 150.00 feet; thence North 89° 50' West a distance of 180 feet to the point of beginning; being located at the southwest corner of Miller and Santa Barbara Avenues, in Block 2088A.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of August, 1964, by Councilman Patton.

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

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Pauline P. Stanley  
~~REX REX CATRUS City Clerk~~  
PAULINE P. STANLEY, Acting City Clerk  
(SEAL)

APPROVED AS TO FORM:

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

Ordinance 675 C.S.  
Exhibit A – Map

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

Ord. No. 675-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of September, 19 64, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Tabbert

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 8, 1964

AN ORDINANCE AMENDING SECTION MAP 32 OF THE  
ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (BURKLEY)

WHEREAS, a verified application for an amendment to  
Section 32 of the Zoning Map was filed by Emery  
Burkley on June 30,  
1964, to reclassify from Multiple-Family Zone,  
R-3, to General Commercial Zone, C-2,  
the hereinafter described property, and

WHEREAS, after public hearing held on July 21,  
1964, it was found and determined by the Planning Commission  
that rezoning of the property as requested is required by public  
necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 64-81, adopted on  
July 21, 1964, the Planning Commission recommended  
to the Council that the application of Emery Burkley  
to amend Section 32 of the Zoning  
Map to reclassify the hereinafter described property from Multiple-  
Family Zone, R-3, to General Commercial  
Zone, C-2, be approved,

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

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

SECTION 2. ZONING CHANGE. Section 32 of the  
Zoning Map is hereby amended to reclassify the following described  
property from Multiple-Family Zone, R-3,  
to General Commercial Zone, C-2 :

Beginning at a point on the center line of G Street and the center line of the 20 foot alley in Block 31, thence South 43° 29' 30" East 140 feet to the true point of beginning; thence continue South 43° 29' 30" East along the center line of the alley in Block 31 and Block 30 a distance of 820 feet to the center line of E Street; thence South 46° 30' 30" West along the center line of E Street 420 feet more or less to the center line of the U. S. Highway 99 Freeway; thence Northwesterly along the center line of U. S. Highway 99 Freeway 820 feet more or less to a point 140 feet from the center line of G Street; thence North 46° 30' 30" East parallel to and 140 feet from the center line of G Street 380 feet more or less to the point of beginning; said area being lots 17 through 32 in Block 30 and 17 through 28 in Block 31, and adjacent street areas, located at the northeast side of 6th Street between E and G, running to the center line of the Freeway.

SECTION 3. ZONING MAP. Section 32 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of August, 19 64, by Councilman Hughes.



Ordinance 676 C.S.  
Exhibit A – Map

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

Ord. No. 676-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of September, 19 64, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes, Tabbert

APPROVED

Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 8, 1964

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1964-1965.

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

SECTION 1. DEFINITION: TAX CODE AREA. A geographical area within the City of Modesto as established by the State Board of Equalization for the purpose of taxation and as shown on the tax code area maps on file in the Office of the Assessor of Stanislaus County, State of California.

SECTION 2. TAX RATE. There is hereby levied upon the assessed valuation of the property in the following described tax code areas situated in the City of Modesto, State of California, for the fiscal year beginning July 1, 1964, and ending June 30, 1965, the rates of taxation hereinafter specified, said rates being upon each One Hundred and no/100ths (\$100.00) Dollars of the valuation according to the equalized assessment roll, to wit:

- (a) Tax Code Areas Nos. 2-1; 2-2; 2-6; 2-7; 2-8; 2-9; 2-16; 2-17; and 2-18;

FOR THE GENERAL FUND . . . . .	\$ 1.53
FOR THE BOND REDEMPTION AND INTEREST FUND	

- (1) Municipal Improvement Bonds of 1947 . . . . . \$ .11  
     For the redemption of bonds and the  
     payment of interest thereon that shall  
     accrue during said fiscal year;

FOR THE PARK FUND . . . . .	\$ .05
FOR THE LIBRARY FUND . . . . .	<u>\$ .08</u>
THE AGGREGATE OF SAID SUMS, TO WIT . . . . .	\$ 1.77

- (b) Tax Code Areas Nos. 2-3; 2-4; and 2-5;

FOR THE GENERAL FUND . . . . .	\$ 1.53
FOR THE PARK FUND . . . . .	\$ .05
FOR THE LIBRARY FUND . . . . .	<u>\$ .08</u>
THE AGGREGATE OF SAID SUMS, TO WIT . . . . .	\$1.66

SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect and be in full force and operation upon adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of August, 1964, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Pauline P. Stanley  
~~REBECCA GALLAGHER~~, City Clerk  
PAULINE P. STANLEY, Acting  
(SEAL)

APPROVED AS TO FORM:

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

AN ORDINANCE AMENDING SECTION MAP 6 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.  
(ZAMORA AND PRICE)

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

SECTION 1. ZONING CHANGE. Section 6 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Planned Development Zone, P-D (17):

Beginning at a point on the east line of Section 6 T4S R9E, MDB&M, and the center line of Nian Way; thence South 88° 44' West along the center line of Nian Way a distance of 300.00 feet to the center line of Clementa Way; thence North 0° 24' West a distance of 494.92 feet to the south line of the alley in Block 3071; thence North 75° 00' East a distance of 310.00 feet to the east line of Section 6 T4S R9E, thence South 0° 24' East along the east line of said Section a distance of 568.20 feet to the point of beginning; said property being located at the northwest corner of Sutter Avenue and Nian Way.

SECTION 2. USES. The following uses shall be permitted in said P-D (17) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code:

(a) Ten (10) apartment buildings containing twelve (12) one-bedroom units and thirty-eight (38) two-bedroom units for a total of fifty (50) units, and off-street parking for seventy-five (75) automobiles.

SECTION 3. ZONING MAP. Section Map 6 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of September, 19 64, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, VanderWall,  
Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Tabbert

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

**Ordinance 678 C.S.  
Exhibit A – Map**

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

Ord. No. 678-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 September, 1964, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Tabbert

APPROVED Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 21, 1964

AN ORDINANCE AMENDING SECTION 10-2.301 OF ARTICLE 3 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE AND ADDING ARTICLE 29 TO CHAPTER 2 OF TITLE X THEREOF, RELATING TO ZONING REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 10-2.301 of Article 3 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.301. NAMES OF ZONES. In order to classify, regulate, restrict and segregate the uses of land and buildings, to regulate and restrict the height and bulk of buildings, and to regulate the area of yards and other open spaces about buildings, and to regulate the density of population, thirteen (13) classes of zones are by this chapter established to be known as follows:

Residential-Agricultural Zone . . . . .	R-A
One-Family Zone . . . . .	R-1
Two-Family Zone . . . . .	R-2
Multiple-Family Zone . . . . .	R-3
Neighborhood Commercial Zone . . . . .	C-1
General Commercial Zone . . . . .	C-2
Commercial-Industrial Zone . . . . .	C-M
Light Industrial Zone . . . . .	M-1
Heavy Industrial Zone . . . . .	M-2
Flood Plain Zone . . . . .	F
Planned Development Zone . . . . .	P-D
Industrial Park Zone . . . . .	M-P
<u>Highway Frontage Zone . . . . .</u>	<u>H-1</u>

SECTION 2. AMENDMENT OF CODE. Article 29 is hereby added to Chapter 2 of Title X of the Modesto Municipal Code to read as follows:

ARTICLE 29. HIGHWAY FRONTAGE ZONE

SEC. 10-2.2901. PURPOSE. The Highway Frontage (H-1) Zone is intended to permit a pattern of varied uses of property along major streets, which, in most cases, consists of extensive frontage of large undeveloped parcels of land adjacent to important intercity transportation links. The regulations are meant to control the site layout and design so as to:

- (a) Promote a free traffic flow on the major street.
- (b) Assure compatibility among the uses along the major street and with existing and future uses in adjacent zoning districts.
- (c) Supply an area for the conduct of:
  - (1) Retail, service, and institutional uses not ordinarily found in shopping centers.
  - (2) Uses generally dependent on a regional, rather than a local, population for their support.

successful operation.

(d) Encourage development of an open, uncrowded nature that will enhance the entrance to the city and discourage development that will extend unplanned "commercial strips."

SEC. 10-2.2902. APPLICABILITY OF REGULATIONS. The specific regulations and the general rules set forth in this chapter shall apply in all H-1 Zones, except that where conflict in regulations occurs, the regulations specified in this article shall apply.

SEC. 10-2.2903. PERMITTED USES. The following uses shall be permitted in an H-1 Zone subject to securing a use permit from the Planning Commission in accordance with the procedure specified in Article 21 of this chapter, providing that the application need not be approved by the City Council after approval by the Planning Commission.

(a) Major Utility and Transportation Installations.

(1) Utilities.

(aa) ~~Telephone exchanges~~ Communications equipment buildings.

(ab) Transmitter towers, radio and television.

(ac) Gas metering stations.

(b) Multi-Family Uses.

(1) Boarding or rooming house.

(2) Multiple dwelling unit.

(3) Nonprofit membership organization with residential accommodations for members only.

(c) Educational and Institutional Uses with Residential Accommodations.

(1) Convent.

(2) Home for the aged.

(3) Hospital, general.

(4) Monasteries.

(5) Nursing home.

(6) Orphanages.

(7) Rest home.

(d) Residential Planned Unit Development. (A development planned as a unit and consisting of single-family, two-family, or multiple dwellings and other related uses.)

(1) Dwellings.

(aa) Single-family.

(ab) Two-family.

(ac) Multiple.

(2) Related public uses or private recreational or institutional uses or cultural facilities.

(3) Necessary service installations.

(4) Commercial services designed to serve the residents of the development.

(e) Educational, Cultural, Institutional and Recreational Uses Serving Urban Region or Major Sub-areas.

(1) Public.

(aa) Art gallery.

(ab) Botanical garden.

(ac) Administrative office.

(ad) Meeting hall (capacity unlimited).

(ae) Museum.

(af) Recreation center.

(ag) School.

(2) Private (noncommercial).

(aa) Church.

(ab) Club or recreation facility.

(ac) Parish house.

(ad) Art gallery.

(ae) Club or recreation facility (membership not limited).

(af) Meeting hall (capacity unlimited).

(ag) Museum.

(ah) School.

(f) Traveler's Living Accommodations. (Transient living service establishments depending on a large trade area.)

(1) Hotel.

(2) Motel.

(3) Trailer park.

(g) Business and Professional Offices.

(h) Retail Trade and Consumer Services Establishments.

(1) Apparel and accessories.

- (2) Automobile dealers, new and used cars.
- shops.
- (3) Automobile tire, battery and accessory
- (4) Eating and drinking places.
- (5) Furniture, home furnishings and equipment.
- (6) General merchandise stores.
- (7) Miscellaneous retail stores.
- (8) Parking lots or parking structures for passenger automobiles.
- (9) Radio and television studios.

(i) General Consumer and Business Services. (Depending on trade from a large area.)

- (1) Business services.
- (2) Catering establishments.
- (3) Motion picture production distribution service.
- (4) Printing, job or commercial.
- (5) Vending machine rental.

(j) Special Retail Trade and Consumer Service Establishments. (Depending on trade from a wide area and with some objectionable elements likely because of processes used, materials handled, or character of traffic generated.)

- (1) Ambulance service (when not a part of a hospital).
- (2) Automotive repair, services and garages, excluding:

- (aa) Body repair shops.
- (ab) Paint shops.
- (ac) Tire recapping and retreading.
- (ad) Truck repair.

(3) Carpentry shop or custom woodworking or custom furniture.

- (4) Food lockers, rental for individual households.

(k) Special Business, Consumer and Miscellaneous Repair Services. (Serving a large area.)

- (1) Animal hospital.
- (2) Animal shelter or pound.

(3) Miscellaneous repair shops.

(4) Package delivery service.

(1) Commercial Amusement and Entertainment Establishments Requiring Large Sites and/or Generating Large Traffic Volumes.

(1) Arena, auditoriums or stadiums, unlimited capacity.

(2) Golf course.

(3) Golf driving range.

(4) Miniature golf course.

(5) Skating rink.

(m) Warehousing and Storage. (To be conducted in an entirely enclosed building.)

SEC. 10-2.2904. STANDARDS. In order to accomplish the purpose of Section 10-2.2901, the following general standards shall constitute guidelines to the Planning Commission in considering and determining appropriate and reasonable conditions to apply to any use permit granted in an H-1 Zone.

It is not intended that these standards be mandatorily imposed but that they be applied when reasonable under the facts and circumstances developed through the study and consideration of a particular application for a use authorized in the zone.

(a) Uses Conducted Within Buildings. That uses in the H-1 Zone be conducted wholly within a building except such uses as drive-in restaurants, gasoline stations, plant material nurseries, and similar enterprises customarily conducted in the open as determined by the Planning Commission. ~~That additional storage yards be reserved for lumber or construction materials storage yards shall be reserved for such a use and that no open storage shall be visible from any public street or any agricultural or residential zone.~~

(b) Nuisances. That no operation be conducted on the premises to cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration or electrical interference detectable off the premises.

(c) Front Yard. That every lot have a front yard, including the building line setback area, of no less than fifteen (15') feet from the street right of way line. That the front yard be permitted to be used for either landscaping or vehicular parking, but that it be the policy of the city that landscaping be preferred.

(d) Side Yard. That each lot have at least one side yard a minimum of twelve (12') feet in width or ten (10%) per cent of the lot width, whichever is greater, but that in no event need the side yard exceed the maximum width of thirty (30') feet.

That on the side street side of all corner lots no structure be built closer than fifteen (15') feet from the property line.

10-2.2905. (e) Rear/~~back~~ That no structure be built closer than forty (40') feet to the nearest residential or agricultural zone boundary at the rear of the property except for accessory buildings customarily incidental to residential uses.

(f) Screening. That an ornamental masonry wall six (6') feet in height measured from the finish grade of the H-1 property at the footing of the wall be constructed along the boundary separating the H-1 uses fronting on the major street from adjoining residential or agricultural zones. On corner lots, an ornamental masonry wall, six (6') feet in height shall be constructed along the side street side of the property, fifteen (15') feet in from the property line, or along the building setback line, whichever is greater, from the rear property line to a point even with the rear of the main building furthest to the rear of the parcel or to a point even with the H-1 Zone boundary across the side street, whichever is greatest.

(g) Driveways.

(1) Where a wall is required on the side street side of a corner lot, no driveway shall be permitted.

(2) All existing lots of record as of October 21, 1964, are permitted adequate access to the major street by this Code. For lots created after October 21, 1964, access to the major street should be granted only to parcels with two hundred (200') feet or more of frontage and at the rate of not more than two (2) curb cuts within a thirty-six (36') foot maximum width each, for each two hundred (200') foot increment in lot width. On parcels with extremely wide frontages, ordinarily less than the maximum number of access points should be permitted.

(h) Projections Into Yards and Courts. That every part of a required yard or court be open from its lowest point to the sky unobstructed as provided in Section 10-2.1610 of this chapter.

(i) Street Width. That every applicant for a proposed development which will involve a use which is a potential traffic generator be required to dedicate and improve sufficient right of way to provide a street width commensurate with standard city right of way widths or such other right of way as might be adopted by the Council.

The Planning Commission may impose such other and additional reasonable conditions as it deems will promote the public interest and general welfare based on the facts and circumstances of the individual case and the proposed development.

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

SEC. 10-2.2906. SIGNS. That no outdoor advertising structure or outside advertising display be permitted except as follows:

(1) Signs used exclusively for:

(aa) The display of official notices used by any public body.

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

(2) A single sign be permitted which is used exclusively to advertise the ownership, sale or lease of the property upon which such sign is placed, or to advertise any lawful activity conducted upon such premises, provided:

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

(ab) Illuminated signs shall be nonflashing and shall not be located so that any light thereon will tend to create a traffic hazard.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Tribune, 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 September, 1964, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Tabbert

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 679-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of October, 1964, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: Hughes  
ABSENT: Councilmen: None

APPROVED Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:  Rex E. Gailfus   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: November 4, 1964

## AN ORDINANCE ADOPTING AN AMENDED PARKING METER ZONING MAP OF THE CITY OF MODESTO.

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

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

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of September, 1964, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Tabbert  
APPROVED: *Peter W. Johansen*

PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ordinance 680 C.S.  
Exhibit A – Map

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

Ord. No. 680-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of October, 19 64, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED *Peter W. Johansen*  
PETER W. JOHANSEN, Mayor

ATTEST: *Rex E. Gailfus*  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: November 4, 1964





AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN  
AS THE DAVIS PARK ADDITION TO  
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by Bartley E. Bennett, Alberta L. Bennett, Lorne A. Campbell,  
Veneta E. Campbell, Edward Dean Price, Katherine M. Price, and  
City of Modesto  
on July 28, 1964, to annex to the City of Modesto under  
the provisions of the Annexation of Uninhabited Territory Act of  
1939, as amended, certain uninhabited territory, hereinafter  
described and designated as the DAVIS PARK  
ADDITION, situate in the County of Stanislaus, State of California,  
and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the  
17th day of August, 1964, set said petition for hear-  
ing at the hour of 7:45 o'clock P.M. on the 28th day of  
September, 1964, in the Council Chambers at the City Hall,  
801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so  
finds that a copy of the resolution giving notice of the proposed  
annexation and fixing the time and place for hearing objections  
to the proposed annexation was published in newspapers of general  
circulation to wit: The Modesto Tribune, a newspaper pub-  
lished in the City of Modesto on August 20, 1964,  
and on September 3, 1964; and in the Turlock Daily  
Journal, a newspaper published outside the City of Modesto, but  
in the County of Stanislaus, on August 27, 1964, and  
on September 3, 1964, for the time and in the manner  
required by law, which publications were completed at least  
twenty (20) days prior to the date set for hearing; that written  
notice of the proposed annexation has been mailed by the City  
Clerk of the City of Modesto to each person to whom land within  
the territory proposed to be annexed was assessed on the last  
equalized assessment roll available on the date the proceedings  
were initiated, at the address as shown thereon, or as known to  
said Clerk, and to any person who has filed his name and address  
and the designation of the lands in which he has any interest.

mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, the Stanislaus County Local Agency Formation Commission did on July 15, 1964, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to Section 54766 of the Government Code, and

WHEREAS, on the 28th day of September, 1964, at the hour of 7:45 o'clock P.M., in the Council Chambers at the City Hall, 801 - 11th Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

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

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

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

SECTION 2. The area or territory so annexed, designated as the DAVIS PARK ADDITION, is located in the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

DAVIS PARK ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 17, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits, as established by the Northeastern corner of the ASHFORD ADDITION, as per description filed February 4, 1954, as Instrument 2877, Stanislaus County Records, said point being the Southeastern corner of the Northeast quarter of the Northwest quarter of Section 17; thence along the existing City Limits, and the Southern line of said Northeast quarter of the Northwest quarter of Section 17, North  $88^{\circ} 54'$  West, 1318.13 feet, to the Northwestern corner of said Ashford Addition and the Southeastern corner of the DAVIS HIGH SCHOOL ADDITION, as per description filed April 20, 1962, as Instrument 15320, Stanislaus County Records, said point being the Southwestern corner of the Northeast quarter of the Northwest quarter of Section 17; thence along the existing City Limits and the Eastern line of said Davis High School Addition, and the Western line of said Northeast quarter of the Northwest quarter of Section 17, North  $0^{\circ} 49' 30''$  West, 1338.29 feet, to the Northeastern corner of said Davis High School Addition which is on the Southern line of the NEIGHBORHOOD CHURCH ADDITION, as per description filed February 2, 1961, as Instrument 3513, Stanislaus County Records, said point also being on the Northern line of Rumble Road; thence along the Southern line of said Neighborhood Church Addition, South  $88^{\circ} 57' 30''$  East, 403.11 feet, to the Southeastern corner of said Neighborhood Church Addition; thence along the Southerly extension of the Eastern line of said Neighborhood Church Addition, South  $0^{\circ} 52' 30''$  East, 20.01 feet, to the Center Line of Rumble Road and the Section Line common to Sections 17 and 8; thence along said Section Line, South  $88^{\circ} 57' 30''$  East, 945.26 feet, to the Eastern line of the Tidewater Southern Railway Company Right of Way; thence along said Eastern line, South  $0^{\circ} 48' 45''$  East, 1009.48 feet, to the Northern line of the NORTHGATE ADDITION, as per description filed November 29, 1955, as Instrument 34498, Stanislaus County Records; thence along the existing City Limits and the Northern line of the Northgate Addition, North  $88^{\circ} 54'$  West, 30.02 feet, to the Western line thereof and the Eastern line of the Northeast quarter of the Northwest quarter of Section 17; thence along the existing City Limits and the Eastern line of the Northeast quarter of the Northwest quarter of Section 17, South  $0^{\circ} 48' 45''$  East, 310.13 feet, to the point of beginning, containing 40.774 Acres, more or less.

be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

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

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of September, 1964, by Councilman Mitchell, who moved its adoption and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert, Vice Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Mayor Johansen

APPROVED: Richard VanderWall

~~PETER H. JOHANSEN~~, Mayor

RICHARD VANDER WALL, Vice-

ATTEST: REX E. GAILFUS, City Clerk

(SEAL)

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

AN ORDINANCE AMENDING SECTIONS 3-2.1601, 3-2.1602 AND 3-2.1603 OF ARTICLE 16 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO OFF-STREET PARKING.

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

SECTION 1. AMENDMENT OF CODE. Sections 3-2.1601, 3-2.1602 and 3-2.1603 of Article 16 of Chapter 2 of Title III of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 3-2.1601. ESTABLISHMENT. (a) General. Municipal off-street parking lots are hereby established in the City. There shall be two (2) types of lots:

(1) Those municipal off-street parking lots which are to be controlled by parking meters; and

(2) Those municipal off-street parking lots operated by attendants or other appropriate means.

On those municipal off-street parking lots which are to be controlled by parking meters, the Director of Parking and Traffic shall cause parking meters to be installed and maintained.

(b) Parking Meter Lots. The municipal off-street parking lots which are controlled by meters are shown on the Parking Meter Zoning Map adopted by Section 3-2.1501 of this Code and are as follows:

- (1) PML-1 11th and G Street parking lot (PM-5 Zone)
- (2) PML-3 12th and I Street parking lot (southeast corner) (PM-9 Zone)
- (3) PML-4b 11th Street between H and I Street (lower level) parking lot (PM-7 Zone)
- (4) PML-7 12th and I Street parking lot (northeast corner) (PM-6 Zone)
- (5) PML-9 13th Street between J and K Street parking lot (PM-3 Zone)
- (6) PML-10 8th Street between I and K Street parking lot (PM-4 Zone)
- (7) PML-11 10th and H Street parking lot (PM-8 Zone)

(8) PML-12 9th Street between J and K  
Street parking lot (PM-2 Zone)

(c) Attendant Lots. The following municipal off-street parking lots are hereby established as attendant lots:

- (1) PAL-2 9th Street between I and J  
Street parking lot
- (2) PAL-4a 11th Street between H and I  
Street (street level)  
parking lot
- (3) PAL-5 10th Street between K and L  
Street parking lot

(d) Free Lots. The following municipal off-street parking lots are free lots:

- (1) PL-13 15th Street parking lot
- (2) PL-15 Fire Station parking lot  
(north side)
- (3) PL-16 Fire Station parking lot  
(south side)

(e) Parking Ticket Lots. The following municipal off-street parking lot is controlled by a ticket dispensing device:

- (1) PTL-20 10th Street between G and H  
Street parking lot (Old  
City Hall)

SEC. 3-2.1602. TIME OF OPERATION OF ATTENDANT PARKING LOTS AND PARKING TICKET LOTS. The hours and the days upon which the operation of attendant parking lots and parking ticket lots shall be effective shall be established by resolution of the Council, which regulations shall be effective when so designated by appropriate markings or signs posted on said lots.

SEC. 3-2.1603. RATES OF ATTENDANT PARKING LOTS AND PARKING TICKET LOTS. The rates for the use of attendant parking lots and parking ticket lots shall be established by resolution of the Council, which regulations shall be effective when so designated by appropriate markings or signs posted on said lots.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior

to its final adoption in the Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of September, 1964, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Tabbert, Vice-Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Mayor Johansen

APPROVED:

Peter W. Johansen  
~~PETER W. JOHANSEN~~, Mayor  
RICHARD VANDER WALL, Vice-

ATTEST:

REX E. GAILFUS  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

Ord. No. 683-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of October, 1964, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: November 4, 1964

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

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

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

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

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
ALICE, from Sycamore to McHenry	25 miles per hour
BOWEN, from Geneva Drive to the easterly city limits	25 miles per hour
BRIGGSMORE, from McHenry to Tully Road	30 miles per hour
<u>BRIGGSMORE, from Tully Road to the westerly city limits</u>	<u>35 miles per hour</u>
CARVER ROAD, from Evergreen Street north to the northerly city limits	25 miles per hour
CENTER STREET, entire length in city	25 miles per hour
DEL VALE, entire length in city	25 miles per hour
EL VISTA, within the city limits	35 miles per hour
EMERALD, from Maze Road to the southerly city limits	25 miles per hour

ENSLLEN, between Granger and Orangeburg	25 miles per hour
FAIRMONT AVENUE, between Virginia and McHenry	25 miles per hour
FLOYD AVENUE, within the city limits	30 miles per hour
FRANKLIN, between California and Laurel	25 miles per hour
GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
HADDON, between La Loma and Conejo Avenue	25 miles per hour
HATCH ROAD, within the city limits	35 miles per hour
JEFFERSON, from Paradise Road to 8th Street	25 miles per hour
K STREET, between Washington Avenue and 9th Street	25 miles per hour
KEARNEY, entire length in city	25 miles per hour
LA LOMA, entire length in city	25 miles per hour
LUCERNE AVENUE, from Johnson Street to Coffee Road	25 miles per hour
MADISON, entire length in city	25 miles per hour
MILLER, from La Loma to Conejo	25 miles per hour
MORTON BOULEVARD, entire length in city	25 miles per hour
NEECE DRIVE, from Tuolumne Boulevard to the southerly city limits	25 miles per hour
ORANGEBURG AVENUE, east of McHenry Avenue	35 miles per hour
SHERWOOD, from Orangeburg to Northern Boulevard	25 miles per hour
STODDARD, between McHenry and Virginia	25 miles per hour
SUNRISE, from Lucerne to the northerly city limits	25 miles per hour
TULLY ROAD, from Coldwell to Woodman Way	25 miles per hour
TULLY ROAD, between Rumble and the northerly city limits	35 miles per hour

WESTERN WAY, between Sutter Avenue  
and Roselawn Avenue

25 miles per hour

WOODROW AVENUE, within the city  
limits

25 miles per hour

WRIGHT, from Sycamore to McHenry

25 miles per hour

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of October, 1964, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, VanderWall,  
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid, Tabbert

APPROVED:

Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:

REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

Ord. No. 684-C.S.

FINAL ADOPTION CLAUSE


The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of October, 1964, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: November 25, 1964

AN ORDINANCE AMENDING SECTION 3-2.1601 OF ARTICLE 16 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO OFF-STREET PARKING.

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

SECTION 1. AMENDMENT OF CODE. Section 3-2.1601 of Article 16 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1601. ESTABLISHMENT. Municipal off-street parking lots are hereby established in the City. There shall be two (2) types of lots:

(a) Those municipal off-street parking lots which are to be controlled by parking meters.

(1) Parking Meter Lots. The municipal off-street parking lots which are controlled by meters are shown on the Parking Meter Zoning Map adopted by Section 3-2.1501 of this Code and are as follows:

- (aa) PML-1 11th and G Street parking lot (PM-5 Zone)
- (ab) PML-3 12th and I Street parking lot (southeast corner) (PM-9 Zone)
- (ac) PML-4b 11th Street between H and I Street (lower level) parking lot (PM-7 Zone)
- (ad) PML-7 12th and I Street parking lot (northeast corner) (PM-6 Zone)
- (ae) PML-9 13th Street between J and K Street parking lot (PM-3 Zone)
- (af) PML-10 8th Street between I and K Street parking lot (PM-4 Zone)
- (ag) PML-11 10th and H Street parking lot (PM-8 Zone)
- (ah) PML-12 9th Street between J and K Street parking lot (PM-2 Zone)

(2) Installation and Maintenance. On those municipal off-street parking lots which are to be controlled by parking meters, the Director of Parking and Traffic shall cause parking meters to be installed and maintained.

(b) Those municipal off-street parking lots operated by attendants or other appropriate means.

(1) Attendant Lots. The following municipal off-street parking lots are hereby established as attendant lots:

- (aa) PAL-2 9th Street between I and J Street parking lot
- (ab) PAL-4a 11th Street between H and I Street (street level) parking lot
- (ac) PAL-5 10th Street between K and L Street parking lot
- (ad) PAL-17 Bank of California parking lot at 12th and J Streets
- (ae) PAL-18 Seely Tower parking lot at 12th and J Streets

(2) Free Lots. The following municipal off-street parking lots are free lots:

- (aa) PL-13 15th Street parking lot
- (ab) PL-15 Fire Station parking lot (north side)
- (ac) PL-16 Fire Station parking lot (south side)

(3) Parking Ticket Lots. The following municipal off-street parking lot is controlled by a ticket dispensing device:

- (aa) PTL-20 10th Street between G and H Street parking lot (Old City Hall)

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of November, 1964, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:

Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:

Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

Ord. No. 685-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16th day of November, 1964, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 16, 1964

AN ORDINANCE AMENDING SECTION 9-5.03 OF CHAPTER 5 OF TITLE IX OF THE MODESTO MUNICIPAL CODE RELATING TO NUMBERING PROPERTIES.

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

SECTION 1. AMENDMENT OF CODE, Section 9-5.03 of Chapter 5 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-5.03. MAINTAINING THE SYSTEM. The Director of Planning shall be responsible for maintaining the numbering system and making additions thereto. The Chief Building Official shall be responsible for allocating new numbers from information furnished him by the Director of Planning. In case of number changes, the City Clerk shall send official notice to each property owner and occupant involved, specifying the old and new number and the date upon which the new number will become effective. In the performance of these responsibilities, the Director of Planning, the Chief Building Official and the City Clerk shall be guided by the provisions of Section 9-5.02 in this chapter, and by the official map and all explanatory matter thereon.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of November, 1964, by Councilman Patton, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk  
(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 686-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16th day of November, 1964, Councilman Tabbert moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 16, 1964

AN ORDINANCE ADDING ARTICLE 7 TO CHAPTER 2 OF TITLE VIII OF THE MODESTO MUNICIPAL CODE, PROVIDING FOR THE PAYMENT OF TAXES IN CONNECTION WITH CONSTRUCTION OF DWELLING UNITS, THE DEPOSIT OF SUCH TAXES IN THE PARK AND RECREATION FACILITIES FUND, AND THE USE OF SUCH FUND FOR PUBLIC PARK AND RECREATION PURPOSES.

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

SECTION 1. AMENDMENT OF CODE. Article 7 is hereby added to Chapter 2 of Title VIII of the Modesto Municipal Code to read as follows:

ARTICLE 7. PARK AND RECREATION FACILITIES TAX

SEC. 8-2.701. TITLE. This tax shall be known as the "Park and Recreation Facilities Tax of the City of Modesto".

SEC. 8-2.702. PURPOSE. The Council of the City of Modesto hereby declares that the taxes required to be paid hereby are assessed pursuant to the taxing power of the City of Modesto and solely for the purpose of producing revenue. The continued increase in the development of dwelling units in the City of Modesto with the attendant increase in the population of the City has created an urgent need for the planning, acquisition, improvement and expansion of public parks, playgrounds, and recreation facilities to serve the increasing population of the City and the means of providing additional revenues with which to finance such public facilities.

SEC. 8-2.703. DEFINITIONS. Except where the context otherwise requires, the definitions given in this section govern the construction of this article.

(a) The term "person" includes every person, firm, or corporation constructing a dwelling unit itself, or through the services of any employee, agent, or independent contractor.

(b) The term "dwelling unit" includes each single family dwelling and each unit of an apartment, duplex or multiple dwelling structure designed as a separate habitation for one or more persons.

SEC. 8-2.704. TAXES: APPLICATION. The taxes imposed by this article shall be applicable to every dwelling unit constructed in the City of Modesto, except the following:

(a) Every dwelling unit constructed on a lot of record created by a subdivision of land, the final map of which subdivision was filed on or before March 9, 1964.

(b) Every dwelling unit constructed on a lot of record created by a subdivision of land for which the City of Modesto entered into an agreement between March 9, 1964, and January 1, 1965, relating to the payment of park fees or taxes for said subdivision.

SEC. 8-2.705. TAXES: AMOUNT. Every person constructing any dwelling unit in the City of Modesto, for which a Park and Recreation Facilities Tax is required to be paid by Section 8-2.704 of this article, shall pay to the City the following taxes, to wit: The sum of Fifteen and no/100ths (\$15.00) Dollars for each dwelling unit containing not more than one bedroom and the sum of Five and no/100ths (\$5.00) Dollars for each additional bedroom contained therein; provided, however, that in no event shall the total tax for any dwelling unit exceed the sum of Thirty and no/100ths (\$ 30.00) Dollars.

SEC. 8-2.706. TAXES: WHEN PAYABLE. The taxes imposed by Section 8-2.705 of this article shall be due and payable upon application to the City for a building permit for the construction of any such dwelling unit; provided, however, that there shall be a refund of such taxes in the event the building permit is not approved, or is not used, for such construction.

SEC. 8-2.707. PARK AND RECREATION FACILITIES FUND. There is hereby established a Park and Recreation Facilities Fund. All of the sums collected pursuant to this article shall be deposited in said Park and Recreation Facilities Fund and shall be used solely for the acquisition, improvement and expansion of public park, playground and/or recreation facilities.

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of this City hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after January 1, 1965.

~~And by (30) days after the date of final passage and adoption~~

published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of November, 1964, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 687-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16th day of November, 1964, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 1, 1965

AN ORDINANCE AMENDING SECTION 2-2.09 OF CHAPTER 2 OF TITLE II OF THE MODESTO MUNICIPAL CODE RELATING TO REQUIREMENT OF ORDINANCES.

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

SECTION 1. AMENDMENT OF CODE. Section 2-2.09 of Chapter 2 of Title II of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 2-2.09. ORDINANCES REQUIRED IN CERTAIN CASES. Each legislative act of the Council establishing a fine or penalty, imposing a new or additional tax, granting a franchise, or when required by the Charter of the City of Modesto shall be by ordinance.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of November, 1964, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:

By Rex B. Gailfus  
City Clerk, Rex B. Gailfus

(SEAL) APPROVED AS TO FORM:

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 23rd day of November 19 64, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 23, 1964

AN ORDINANCE AMENDING SECTION MAP 20 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ROY CAMPBELL)

WHEREAS, a verified application for an amendment to Section 20 of the Zoning Map was filed by Roy E. Campbell on July 2, 1964, to reclassify from One-Family Zone, R-1, to Multiple-Family Zone, R-3, the hereinafter described property, and

WHEREAS, after public hearing held on October 20, 1964, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 64-112, adopted on October 20, 1964, the Planning Commission recommended to the Council that the application of Roy E. Campbell to amend Section 20 of the Zoning Map to reclassify the hereinafter described property from One-Family Zone, R-1, to Multiple-Family Zone, R-3, be approved,

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

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

SECTION 2. ZONING CHANGE. Section 20 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Multiple-Family Zone, R-3 :

Beginning at a point on the center line of West Coolidge Avenue 125 feet east of the center line of Florida Avenue, said point being the true point of beginning; thence North 0° 50' West a distance of 128.04 feet to the north line of the Mira Loma Tract; thence South 88° 46' East a distance of 300 feet to the west line of lot 9, block 6060; thence South 0° 50' East along the west line of said lot 9 a distance of 128.04 feet to the center line of West Coolidge Avenue; thence South 88° 46' East along the center line of West Coolidge Avenue a distance of 30.35 feet, more or less, to the east line of lot 7, block 6059-A extended; thence South 0° 50' East along said lot line a distance of 165.14 feet to the south line of said lot 7; thence North 88° 46' West a distance of 312 feet to the southwest corner of lot 3, block 6059-A; thence North 0° 50' West 165.2 feet to the center line of West Coolidge Avenue; thence North 88° 46' West along the center line of West Coolidge Avenue a distance of 18 feet, more or less, to the point of beginning; being located north of Claradell Avenue between Florida and McHenry Avenues, containing lots 3 through 8, block 6060 and lots 3 through 7, block 6059-A.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of November, 19 64, by Councilman Hughes,

being duly seconded by Councilman Mitchell, was  
upon roll call carried and ordered printed and published by  
the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ordinance 689 C.S.  
Exhibit A – Map

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

Ord. No. 689-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 December, 1964, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 6, 1965

AN ORDINANCE AMENDING SECTION MAP 32 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (FARISH AND HERZOG)

WHEREAS, a verified application for an amendment to Section 32 of the Zoning Map was filed by Bruce L. Farish and Ted Herzog on September 7, 19 64, to reclassify from Multiple-Family Residential Zone, R-3, to Commercial-Industrial Zone, C-M, the hereinafter described property, and

WHEREAS, after public hearing held on October 20, 19 64, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 64-111, adopted on October 20, 19 64, the Planning Commission recommended to the Council that the application of Bruce L. Farish and Ted Herzog to amend Section 32 of the Zoning Map to reclassify the hereinafter described property from Multiple-Family Residential Zone, R-3, to Commercial-Industrial Zone, C-M, be approved,

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

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

SECTION 2. ZONING CHANGE. Section 32 of the Zoning Map is hereby amended to reclassify the following described property from Multiple-Family Residential Zone, R-3, to Commercial-Industrial Zone, C-M:

Beginning at a point on the intersection of the center lines of Seventh Street and I Street; thence North 43° 29' 30" West along the center line of Seventh Street 165 feet to the true point of beginning of this description; thence North 43° 29' 30" West along the center line of Seventh Street a distance of 85 feet; thence South 46° 30' 30" West a distance of 190 feet; thence South 43° 29' 30" East a distance of 85 feet; thence North 46° 30' 30" East a distance of 190 feet to the true point of beginning; being located on the west side of Seventh Street 165 feet north of I Street.

SECTION 3. ZONING MAP. Section 32 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of November, 19 64, by Councilman Mitchell,

~~who moved its introduction and passage to print, which motion~~

being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
- NOES: Councilmen: None
- ABSENT: Councilmen: None

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

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

**Ordinance 690 C.S.  
Exhibit A – Map**

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

Ord. No. 690-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 December, 19 64, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 7, 1965

AN ORDINANCE AMENDING SECTION MAP 9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (CRESTWOOD TERRACE NO. 3 ADDITION)

WHEREAS, the Planning Commission on September 15, 1964, initiated proceedings to amend Section 9 of the Zoning Map to reclassify from Residential-Agricultural Zone, R-A, to One-Family Zone, R-1, the hereinafter described property, and

WHEREAS, after public hearing held on October 20, 1964, it was found and determined by the Planning Commission that rezoning as initiated is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 64-110, adopted October 20, 1964, the Planning Commission recommended to the Council that Section 9 of the Zoning Map be amended to reclassify the hereinafter described property from Residential-Agricultural Zone, R-A, to One-Family Zone, R-1,

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

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

SECTION 2. ZONING CHANGE. Section 9 of the Zoning Map is hereby amended to reclassify the following described property from Residential-Agricultural Zone, R-A, to One-Family Zone, R-1:

Beginning at a point on the city limits line as established by the intersection of the northeastern corner of the Crestwood Terrace No. 2 Addition and the western line of the Walnut Acres Addition; thence along said western line North 0° 44' 25" West 240.57 feet; thence North 89° 30' West 659.25 feet; thence South 0° 45' East 240.57 feet; thence

South 89° 30' East 659.21 feet to the point of beginning; being located north of Terrace Place immediately east of the city park site north of Sherwood School.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of November, 1964, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
- NOES: Councilmen: None
- ABSENT: Councilmen: None

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GALLFUS, City Clerk

(SEAL)

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

Ordinance 691 C.S.  
Exhibit A – Map

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

Ord. No. 691-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 December, 19 64, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 7, 1965

AN ORDINANCE AMENDING SECTION MAP 17 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (DAVIS PARK ADDITION)

WHEREAS, the Planning Commission on September 15, 1964, initiated proceedings to amend Section 17 of the Zoning Map to reclassify from Residential-Agricultural Zone, R-A, to One-Family Zone, R-1, the hereinafter described property, and

WHEREAS, after public hearing held on October 20, 1964, it was found and determined by the Planning Commission that rezoning as initiated is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 64-109, adopted October 20, 1964, the Planning Commission recommended to the Council that Section 17 of the Zoning Map be amended to reclassify the hereinafter described property from Residential-Agricultural Zone, R-A, to One-Family Zone, R-1,

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

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

SECTION 2. ZONING CHANGE. Section 17 of the Zoning Map is hereby amended to reclassify the following described property from Residential-Agricultural Zone, R-A, to One-Family Zone, R-1:

Beginning at a point on the city limits line as established by the northeastern corner of the Ashford Addition; thence North 88° 54' West 1318.13 feet; thence North 0° 49' 30" West 1338.29 feet; thence South 88° 57' 30" East 403.11 feet; thence South 0° 52' 30" East 20.01 feet; thence South 88° 57' 30" East 945.26 feet; thence South 0° 48' 45" East 1009.48 feet; thence North 88° 54' West 30.02 feet; thence South 0° 48' 45" East 310.13 feet to the point of beginning; being located on the south

side of Rumble Road immediately east of the Davis High School property.

SECTION 3. ZONING MAP. Section 17 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of November, 1964, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
- NOES: Councilmen: None
- ABSENT: Councilmen: None

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

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

Ordinance 692 C.S.  
Exhibit A – Map

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

Ord. No. 692-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 December, 19 64, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED *Peter W. Johansen*  
PETER W. JOHANSEN, Mayor

ATTEST: *REX E. GAILFUS*  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 7, 1965

AN ORDINANCE AMENDING SECTION MAP 16 OF THE  
FIRE ZONING MAP OF THE CITY OF MODESTO,  
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

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

**SECTION 1. ZONING CHANGE.** Section 16 of the Fire Zoning Map is hereby amended to reclassify the following described properties from Fire Zone 3 to Fire Zone 2:

Parcel No. 1 (Quintana Property)

Beginning at the intersection of the center line of McHenry Avenue and the center line of Bowen Avenue; thence along the center line of McHenry Avenue, South  $00^{\circ} 48'$  East, 659.74 feet, to the center line of Tokay Avenue; thence along the center line of Tokay Avenue, South  $89^{\circ} 36' 55''$  East, 658.19 feet, to the southerly extension of the Western line of Village Park Subdivision as per map filed April 15, 1960, in Volume 19 of Maps, Page 38, Stanislaus County Records; thence along the Western line of said subdivision, North  $00^{\circ} 49' 10''$  West, 659.83 feet, to a point on the East-West quarter section line of Section 16; thence along said quarter section line, North  $89^{\circ} 37' 17''$  West, 657.92 feet to the point of beginning.

Parcel No. 2 (Granger Avenue Frontage of McHenry Village)

Commencing at a point which is the Southwest corner of Section 16, said point also being the intersection of the center lines of McHenry Avenue and Granger Avenue; thence along the center line of Granger Avenue South  $89^{\circ} 39'$  East, 249.50 feet; thence North  $0^{\circ} 48'$  West, 20.00 feet to a point on the North line of a 40 foot public right of way known as Granger Avenue and the true point of beginning; thence along the Northern line of said Granger Avenue, South  $89^{\circ} 39'$  East, 923.62 feet; thence North  $0^{\circ} 51' 30''$  West, 112.00 feet; thence North  $89^{\circ} 39'$  West, 923.62 feet; thence South  $0^{\circ} 48'$  East, 112.00 feet, to the point of beginning.

**SECTION 2. ZONING MAP.** Section 16 of the Fire 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 3. EFFECTIVE DATE.** This ordinance shall go into effect and be in full force and operation from and

after thirty (30) days after its final passage and adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Tribune, 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 November, 1964, by Councilman Tabbert, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY

  
ELWYN Z. JOHNSON, City Attorney

Ordinance 693 C.S.  
Exhibit A – Map

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

Ord. No. 693-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 December, 19 64, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 13, 1965

AN ORDINANCE AMENDING SECTION MAP 17 OF THE  
FIRE ZONING MAP OF THE CITY OF MODESTO,  
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

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

SECTION 1. ZONING CHANGE. Section 17 of the Fire Zoning Map is hereby amended to reclassify the following described property from Fire Zone 3 to Fire Zone 2:

Beginning at the intersection of the center line of McHenry Avenue and the Southern line of the Modesto Irrigation District Lateral Number 3; thence along the center line of McHenry Avenue, North  $0^{\circ} 48'$  West, 1562.07 feet, to the center line of Bowen Avenue; thence along the center line of Bowen Avenue, North  $88^{\circ} 52' 35''$  West, 659.46 feet, to the Eastern line of the Briggsmore Tract, as per map filed September 15, 1952, in Volume 17 of Maps, Page 43, Stanislaus County Records; thence along said Eastern line and its Southerly extension, South  $0^{\circ} 47' 30''$  East, 1581.34 feet, to the Southern line of the Modesto Irrigation District Lateral Number 3; thence along the Southern line of said Lateral Number 3, North  $89^{\circ} 27'$  East, 659.20 feet, to the center line of McHenry Avenue and the true point of beginning.

SECTION 2. ZONING MAP. Section 17 of the Fire 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 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Tribune, 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 November, 1964, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:

Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:

REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

ELWYN E. JOHNSON, City Attorney

Ordinance 694 C.S.  
Exhibit A – Map

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

Ord. No. 694-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 December, 1964, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

APPROVED   
PETER W. JOHANSEN, Mayor

ATTEST:   
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 13, 1965

AN ORDINANCE AMENDING SECTION MAP 27 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (NORTHGATE ENTERPRISES)

WHEREAS, a verified application for an amendment to Section 27 of the Zoning Map was filed by Northgate Enterprises on September 30, 1964, to reclassify from Neighborhood-Commercial Zone, C-1, and Two-Family Zone, R-2, to Multiple-Family Zone, R-3, the following described properties, and

WHEREAS, after public hearing held on October 20, 1964, it was found and determined by the Planning Commission that rezoning of the properties as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 64-115, adopted on October 20, 1964, the Planning Commission recommended to the Council that the application of Northgate Enterprises to amend Section 27 of the Zoning Map to reclassify the herein-after described properties from Neighborhood-Commercial Zone, C-1, and Two-Family Zone, R-2, to Multiple-Family Zone, R-3, be approved,

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

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

SECTION 2. ZONING CHANGE. Section 27 of the Zoning Map is hereby amended to reclassify the following described property from Neighborhood-Commercial Zone, C-1, to Multiple-Family Zone, R-3:

Beginning at a point on the intersection of the center lines of Miller Avenue and Camellia Way; thence South 0° 24' East along the center line of Covena Avenue a distance of 130 feet to the north line of lot 3, extended, block 2098, Covena Park Tract, and the true point of beginning of this description; thence North 89° 31' West along the north line of said lot 3, a distance of 169.83 feet to a point on the center line of the north-south 20 foot alley in said block 2098; thence South 0° 23' East along the center line of said alley 250 feet to the north line extended of lot 8, block 2098, Covena Park Tract; thence South 89° 31' East along the extended north line of said lot 8 a distance of 169.92 feet to the center line of Camellia Way; thence North 0° 24' West along the center line of Camellia Way a distance of 250 feet to the point of beginning; ~~being~~ located south of Miller Avenue, west of Camellia Way.

**SECTION 3. ZONING CHANGE.** Section 27 of the Zoning Map is hereby amended to reclassify the following described property from Two-Family Zone, R-2, to Multiple-Family Zone, R-3:

Beginning at a point on the intersection of the center lines of Miller Avenue and Covena Avenue; thence South 0° 23' East along the center line of Covena Avenue a distance of 130 feet to the north line, extended, of lot 21, block 2098, Covena Park Tract, and the true point of beginning of this description; thence South 89° 31' East along the north line, extended, of said lot 21, a distance of 161.00 feet to the center line of the north-south alley in block 2098; thence South 0° 23' East along the center line of said alley a distance of 370 feet to its intersection with the center line of an east-west alley in said block 2098; thence North 89° 31' West along the center line of said east-west alley a distance of 161 feet to the center line of Covena Avenue; thence North 0° 23' West along the center line of Covena Avenue a distance of 370 feet to the point of beginning; said property being located north of Yosemite Boulevard south of Miller Avenue and east of Covena Avenue.

**SECTION 4. ZONING MAP.** Section 27 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

SECTION 6. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, 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 November, 1964, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Hughes, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

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

Ordinance 695 C.S.  
Exhibit A – Map

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

Ord. No. 695-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 December, 1964, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED

Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:

Rex E. Gailfus  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 7, 1965

AN ORDINANCE AMENDING SECTION MAP 20 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.  
(NORTHGATE ENTERPRISES)

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

SECTION 1. ZONING CHANGE. Section 20 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Planned Development Zone, P-D (20):

Beginning at the intersection of the center lines of College Avenue and Pearl Street; thence North  $89^{\circ} 53'$  West along the center line of Pearl Street 362.09 feet to the center line of Concord Avenue; thence South  $1^{\circ} 51'$  East along the center line of Concord Avenue 301.08 feet; thence South  $89^{\circ} 53'$  East along a line parallel to the south line of Pearl Street and 271.08 feet therefrom a distance of 362.06 feet to the center line of College Avenue; thence North  $1^{\circ} 51'$  West along the center line of College Avenue 301.08 feet more or less to its intersection with the center line of Pearl Street, the point of beginning; said property being the north 271.08 feet of Lot 14 and the easterly 2.00 feet of Lot 13 of the Weil Colony, and including a portion of the streets adjacent thereto.

SECTION 2. USES. The following uses shall be permitted in said P-D (20) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code:

(a) Five (5) detached single-story buildings containing a total of fifteen (15) medical-professional offices, one hundred (100) off-street parking spaces, and landscaping. As an alternate to one medical office, a one thousand (1,000) square foot prescription pharmacy would be permitted.

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

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, 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 November, 1964, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: ~~None~~ Hughes

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:  Rex E. Gailfus   
REX E. GAILFUS City Clerk

(SEAL)

APPROVED AS TO FORM:

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

**Ordinance 696 C.S.  
Exhibit A – Map**

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

Ord. No. 696-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 December, 1964, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 13, 1965

AN ORDINANCE AMENDING SECTION MAP 16 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.  
(PFEIFER)

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

SECTION 1. ZONING CHANGE. Section 16 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Planned Development Zone, P-D (19):

Beginning at the Northwest corner of Lot 16 of the Coffee Colony according to the official map thereof filed in the office of the Recorder of Stanislaus County, California on January 13, 1906; thence South  $0^{\circ} 42' 30''$  East along the West line of said Lot 16 a distance of 224.18 feet to the north line of Village Manor Unit No. 2; thence South  $89^{\circ} 29'$  East a distance of 330.35 feet; thence North  $0^{\circ} 45' 10''$  West a distance of 89.00 feet to the southeast corner of land conveyed to Enoch F. Ward by deed filed in the office of the Recorder of Stanislaus County, California in Volume 1510 of official records at page 100; thence westerly along the south line of said Ward property 96.00 feet to the southwest corner of said Ward property; thence north along the west line of said Ward property 135 feet, more or less, to the north line of said Lot 16 of the Coffee Colony; thence North  $89^{\circ} 27' 17''$  West along the North line of said Lot 16 a distance of 234.19 feet to the point of beginning; being located on the south side of Floyd Avenue, north of Bruce Court, west of Jasmin Avenue.

SECTION 2. USES. The following uses shall be permitted in said P-D (19) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code:

(a) Three (3) single-story structures containing a total of eleven (11) apartment units, patios, off-street parking for thirty (30) cars, utility room, recreation area and landscaping.

SECTION 3. ZONING MAP. Section Map 16 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, 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 November, 1964, by Councilman VanderWall ~~Shastid~~, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert ~~Hughes~~, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ordinance 697 C.S.  
Exhibit A – Map

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

Ord. No. 697-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 December, 1964, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid,  
Tabbert, VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 7, 1965

AN ORDINANCE AMENDING SECTION MAP 29 OF THE  
ZONING MAP OF THE CITY OF MODESTO, RECLASSIFY-  
ING CERTAIN PROPERTY LOCATED THEREON. (NANCLO, INC.)

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

SECTION 1. ZONING CHANGE. Section 29 of the Zoning Map is hereby amended to reclassify the following described property from Two-Family Zone, R-2, \_\_\_\_\_ to Planned Development Zone, P-D (18) \_\_\_\_\_:

Beginning at a point being the north-south quarter-section corner of Section 29, Township 3 South, Range 9 East, MDB&M; thence South  $0^{\circ} 40'$  East along the north-south quarter-section line a distance of 496.1 feet to the true point of beginning of this description; thence North  $67^{\circ} 56'$  East a distance of 368.25 feet to the west line of the Modesto Irrigation District Substation property; thence North along the west line of said MID Substation property a distance of 147 feet more or less to the South line of lot 4, Block 520; thence west along the South line of lot 4 a distance of 160 feet more or less to the West line of the north-south alley in Block 520; thence South along the West line of said alley a distance of 101 feet; thence West parallel to the South line of lot 5, Block 520, 101 feet therefrom a distance of 180 feet more or less to the  $1/4$  Section line; thence South along the  $1/4$  Section line a distance of 195 feet more or less to the point of beginning. Said property being located on the east side of Virginia Avenue north of MID Lateral No. 4.

SECTION 2. USES. The following uses shall be permitted in said P-D (18) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code:

(a) Ten (10) two (2) story units and eight (8) one story units, containing a total of twenty-eight (28) units, and off-street parking for forty-four (44) automobiles.

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

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, 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 December, 1964, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen.  
NOES: Councilmen: None  
ABSENT: Councilmen: None

APPROVED:

Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:

Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ordinance 698 C.S.  
Exhibit A – Map

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

Ord. No. 698-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 December, 1964, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 20, 1965

AN ORDINANCE AMENDING SECTION 10-2,1505 OF ARTICLE 15 OF CHAPTER 2 OF TITLE X 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 10-2,1505 of Article 15 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2,1505. CLASSIFICATION OF NEWLY ANNEXED TERRITORY. (a) Except as provided in subsections (b) and (c) hereof, all land or territory annexed to the City after the effective date of this section shall automatically be classified with the City's zone classification most comparable to the County zone classification held immediately prior to its annexation or consolidation with the City as shown on the following conversion table, unless the Council specifically determines otherwise by ordinance:

<u>Stanislaus County</u>	<u>City of Modesto</u>
A-2	<u>-R-1</u>
R-A	<u>R-1</u>
R-1	R-1
R-2	R-2
R-3	R-3
H-1	<u>H-1</u>
C-1	C-1
C-2	C-2
L-M	M-1
M	M-2

(b) Any land or territory annexed to the City after the effective date of this section which is unclassified or in a zoning classification that does not appear in the table specified in subsection (a) above shall be classified as R-1, Single-Family Residential, provided, however, that nothing contained in this section shall preclude the Council from specifically determining the zoning of such annexed territory by ordinance adopted concurrently with the annexation, or thereafter.

(c) The application of County zoning in accordance with the provisions of subsections (a) and (b) of this section shall not prejudice the right of the Council or the Planning Commission to initiate rezoning of any land within the City at a date subsequent to annexation in accordance with the procedures set forth in Article 21 of this Chapter. The Council may establish specific zoning by ordinance for land or territory to be annexed. Such an ordinance may be adopted concurrently with the annexation.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Tribune, 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 December, 1964, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Hughes

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST:

By Rex E. Gallfus  
REX E. GALLFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 699-C.S.

FINAL ADOPTION CLAUSE


The foregoing ordinance, having been printed and 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 December, 19 64, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 20, 1965

AN ORDINANCE AMENDING SECTION MAP 16 OF THE  
ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (BURR)

WHEREAS, a verified application for an amendment to  
Section 16 of the Zoning Map was filed by Everett  
Burr on September 28,  
1964, to reclassify from One-Family Zone,  
R-1, to Highway-Frontage Zone, H-1,  
the hereinafter described property, and

WHEREAS, after public hearing held on October 20,  
and continued to November 17, 1964,  
1964,/it was found and determined by the Planning Commission  
that rezoning of the property as requested is required by public  
necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 64-122, adopted on  
November 17, 1964, the Planning Commission recommended  
to the Council that the application of Everett Burr  
to amend Section 16 of the Zoning  
Map to reclassify the hereinafter described property from One-  
Family Zone, R-1, to Highway-Frontage  
Zone, H-1, be approved,

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

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

SECTION 2. ZONING CHANGE. Section 16 of the  
Zoning Map is hereby amended to reclassify the following described  
property from One-Family Zone, R-1,  
to Highway-Frontage Zone, H-1 :

Beginning at a point on the center line of McHenry Avenue, 330 feet south of the center line of Floyd Avenue; thence South 89° 30' East 493 feet; thence North 0° 38' West 330 feet to the center line of Floyd Avenue; thence North 89° 30' West along the center line of Floyd Avenue 173 feet; thence South 0° 38' East a distance of 130 feet; thence North 89° 30' West a distance of 320 feet to the center line of McHenry Avenue; thence South 0° 38' East along the center line of McHenry Avenue a distance of 200 feet to the point of beginning; said property being located on the east side of McHenry Avenue south of Floyd Avenue.

SECTION 3. ZONING MAP. Section 16 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, 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 December, 19 64, by Councilman Mitchell.

being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes

APPROVED: Peter W. Johansen  
PETER W. JOHANSEN, Mayor

ATTEST: Rex E. Gailfus  
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION

By Samuel J. Jig  
Planning Department

Ordinance 700 C.S.  
Exhibit A – Map

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

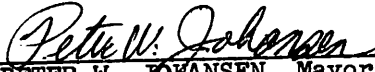
Ord. No. 700-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and 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 December, 1964, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Tabbert,  
VanderWall, Mayor Johansen  
NOES: Councilmen: None  
ABSENT: Councilmen: Shastid

APPROVED

  
PETER W. JOHANSEN, Mayor

ATTEST:

  
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 27, 1965