

ORDINANCE NO. 701-C.S.

AN ORDINANCE AMENDING SECTION 9-8.09 OF CHAPTER 8 OF TITLE IX OF THE MODESTO MUNICIPAL CODE, RELATING TO BOARD OF APPEALS FOR THE UNSAFE STRUCTURE CODE.

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

SECTION 1. AMENDMENT OF CODE. Section 9-8.09 of Chapter 8 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

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 by experience or training are capable of passing upon matters pertaining to building construction. 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.

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

Ord. No. 701-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 4th day of January, 19 65, 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, 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: February 3, 1965

ORDINANCE NO. 702 -C.S.

AN ORDINANCE AMENDING SECTIONS 9-6.15 AND 9-6.21 OF CHAPTER 6 OF TITLE IX OF THE MODESTO MUNICIPAL CODE, AND ADDING SECTIONS 9-6.06.1, 9-6.07.1 AND 9-6.15.1 THERETO RELATING TO SIGNS AND BILLBOARDS.

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

SECTION 1. AMENDMENT OF CODE. Sections 9-6.06.1 and 9-6.07.1 are hereby added to Chapter 6 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-6.06.1. PERMIT ISSUED IN ERROR. If an erection permit is issued in error by the Chief Building Official and the sign or other advertising structure does not comply with all of the requirements of this chapter and all other laws and ordinances of the City, the erection permit shall be null and void and no rights or privileges shall be conferred upon the permittee by said permit. The Chief Building Official shall include or cause to be included on the erection permit for all signs and other advertising structures a notice that the issuance of the permit does not grant any right or privilege to erect or install any sign or other advertising structure which is in violation of this chapter or of any other laws or ordinances of the City.

SEC. 9-6.07.1. INFORMATION REQUIRED. It shall be unlawful for any person to erect, alter or relocate within the City any sign or other advertising structure, as defined in this chapter, without printing or causing to be printed in the lower right-hand corner of the sign or other advertising structure, in clearly legible letters, the name of the person, firm or company erecting, altering or relocating the sign or other advertising structure, the date of erection, alteration or relocation, and the City of Modesto building permit number. If said information is not printed in the lower right-hand corner of a sign or other advertising structure, the Chief Building Official may remove the sign or other advertising structure pursuant to the provisions of Section 9-6.08 hereof.

SECTION 2. AMENDMENT OF CODE. Section 9-6.15 of Chapter 6 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-6.15. SIGNS NOT TO CONSTITUTE VEHICULAR TRAFFIC HAZARD. No sign or other advertising structure, as regulated in this chapter, shall be erected at the intersection of any street, or at any railroad grade crossing, in such a manner as to obstruct free and clear vision of operators of motor vehicles, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP", "DANGER" or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.

SECTION 3. AMENDMENT OF CODE. Section 9-6.15.1 is hereby added to Chapter 6 of Title IX of the Modesto Municipal Code to read as follows:

SEC. 9-6.15.1. SIGNS NOT TO CONSTITUTE HAZARD OR NUISANCE. No sign or other advertising structure, as regulated in this chapter, which is partially or entirely mechanical, animated or illuminated shall be erected or located in such a manner or location as to become a traffic hazard or a nuisance to adjacent property owners or the general public, because of the glare of lights or the movement of mechanical or animated portion or portions of such sign or other advertising structure.

SECTION 4. AMENDMENT OF CODE. Section 9-6.21 of Chapter 6 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-6.21. GROUND SIGNS. (a) Definition. Ground signs as regulated by this chapter shall include any sign supported wholly or in part by uprights or braces placed upon the ground other than pole signs or fin signs as defined by this chapter.

(b) Construction. (1) Materials Required. All ground signs for which a permit is required under this chapter shall have a surface of facing constructed of materials required by the Building Code of the City for any structure to be erected on the property on which the sign is to be located; provided, however, that combustible structural trim may be used thereon.

(2) Letters, etc., To Be Secured. All letters, figures, characters or representations in cut-out or irregular form, maintained in conjunction with, attached to, or super-imposed upon any sign shall be safely and securely built or attached to the sign structure and shall comply with all requirements in Section 9-6.16.

(c) Location. (1) Height Limitation. It shall be unlawful to erect any ground sign whose total height is greater than twenty-five (25') feet above the level of the street upon which the sign faces, or above the adjoining ground level, if such ground level is above the street level; provided, however, that in order to prevent undue hardship, the Council may authorize the erection of a ground sign which will exceed said height limitation provided it finds that said sign shall not endanger the public health, safety or welfare.

(2) Length Limitation. It shall be unlawful to erect any ground sign whose total length is greater than forty-six (46') feet, four (4'') inches, including any uprights, supports or braces.

(3) Area Limitation. It shall be unlawful to erect any ground sign whose total area is greater than six hundred thirty-three (633) square feet, not including any uprights, supports or braces.

(4) Setback line. No ground sign shall be nearer the street than the building line established by law.

(d) Erection. (1) Bracing, Anchorage and Supports. All ground signs shall be securely built, constructed and erected upon posts and standards sunk at least three and one-half (3 1/2') feet below the natural surface of the ground.

"A Frame" type structures shall be supported and braced by timbers or metal rods in the rear thereof, extending from the top thereof to a point at least a distance equal to one-half (1/2) the height, measured along the ground from the posts or standard upon which the same is erected.

"Single Wooden Post" type structures shall be erected upon 4 x 12 posts, sunk at least five (5') feet below the natural ground surface, when the area of the advertising surface of the sign is in excess of one hundred fifty (150) square feet.

"Tower Frame" type or "Box Frame" structures shall be supported by timbers or metal rods extending at least four and one-half (4 1/2') feet in the rear thereof, extending from the top thereof to the ground at the same distance from the posts or standards upon which the structure is erected and shall be properly cross-braced.

(2) Supports, etc., To be Creosoted. All posts, anchors and bracing of wood shall be treated to protect them from moisture by creosoting or other approved methods when they rest upon or enter into the ground.

(e) Premises to Be Kept Free of Weeds, Etc.
All ground signs and the premises surrounding the same shall be maintained by the owner thereof in a clean, sanitary and inoffensive condition, and free and clear of all obnoxious substances, rubbish and weeds.

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 11th day of January, 19~~64~~⁶⁵, by Councilman VanderWall, 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

ATTEST: REX B. GAILFUS, City Clerk

APPROVED: PETER W. JOHANSEN, Mayor

(SEAL)

APPROVED AS TO FORM:

By ELWYN L. JOHNSON, City Attorney

Ord. No. 702-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 18th day of January, 1965, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the ordinance finally adopted by the following vote:

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


NOES: Councilmen: None

ABSENT: Councilmen: ^{Shastid} / Mayor Johansen

APPROVED


~~PETER W. JOHANSEN, Mayor~~
RICHARD VANDERWALL, Vice Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: February 17, 1965

AN ORDINANCE AMENDING SECTION 5-5.08 OF CHAPTER 5 OF TITLE V OF THE MODESTO MUNICIPAL CODE, RELATING TO GARBAGE DISPOSAL.

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

SECTION 1. AMENDMENT OF CODE. Section 5-5.08 of Chapter 5 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-5.08. USE OF DISPOSAL AREA. The disposal area may be used for the disposal of garbage or swill by all persons licensed by the City to engage in the business of collecting garbage or swill within the City on the following terms:

(a) A charge for the privilege of using said disposal area by collectors for the disposal or deposit thereof of garbage or swill produced within the City and collected by such collectors shall be established by resolution of the City Council adopted from time to time;

(b) No garbage or swill produced outside the City limits shall be disposed of or deposited at the disposal area; and

(c) All garbage and swill disposed of or deposited at said disposal area shall be deposited as and where directed by the person in charge of the disposal area.

Notwithstanding the foregoing provisions of this section, the Council may, by resolution, authorize the use of the disposal area for the disposition or deposit thereof of garbage or swill to such persons and on such terms and conditions as are reasonable in the premises.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 January, 1965, by Councilman Hughes, 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

Elwyn I. Johnson
ELWYN I. JOHNSON, City Attorney

Ord. No. 703-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 February, 1965, 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, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 3, 1965

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

WHEREAS, a petition was filed with the City Clerk by
John H. Kirkpatrick, Dolores Irene Kirkpatrick, David O. Hannah,
Natalie Hannah, and Gulf Oil Corporation of California,
on December 14, 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 CROCCO
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
11th day of January, 1965, set said petition for hear-
ing at the hour of 8:00 o'clock P.M. on the 23rd day of
February, 1965, 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 January 21, 1965,
and on January 28, 1965; and in the Turlock Daily
Journal, a newspaper published outside the City of Modesto, but
in the County of Stanislaus, on January 21, 1965, and
on January 28, 1965, 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, the Stanislaus County Local Agency Formation Commission did on November 16, 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 23rd day of February, 1965, 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 CROCCO 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:

CROCCO ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 9 and the Northwest quarter of Section 16, 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 Y.M.C.A. ADDITION, as per description filed March 29, 1960 as Instrument 9056, Stanislaus County Records, said point being at the intersection of the Section Line common to Sections 16 and 17, which is also the center line of a public right of way known as McHenry Avenue, and the Southern line of a 40 foot public right of way known as Leveland Lane; thence along the Section Line common to Sections 16 and 17 and the center line of said McHenry Avenue, North $0^{\circ} 43'$ West, 1010.40 feet, to the Section Corner common to Sections 8, 9, 16 and 17; thence along the Section Line common to Sections 8 and 9 and the center line of McHenry Avenue, North $0^{\circ} 47' 30''$ West, 917.60 feet, to its intersection with the Westerly projection of the Southern line of Sherwood Forest Subdivision, as per Map filed August 13, 1956 in Volume 18 of Maps, Page 56, Stanislaus County Records; thence along said Westerly projection, South $89^{\circ} 23' 20''$ East, 189.72 feet, to the Southwestern corner of said Sherwood Forest Subdivision; thence continuing along the Southern line of Sherwood Forest Subdivision, South $89^{\circ} 23' 20''$ East, 1129.00 feet; thence along the Western line of said Sherwood Forest Subdivision, South $0^{\circ} 47'$ East, 915.13 feet, to a point on the Section Line common to Sections 9 and 16; thence continuing South $0^{\circ} 47'$ East, 14.00 feet, to a point on a line which is parallel with and 30.00 feet, measured at right angles, Northerly from the Southern line of a 44 foot public right of way known as Rumble Road, as established by the HARTE TRACT, as per Map filed June 15, 1950, in Volume 17 of Maps, Page 4, Stanislaus County Records; thence along said parallel line, North $89^{\circ} 30'$ West, 1254.62 feet, to a point on the Eastern line of McHenry Avenue, said Eastern line being 64.00 feet, measured at right angles, Easterly from the Center Line of McHenry Avenue and having been established by a Resolution of the Board of Supervisors of the County of Stanislaus recorded February 3, 1964 as Instrument 4537, Stanislaus County Records; thence along said Eastern line, South $0^{\circ} 43'$ East, 646.40 feet, to a point on the Southern line of the Harte Tract and the existing City Limits as established by the Y.M.C.A. Addition; thence along the existing City Limits, North $89^{\circ} 29' 50''$ West, 39.00 feet, thence along the existing City Limits, which is 25.00 feet, measured at right angles, Easterly from the center line of McHenry Avenue, South $0^{\circ} 43'$ East, 350.00 feet; thence along the existing City Limits, North $89^{\circ} 29' 50''$ West, 25.01 feet to the point of beginning, containing 29.306 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 23rd day of February, 1965, by Councilman VanderWall, who moved its adoption 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

ATTEST: REX E. GALLFUS, City Clerk

APPROVED: PETER W. JOHANSEN, Mayor

(SEAL)

APPROVED AS TO FORM BY: ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Koss Campbell,
G.P. Public Works Department

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

WHEREAS, a petition was filed with the City Clerk by James R. Hoyle, Evelyn B. Hoyle, Lawless McCord, Emil M. Woodruff, Margaret E. Woodruff, and Jessie Lea McCord on December 16, 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 HOYLE 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 11th day of January, 1965, set said petition for hearing at the hour of 8:10 o'clock P.M. on the 23rd day of February, 1965, 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 published in the City of Modesto on January 21, 1965, and on January 28, 1965; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on January 21, 1965, and on January 28, 1965, 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, the Stanislaus County Local Agency Formation Commission did on November 16, 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 23rd day of February, 1965, at the hour of 8:10 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 HOYLE 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:

HOYLE ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 16 and the Northwest quarter of Section 21, 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 intersection of the Southern line of the McHENRY VILLAGE ADDITION, as per description filed May 11, 1954, as Instrument 11745, and the Western line of the GLENN ADDITION, as per description filed January 9, 1962 as Instrument 995, Stanislaus County Records, said point also being the intersection of the Westerly quarter-quarter Section lines of Sections 16 and 21 and the Northern line of a 40 foot public road known as East Granger Avenue; thence along the Western line of said Glenn Addition and the quarter-quarter section line, South $0^{\circ} 51' 30''$ East, 20.00 feet, to the section line common to Sections 16 and 21; thence continuing along the quarter-quarter section line and the Eastern line of Lot 3 of the COOLIDGE COLONY, as per map filed November 15, 1910, in Volume 5 of Maps, Page 17, Stanislaus County Records, South $0^{\circ} 51' 30''$ East, 330.00 feet, to the Southwestern corner of the Glenn Addition and the Southern line of the Northern half of Lot 3; thence along said Southern line, North $89^{\circ} 39'$ West, 330.00 feet, to the Western line of said Lot 3; thence along the Western line of Lot 3, North $0^{\circ} 51' 30''$ West, 330.00 feet to the section line common to Sections 16 and 21; thence continuing North $0^{\circ} 51' 30''$ West, 20.00 feet, to the Northern line of East Granger Avenue and the Southern line of McHenry Village Addition; thence along the existing City Limits and the Northern line of East Granger Avenue, South $89^{\circ} 39'$ East, ~~300.00~~ feet, to the point of beginning, containing 2.651 Acres, more or less.

330.00

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 23rd day of February, 1965, by Councilman VanderWall, 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, Patton, Shastid, Tabbert, VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: Rex E. Gallfus
REX E. GALLFUS, City Clerk

(SEAL)

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

APPROVED AS TO DESCRIPTION:
By Ross Campbell
Public Works Department

6.P. 1-27-65

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

WHEREAS, a petition was filed with the City Clerk by
Joe H. Tidwell, Lois Tidwell, James B. Johnston, Shirley L.
Johnston, Alfred L. Flory, and Gertrude E. Flory
on December 21, 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 GREENWOOD ESTATES
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
11th day of January, 1965, set said petition for hear-
ing at the hour of 8:20 o'clock P.M. on the 23rd day of
February, 1965, 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 January 21, 1965,
and on January 28, 1965; and in the Turlock Daily
Journal, a newspaper published outside the City of Modesto, but
in the County of Stanislaus, on January 21, 1965, and
on January 28, 1965, 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, the Stanislaus County Local Agency Formation Commission did on December 16, 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 23rd day of February, 1965, at the hour of 8:20 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 GREENWOOD ESTATES 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, being a portion of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern corner of the NORTHLAND ESTATES NO. 2 ADDITION, as per description filed July 18, 1963 as Instrument 27041, Stanislaus County Records, said point being the intersection of the Northern line of a 40 foot public right of way known as Woodrow Avenue and the Western line of the Tidewater Southern Railway Company right of way, said Western line being parallel with and 60.00 feet, measured at right angles, Westerly from the North-South quarter section line; thence along the existing City Limits and the Western line of said right of way, North $1^{\circ} 19'$ West, 1279.44 feet, to the Northeastern corner of said Northland Estates No. 2 Addition which is on the Southern line of Standiford Avenue, said Southern line being 20.00 feet, measured at right angles, Southerly from the East-West quarter section line; thence along the existing City Limits and the Southern line of Standiford Avenue, North $89^{\circ} 35'$ West, 5.00 feet, to a point on the Southerly extension of the Western line of the Tidewater Southern Railway Company right of way; thence along said extension and the Western right of way line the following bearings and distances: North $1^{\circ} 20' 20''$ West, 520.01 feet; North $88^{\circ} 39' 40''$ East, 35.00 feet; and North $1^{\circ} 20' 20''$ West, 819.96 feet; thence South $89^{\circ} 40' 20''$ East, 30.01 feet, to the Northwest corner of the Southwest quarter of the Northeast quarter; thence along the Northern line of the Southwest quarter of the Northeast quarter, South $89^{\circ} 40' 20''$ East, 1184.20 feet; thence South $0^{\circ} 19' 40''$ West, 1322.31 feet, to a point on the East-West quarter section line and the center line of Standiford Avenue; thence along said East-West quarter section line and the center line of Standiford Avenue, North $89^{\circ} 35'$ West, 1115.77 feet to a point on the Eastern line of the Tidewater Southern Railway Company right of way, said line being 30.00 feet, measured at right angles, Easterly from the North-South quarter section line; thence along said Eastern line, South $1^{\circ} 19'$ East, 1301.23 feet, to a point on the Northern line of the NORTHLAND ESTATES ADDITION, as per description filed February 5, 1963, as Instrument 4469, Stanislaus County Records, which is on the Northern line of Woodrow Avenue; thence along the existing City Limits and the Northern line of Woodrow Avenue, North $89^{\circ} 30'$ West, 30.01 feet to the North-South quarter section line; thence along the North-South quarter section line, North $1^{\circ} 19'$ West, 1.26 feet; thence along the existing City Limits and the Northern line of Woodrow Avenue, North $89^{\circ} 08'$ West, 60.03 feet to the point of beginning, containing 39.341 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 23rd day of February, 1965, by Councilman VanderWall, who moved its adoption 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, VanderWall, Mayor Johansen
NOES: Councilmen: ~~None~~ Shastid
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

APPROVED AS TO DESCRIPTION:
By Kos Campbell
G.P. 1-2765 Public Works Department

707
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AN ORDINANCE AMENDING ARTICLE 6 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE RELATING TO THE ZONING REGULATIONS.

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

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

ARTICLE 6. TWO-FAMILY RESIDENTIAL ZONE

SEC. 10-2.601. PURPOSE. The purposes of the R-2 zone shall be to:

(a) Implement General Plan policy by encouraging the development of medium density residential areas characterized by a limited variety of housing types.

(b) Establish a density zone where the number of units to be developed are related to the lot area.

(c) Protect adjacent properties from unreasonable obstruction of light and air by maintaining a high land area-dwelling unit ratio.

SEC. 10-2.602. PERMITTED USES. In an R-2 zone only the following uses are permitted as are hereinafter specifically provided and allowed:

(a) Any use permitted in the R-1 one-family zone.

(b) Two-family dwelling.

(c) A three-family or a four-family dwelling when the side line of the lot abuts lots zoned for C-1, C-2, C-M, M-1 or M-2 and when the lot complies with the provisions set forth in Section 10-2.705 of this chapter. In no case shall the property used for such three-family or four-family dwelling consist of more than one lot or be more than seventy-five (75') feet in width, whichever is the lesser.

(d) Multiple-dwelling or group-dwelling when the lot area complies with the provisions set forth in Section 10-2.606 of this chapter. In no case shall any dwelling structure contain more than four (4) dwelling units.

SEC. 10-2.603. HEIGHT. No building shall exceed two (2) stories or thirty (30') feet, whichever is the lesser height, except those buildings occupied by uses as may be permitted by a conditional use permit.

SEC. 10-2.604. FRONT YARD. Every lot shall maintain a front yard not less than fifteen (15') feet in depth or the average of existing front yards in the block where fifty (50%) per cent or more of the block is developed, provided that in no case shall the front yard be less than six (6') feet or be required to be more than fifteen (15') feet in depth, except that for garages and carports opening onto the front street the minimum distance between the opening of such carport or garage and the front street line shall be twenty (20') feet.

SEC. 10-2.605. SIDE YARDS. The minimum side yard for any dwelling shall be six (6') feet and the total width of the two (2) required side yards shall be not less than twelve (12') feet. The minimum side yard for a private garage or other accessory building shall be six (6') feet, except that a private garage or other accessory building located at least twelve (12') feet in the rear of the main building requires no side yard provided that no portion of the building shall overhang the property line. On corner lots the side yard which faces on a street shall be not less than fifteen (15') feet for both main and accessory buildings, or the average of existing buildings where more than fifty (50%) per cent of the frontage is developed, but in no case shall the side yard be less than six (6') feet or be required to be more than fifteen (15') feet, except that for garages and carports opening onto the side street the minimum distance between the opening of such garage or carport and the side street line shall be twenty (20') feet.

SEC. 10-2.606. AREA. The minimum required lot area shall be six thousand (6,000) square feet for interior lots and sixty-five hundred (6,500) square feet for corner and reversed lots. Two (2) dwelling units shall be permitted for the first six thousand (6,000) square feet of lot area for interior lots and two (2) dwelling units shall be permitted for the first sixty-five hundred (6,500) square feet of lot area for corner and reversed corner lots. One dwelling unit shall be permitted for each three thousand (3,000) square feet of lot area over and above the required area for two (2) dwelling units.

SEC. 10-2.607. LOT WIDTH. Every interior lot shall have a width of not less than sixty (60') feet and every corner and reversed corner lot shall have a width of not less than seventy (70') feet at the building setback line.

SEC. 10-2.608. PERMISSIBLE LOT COVERAGE. All buildings, including accessory buildings and structures, shall not cover more than fifty (50%) per cent of the area of a lot.

SEC. 10-2.609. BUILDINGS, PLACEMENT. Placement of buildings on any lot shall conform to the following:

- (a) No building may occupy any portion of a required yard.
- (b) All buildings used for human habitation shall not be located closer to a property line than the distance required in the side yard.
- (c) The distance between any building used for human habitation and any accessory building or another building used for human habitation on any lot shall be equal to twice the required side yard.
- (d) In the case of a reversed corner lot no building shall be located closer to the side yard of the abutting lot to the rear than the width of the required side yard on such lot to the rear.

(e) Any building having a door or window in a wall facing on an alley shall be located not closer than five (5') feet to such alley.

(f) Group dwellings shall be subject to the provisions set forth in Section 10-2.706 of Article 7 of this chapter.

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 23rd day of February, 1965, 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, Patton, VanderWall, Mayor Johansen

NOES: Councilmen: Mitchell, Shastid, Tabbert

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 E. Johnson
ELWYN E. JOHNSON, City Attorney

Ord. No. 707-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 March, 19 65, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the ordinance finally adopted by the following vote:

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

NOES: Councilmen: Mitchell

ABSENT: Councilmen: ~~Mayor~~ Shastid

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: April 7, 1965

AN ORDINANCE AMENDING SECTION MAP 17 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (NAVON AND HIGHLET)

WHEREAS, a verified application for an amendment to Section 17 of the Zoning Map was filed by Anita Navon and Harvey Highlet on December 31, 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 January 19, 1965, 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 reasons set forth in Planning Commission Resolution No. 65-20, but that rezoning of the property from One-Family Zone, R-1, to Two-Family Zone, R-2, is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 65-20, adopted on January 19, 1965, the Planning Commission recommended to the Council that:

1. The application of Anita Navon and Harvey Highlet to amend Section 17 of the Zoning Map to reclassify the hereinafter described property from One-Family Zone, R-1, to Multiple-Family Zone, R-3, be denied; and
2. Section 17 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 17 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 the northwest section corner of Section 17, T3S, R9E, MDB&M; thence South 0° 48' 30" East 1079.53 feet along the west line of said Section 17 and the center line of Tully Road to the true point of beginning of this description; thence South 51° 18' 10" East 389.00 feet to a point on the northerly line of the Bel Air Subdivision No. 2; thence North 88° 55' 30" West 155.21 feet; thence South 0° 48' 30" East 158.51 feet along the easterly line of lots 6 and 7, Block 6731 in said Bel Air Subdivision No. 2; thence South 89° 11' 30" West 145.01 feet along the south line of said lot 6 to the center line of Tully Road; thence along the center line of Tully Road North 0° 48' 30" West 400.86 feet to the true point of beginning; said property being located south of the Davis High School property, east of Tully Road.

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 1st day of March, 1965, 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, 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

APPROVED AS TO DESCRIPTION:

By Donna J. ...
Planning Department

Ord. No. 708-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 15th day of March, 1965, 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, Patton, Tabbert,
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

APPROVED Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST: REX E. GAILFUS, City Clerk

EFFECTIVE DATE: April 14, 1965

Ordinance 708 C.S.
Exhibit A – Map

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

AN ORDINANCE AMENDING SECTION MAP 22 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (VIENT)

WHEREAS, a verified application for an amendment to Section 22 of the Zoning Map was filed by Wilfrid G. Vient on December 30, 1964, to reclassify from One-Family Zone, R-1, to Multiple-Family Zone, R-3, the following described property:

Beginning at a point on the center lines of Brighton Avenue and Wylie Drive, thence South 0° 30' 30" East 442.97 feet along the center line of Brighton Avenue, thence South 89° 57' 45" East 180.00 feet to the true point of beginning of this description; thence South 89° 57' 45" East 120.01 feet; thence South 0° 30' 30" East 328.90 feet more or less to the northerly line of the Downey Villa Tract No. 2; thence North 89° 58' 13" West 96.01 feet along the northerly line of said Downey Villa Tract No. 2 to a point on the westerly line of the 14 foot part-width north-south alley being the westerly boundary of said Downey Villa Tract No. 2; thence South 0° 30' 30" East 330.07 feet; thence North 89° 58' 13" West 24 feet more or less to a point, thence North 0° 30' 30" West 660.91 feet on a line parallel to the center line of Brighton Avenue and 180.00 feet therefrom to the true point of beginning; and

WHEREAS, after public hearing held on January 19, 1965, 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 reasons set forth in Planning Commission Resolution No. 65-15, but that rezoning of the southern twenty (20') foot strip of the proposed R-3 Zone is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 65-15, adopted on January 19, 1965, the Planning Commission recommended to the Council that a portion of the application of Wilfrid G. Vient to amend Section 22 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 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 22 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, and that portion not hereafter described is hereby denied:

Beginning at the Northwest corner of the Downey Villa Tract No. 2, being the true point of beginning of this description; thence South $0^{\circ} 30' 30''$ East 330.07 feet along the westerly line of said Downey Villa Tract No. 2 to the Southwest corner of said tract; thence North $89^{\circ} 58' 13''$ West 24.00 feet more or less to a point being 180.00 feet East of the center line of Brighton Avenue; thence North $0^{\circ} 30' 30''$ West 330.07 feet on a line parallel to the center line of Brighton Avenue and 180.00 feet therefrom; thence South $89^{\circ} 58' 13''$ East 24.00 feet more or less to the true point of beginning.

SECTION 3. ZONING MAP. Section 22 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 1st day of March, 1965, 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

APPROVED AS TO DESCRIPTION:

By Planning Department
Planning Department

Ord. No. 709-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 15th day of March, 1965, 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, 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

EFFECTIVE DATE: April 14, 1965

Ordinance 709 C.S.
Exhibit A – Map

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

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

WHEREAS, the Planning Commission on December 15, 1964, initiated proceedings to amend Section 16 of the Zoning Map 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 January 19, 1965, 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. 65-12, adopted on January 19, 1965, the Planning Commission recommended to the Council that Section 16 of the Zoning Map be amended to reclassify the hereinafter described property from One-Family Zone, R-1, to Highway Frontage Zone, H-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 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 lines of McHenry Avenue and Floyd Avenue; thence along the center line of McHenry Avenue South $0^{\circ} 38'$ East 130 feet; thence South $89^{\circ} 26'$ East 320 feet; thence North $0^{\circ} 38'$ West 130 feet to the center line of Floyd Avenue; thence along the center line of Floyd Avenue North $89^{\circ} 26'$ West 320 feet, more or less, to the true point of beginning; being located on the south side of Floyd Avenue and the east side of McHenry 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 1st day of March, 1965, 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
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 Planning Department
Planning Department

Ord. No. 710-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 15th day of March, 1965, 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, Patton, Tabbert,
VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: April 14, 1965

**Ordinance 710 C.S.
Exhibit A – Map**

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

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

WHEREAS, the Planning Commission on November 17, 1964, initiated proceedings to amend Section 6 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 January 19, 1965, 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. 65-11, adopted January 19, 1965, the Planning Commission recommended to the Council that Section 6 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, the 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 6 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 Southeastern corner of the Mineni Manor Addition as per description filed July 26, 1955, as Instrument 21227, Stanislaus County Records, said point being on the East quarter corner of Section 6 and the center line of Sutter Avenue; thence

along the East line of Section 6 and the center line of Sutter Avenue, South 0° 24' East, 664.98 feet to the Southern line of the North half of the Northeast quarter of the Southeast quarter of Section 6; thence along said Southern line, South 88° 50' 06" West, 1321.81 feet to a point on the North-South quarter quarter section line; thence along the quarter quarter section line North 0° 27' West 662.64 feet to a point on the East-West quarter section line and the Southwestern corner of the Mineni Manor Addition; thence along the Southern line of the Mineni Manor Addition and the East-West quarter section line North 88° 44' East, 1322.38 feet to the point of beginning, being located south of Nian Way, west of Sutter Avenue.

SECTION 3. ZONING MAP. Section 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 1st day of March, 1965, 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, City Clerk
(SEAL)

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

APPROVED AS TO DESCRIPTION: Klaus J. Tomala
Planning Department

Ord. No. 711-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 15th day of March, 1965, 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, Patton, Tabbert,
VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: April 14, 1965

**Ordinance 711 C.S.
Exhibit A – Map**

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

AN ORDINANCE AMENDING SECTION MAP 16 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (FELLOWSHIP HOMES ADDITION)

WHEREAS, the Planning Commission on November 17, 1964, initiated proceedings to amend Section 16 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 January 19, 1965, 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. 65-10, adopted on January 19, 1965, the Planning Commission recommended to the Council that Section 16 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 16 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 Eastern line of the Racquet Club Addition, as per description filed July 30, 1957, as Instrument 19002, Stanislaus County Records, and the Northern right of way line of the Modesto Irrigation District Lateral No. 3; thence along the city limits line North 0° 49' West, 542.62 feet to a point on the city limits line as established by the Northeast Addition, as per

description filed January 31, 1958, as Instrument 2427, Stanislaus County Records, said point being on the Northern line of Norwegian Avenue; thence along the city limits line South 89° 39' East, 604.00 feet; thence along a line parallel with the Eastern line of the Pomona Villa Tract South 0° 53' East, 753.61 feet to a point on the Northern right of way line of the Modesto Irrigation District Lateral No. 3; thence along the Northern line of said Lateral No. 3 North 70° 33' West 644.60 feet to the point of beginning; being located on the south side of Norwegian Avenue between McHenry and Sunrise Avenues.

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 1st day of March, 1965, by Councilman Mitchell, 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

ATTEST: REX E. GALLFUS, City Clerk
(SEAL)
APPROVED: Peter W. Johansen
PETER W. JOHANSEN, Mayor

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By John Thomas
Planning Department

Ord. No. 712-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 15th day of March, 1965, 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, Patton, Tabbert,
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

APPROVED



PETER W. JOHANSEN, Mayor

ATTEST:



REX E. GAILFUS, City Clerk

EFFECTIVE DATE: April 14, 1965

Ordinance 712 C.S.
Exhibit A – Map

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

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

WHEREAS, a petition was filed with the City Clerk by
Robert P. Bomberger, Harley D. Brannan, Harold J. Kreutz,
J. A. Saletta, Carter H. Harrison, Joseph E. Fulford
on December 29, 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 SHERWOOD MEADOWS
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
25th day of January, 1965, set said petition for hear-
ing at the hour of 8:00 o'clock P.M. on the 8th day of
March, 1965, 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 February 4, 1965,
and on February 11, 1965; and in the Turlock Daily
Journal, a newspaper published outside the City of Modesto, but
in the County of Stanislaus, on February 4, 1965, and
on February 11, 1965, 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, the Stanislaus County Local Agency Formation Commission did on December 16, 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 8th day of March, 1965, 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 SHERWOOD MEADOWS 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:

GP
2-4-65

SHERWOOD MEADOWS ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 15 and the Northeast quarter of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at a point on the existing City Limits, as established by the Northeastern corner of the ATHENS NO. 2 ADDITION, as per description filed February 5, 1963 as Instrument 4471, and the Southeastern corner of the EAST FLOYD NO. 3 ADDITION, as per description filed July 19, 1961, as Instrument 22858, Stanislaus County Records; thence along the existing City Limits, North $0^{\circ} 53'$ West, 215.00 feet, to the Southwestern corner of property conveyed to Leslie Flinders, et ux, by Deed recorded May 4, 1950, as Instrument 9906, Stanislaus County Records, and the true point of beginning; thence continuing along the existing City Limits and the Western line of said Flinders property and its Northerly extension, North $0^{\circ} 53'$ West, 305.80 feet, to the Northwestern corner of property conveyed to Arlie Ralls, et ux, by Deed recorded October 2, 1958, as Instrument 24734, Stanislaus County Records; thence along the Northern line of said Ralls property, South $89^{\circ} 30'$ East, 185.01 feet, to the center line of a 50 foot public right of way known as Coffee Road and the section line common to Sections 15 and 16; thence along the center line of Coffee Road and said section line, North $0^{\circ} 53'$ West, 408.26 feet, to the Northwest corner of the Southwest quarter of the Northwest quarter of Section 15; thence along the Northern line of said Southwest quarter of the Northwest quarter, said line being also the center line of a 40 foot public right of way known as Floyd Avenue, North $89^{\circ} 44'$ East, 1312.03 feet, to the Eastern line of said Southwest quarter of the Northwest quarter; thence along said Eastern line, South $0^{\circ} 52' 30''$ East, 1319.70 feet, to the Southern line of the Southwest quarter of the Northwest quarter of Section 15; thence along said Southern line, South $89^{\circ} 45' 50''$ West, 650.00 feet; thence along a line parallel with and 650.00 feet, measured at right angles, Westerly from the Eastern line of the Southwest quarter of the Northwest quarter, North $0^{\circ} 52' 30''$ West, 400.00 feet; thence along a line parallel with and 400.00 feet, measured at right angles, Northerly from the Southern line of the Southwest quarter of the Northwest quarter, North $89^{\circ} 45' 50''$ West, 661.89 feet, to the center line of Coffee Road and the Section line common to Sections 15 and 16; thence along said center line and section line, North $0^{\circ} 53'$ West, 204.94 feet, to the Easterly projection of the Southern line of the Flinders property; thence along said projection and the Southern line of the Flinders property, North $89^{\circ} 30'$ West, 185.01 feet, to the point of beginning, containing 34.954 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 9th day of March, 1965, by Councilman Patton, 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, Patton, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

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

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

(SEAL)

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

APPROVED AS TO DESCRIPTION: R. A. Hargood
Public Works Department

GP
2-4-65

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE ROSE AVENUE SCHOOL ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

Stanislaus County Board of Supervisors, Modesto City Schools Board of Education, Nick Tocco, Angie Tocco, Max D. Hanney, Charline Hanney, Margaret Piccinini, Mike Piccinini, and the City of Modesto

on January 26, 1965, 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 ROSE AVENUE SCHOOL

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 February, 1965, set said petition for hearing at the hour of 8:00 o'clock P.M. on the 22nd day of March, 1965, 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 published in the City of Modesto on February 18, 1965, and on February 25, 1965; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on February 18, 1965, and on February 25, 1965, 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, the Stanislaus County Local Agency Formation Commission did on December 16, 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 22nd day of March, 1965, 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 ROSE AVENUE SCHOOL 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, being a portion of the Southeast 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 WYLIE ADDITION, as per description filed July 23, 1962 as Instrument 27724, and the Southeastern corner of the LORENZEN ADDITION, as per description filed June 27, 1961 as Instrument 20145; thence along the Eastern line of said Lorenzen Addition, North 0° 37' West, 347.24 feet, to a point on the Westerly extension of the Northern line of property conveyed to the Modesto City School District as per Deed recorded October 4, 1962 as Instrument 38144, Stanislaus County Records; thence along said extension and the Northern line of said school property and the Northern line of property conveyed to the City of Modesto, by Deed recorded November 15, 1963, Instrument 44153, Stanislaus County Records, North 89° 59' East, 1355.62 feet, to the Northeastern corner of the City property, said corner being a point on the Eastern line of Lot 18 of the BROUGHTON COLONY, as per map filed March 17, 1904 in Volume 1 of Maps, Page 78, Stanislaus County Records; thence along the Eastern line of said City property and the Eastern line of Lot 18, South 0° 40' 30" East, 511.00 feet, to the Southeastern corner of said City property, said corner being common to Lots 17, 18 and 23 of said Broughton Colony and being also the Northwestern corner of property conveyed to Max D. Hanney, et al, by Deed recorded ~~August~~ ^{September} 24, 1964, as Instrument 37233, Stanislaus County Records; thence along the Northern line of said Hanney property and along its Easterly extension South 89° 59' 50" East, 1315.19 feet, to a point on the North-South section line common to Sections 22 and 23; thence along said section line, South 0° 41' 50" East, 1833.46 feet, to its intersection with the center line of a 50 foot public right of way known as Scenic Drive; thence along said center line, South 80° 15' 10" West, 717.86 feet, to a point on the Southerly extension of the Eastern line of SCENIC VISTA ESTATES, as per map filed October 31, 1956, in Volume 18 of Maps, Page 59, Stanislaus County Records; thence along said extension and the Eastern line of said Scenic Vista Estates, North 0° 38' 50" West, 991.22 feet, to the Northeastern corner thereof; thence along the Northern line of said Scenic Vista Estates, North 89° 59' 50" West, 607.77 feet, to a point on the Eastern line of STRATHMORE UNIT NUMBER 1 as per map filed November 9, 1959, in Volume 19 of Maps, Page 30, Stanislaus County Records; thence along the Eastern line of said Strathmore Unit Number 1 and its Northerly extension, North 0° 40' 30" West, 963.80 feet, to the Northwestern corner of the Hanney property and the Southeastern corner of the City of Modesto property; thence along the Southern line of said City property and the Southern line of the school property and its Westerly extension, South 89° 59' West, 1356.14 feet, to a point on the existing City Limits at its intersection with the center line of Wylie Drive as shown on the map of LORENZEN PARK NO. 1 as per map filed August 7, 1962, in Volume 20 of Maps, Page 20, Stanislaus County Records; thence along said City Limits, North 0° 37' West, 163.76 feet, to the point of beginning, containing 60.198 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 22nd day of March, 1965, by Councilman Hughes, who moved its adoption 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, Shastid, Tabbert, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton

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

ATTEST: Rex E. Galfus
REX E. GALFUS, City Clerk

(SEAL)

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

APPROVED AS TO DESCRIPTION: R. A. Hayward
Public Works Department

G.P.
2-18-65

AN ORDINANCE AMENDING SECTIONS 4-7.604 AND 4-7.606 OF ARTICLE 6 OF CHAPTER 7 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO REMOVAL OF WEEDS, RUBBISH AND DEBRIS.

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

SECTION 1. AMENDMENT OF CODE. Sections 4-7.604 and 4-7.606 of Article 6 of Chapter 7 of Title IV of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 4-7.604. NOTICE TO REMOVE RUBBISH. Upon the failure of any owner to destroy or remove such weeds, rubbish and debris as are described in Section 4-7.601 and Section 4-7.602, in the manner described therein, the owner of the real property involved shall be notified by the Chief of the Fire Department of the City to remove the same within a period of seven (7) days. Such notice shall be in writing or printed and shall be posted in a conspicuous place upon said property for a period of seven (7) days. If at the end of such period mentioned in said notice, such owner has failed to comply with said notice, then the Chief of the Fire Department shall cause such weeds, rubbish and debris to be removed from said property and shall charge the expense of such work of removing the same to the owner of the property.

Upon completion of the work of removal of said weeds, rubbish and debris, the Chief of the Fire Department shall notify the owner of such real property in writing of the expense of such work. If said owner fails or refuses to pay the amount of such expense within a period of thirty (30) days from the date of such notice, payment to be made to the City, the said amount shall be certified to the Director of Finance of the City, who shall record in a book to be kept for that purpose the name of the owner of the property so cleared, a description of the property sufficient for identification, and the amount charged against the said property for doing the work of clearing and removing said weeds, rubbish and debris from the same. From and after the date that said entry is so made, the amount charged against said owner of said property shall be a lien thereon and shall be collected by an action brought on behalf of the City to foreclose said lien against said property upon which said lien has been so imposed.

SEC. 4-7.606. AGREEMENTS BETWEEN CITY AND PROPERTY OWNER. Nothing contained in this article shall prevent owners of property in the City from making agreements or contracts with the City through City's Chief of the Fire Department, for the elimination or eradication of said grass, weeds, puncture vine or vines, rubbish, obstructions or materials, should said property owners so desire. The City in said contract may provide

for a reasonable amount to be paid by the owners of said property for the eradication or removal of said grass, weeds, puncture vine or vines, rubbish, obstructions or materials. In the event that said property owners after entering into said agreements and after performance of the terms thereof by the City, refuse to pay for said work as provided for in said contract, then the work performed by the City and materials used for the removal or eradication of grass, weeds, puncture vine or vines, rubbish, obstructions or materials, shall become a lien upon said property in the same manner as heretofore provided for in cases where the owner of said property fails or refuses to remove said grass, weeds, puncture vine or vines, rubbish, obstructions or materials.

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 5th day of April, 1965, by Councilman Mitchell, 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:
By Rex E. Gailfus
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 715-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 12th day of April, 1965, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Tabbert, 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: May 12, 1965

ORDINANCE NO. 716 -C. S.

AN ORDINANCE AMENDING SECTION 10-2.1504 OF ARTICLE 15 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE RELATING TO OUTDOOR ADVERTISING DISPLAYS AND STRUCTURES ADJACENT TO FREEWAYS, AMENDING SECTION 10-2.1709 OF ARTICLE 17 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE, AND ADDING SECTION 10-2.1709.1 THERETO RELATING TO NON-CONFORMING COMMERCIAL SIGNS AND BILLBOARDS.

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

SECTION 1. AMENDMENT OF CODE. Section 10-2.1504 of Article 15 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.1504. OUTDOOR ADVERTISING DISPLAYS AND OUTDOOR ADVERTISING STRUCTURES ADJACENT TO FREEWAYS. Notwithstanding any other provision of this Chapter, or any other law of the city, no outdoor advertising structure or outdoor advertising display shall be placed or located on either side of a State or County Freeway as defined in the Streets and Highways Code of the State of California in a manner that makes the matter displayed thereon visible to persons or passengers upon any such thoroughfare, except as follows:

(a) This section shall have no application to signs used exclusively for:

(1) The display of official notices used by any court or public body or official, or for the posting of notices by any public officer in the performance of a public duty, or by any person in giving legal notice.

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

(b) A single sign is permitted which is used exclusively to advertise the ownership, sale or lease of the property upon which such sign is placed, or to advertise a business conducted, or services rendered, or goods produced upon such premises, or any other lawful activity conducted upon such premises, provided:

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

(2) Illuminated signs shall be nonflashing and shall not be so located that any green, yellow or red light thereon will materially or practically tend to create a traffic hazard.

SECTION 2. AMENDMENT OF CODE. Section 10-2.1709 of Article 17 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.1709. REQUIRED REMOVAL OF COMMERCIAL SIGNS AND BILLBOARDS. Commercial signs and billboards which do not conform with the provisions of this chapter may be maintained for a period of three (3) years from and after May 12, 19 65, or three (3) years from and after the date on which they become nonconforming, whichever is the latter. At the expiration of said three (3) year period, any such nonconforming signs and billboards and their supporting members shall be completely removed by their owners.

At any time during said three (3) year period, the owner of a nonconforming sign or billboard may appeal to the City Council for an extension of time beyond said three (3) year period during which said nonconforming sign or billboard may be maintained. Said appeal shall be in writing and filed with the City Clerk. Upon receipt of such an appeal, the City Council shall cause the matter to be set for a public hearing. The City Council shall base its decision on whether or not the nonconforming sign or billboard should be allowed to remain for longer than the three (3) year period on the following factors, to wit: The type of sign or billboard; the location of the sign or billboard; the relationship of the sign or billboard to other properties; the cost of the sign or billboard and the time necessary to amortize said cost. All decisions of the City Council shall be final.

SECTION 3. AMENDMENT OF CODE. Section 10-2.1709.1 is hereby added to Article 17 of Chapter 2 of Title X of the Modesto Municipal Code to read as follows:

SEC. 10-2.1709.1. COMMERCIAL SIGNS AND BILLBOARDS IN ANNEXED TERRITORY. Whenever territory is annexed to the City of Modesto and within said territory there are located signs or billboards which do not conform with the provisions of this chapter, said signs or billboards shall be subject to the provisions of Section 10-2.1709 herein; in addition thereto, if the County of Stanislaus has imposed any restrictions or limitations in regard to any of said signs or billboards, and said restrictions or limitations are more restrictive than those imposed by this chapter, including Section 10-2.1709, then said restrictions or limitations, after annexation, shall apply in and be enforced by the City of Modesto.

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 5th day of April, ¹⁹⁶⁵~~1964~~.

by Councilman VanderWall, 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: R. Gailfus
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 716-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 12th day of April, 1965, 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: May 12, 1965

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

WHEREAS, a verified application for an amendment to Section 27 of the Zoning Map was filed by Sybil Lengyel on December 23, 1964, to reclassify from One-Family Zone, R-1, to Neighborhood Commercial Zone, C-1, the hereinafter described property, and

WHEREAS, after public hearing held on January 19, 1965, the Planning Commission adopted Resolution No. 65-18, recommending to the Council that the application of Sybil Lengyel to amend Section 27 of the Zoning Map to reclassify the hereinafter described property from One-Family Zone, R-1, to Neighborhood Commercial Zone, C-1, be approved, and

WHEREAS, after public hearing held on March 1, 1965, the Council rejected the recommendation of the Planning Commission that Section 27 of the Zoning Map be amended to rezone the area set forth in Planning Commission Resolution No. 65-18 and requested a further report from the Planning Commission in accordance with Section 10-2.2114 of the Municipal Code, and

WHEREAS, by Resolution No. 65-43, adopted on April 6, 1965, after public hearing, the Planning Commission further recommended to the Council that the application of Sybil Lengyel to amend Section 27 of the Zoning Map to reclassify the hereinafter described property from One-Family Zone, R-1, to Neighborhood Commercial Zone, C-1, be denied, and

WHEREAS, by said Resolution No. 65-43, the Planning Commission recommended to the Council that Section 27 of the Zoning Map be amended to reclassify the hereinafter described property from One-Family Zone, R-1, to Multiple-Family Zone, R-3,

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 not required by public necessity, convenience and general welfare, and hereby denies said application for rezoning from One-Family Zone, R-1, to Neighborhood Commercial Zone, C-1.

SECTION 2. COUNCIL DETERMINATION. After a public hearing, this Council finds and determines that the rezoning recommended by Planning Commission Resolution No. 65-43 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 3. ZONING CHANGE. Section 27 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 La Loma and Santa Barbara Avenues; thence southeasterly along the center line of La Loma to its intersection with the center line of Miller Avenue; thence westerly along the center line of Miller Avenue to the center line of Santa Barbara Avenue; thence north along the center line of Santa Barbara Avenue to the point of beginning;

Said property being the triangle formed by La Loma, Santa Barbara and Miller Avenues.

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 12th day of April, 1965, by Councilman VanderWall, 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 L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By

Planning Department

Ordinance 717 C.S.
Exhibit A – Map

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

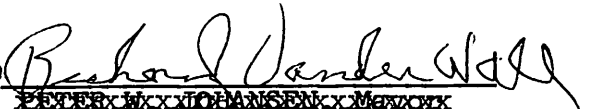
Ord. No. 717-C.S.

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 April, 1965, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the ordinance finally adopted by the following vote:

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

APPROVED


~~PETER H. JOHANSEN, Mayor~~
RICHARD VANDERWALL, Vice Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: May 26, 1965

AN ORDINANCE AMENDING SECTION MAPS 29 AND 32
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.

WHEREAS, the Planning Commission on December 15, 1964, initiated proceedings to rezone a number of properties in the west side area, Sections 29 and 32, as shown on the map entitled "Westside Zoning Study," dated December 15, 1964, and

WHEREAS, after public hearing held on January 19, 1965, it was found and determined by the Planning Commission that rezoning of the area as shown on the map entitled "Proposed Zoning Amendments to Sections 29-3-9 and 32-3-9 of the Zoning Map," dated January 19, 1965, and on file in the office of the Planning Director, is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 65-13, adopted on January 19, 1965, the Planning Commission recommended to the Council that rezoning of the property in the West Modesto area as shown on the map entitled "Proposed Zoning Amendments to Sections 29-3-9 and 32-3-9 of the Zoning Map," dated January 19, 1965, attached to said resolution and made a part thereof, be approved, and

WHEREAS, on February 23, 1965, the City Council held a public hearing on the Planning Commission's recommendations, and

WHEREAS, by Resolution No. 65-104, the Council approved all of the Planning Commission's recommendations, except for a portion of the recommended rezoning which was referred back to the Planning Commission, and

WHEREAS, on March 16, 1965, the Planning Commission further considered the rezoning of that portion of the west side area which was referred back to them by the Council, and made a further report and recommendation in regard thereto by Planning Commission Resolution No. 65-38, and

WHEREAS, the Council has further considered rezoning of the area as shown on the map entitled "Proposed Zoning Amendments to Sections 29-3-9 and 32-3-9 of the Zoning Map," dated January 19, 1965,

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, as modified, 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. Sections 29-3-9 and 32-3-9 of the Zoning Map are hereby amended as shown 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 12th day of April, 1965, 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, Shastid, Tabbert, ~~VanderWall~~, Mayor Johansen

NOES: Councilmen: ~~None~~ Hughes, Patton, VanderWall

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 718 C.S.
Exhibit A – Map**

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

Ord. No. 718-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 April, 1965, Councilman Hughes 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, Vice Mayor VanderWall

NOES: Councilmen: None

ABSENT: Councilmen: Mayor Johansen

APPROVED Richard VanderWall
~~PETER M. JOHANSEN, Mayor~~
RICHARD VANDERWALL, Vice Mayor

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

EFFECTIVE DATE: May 26, 1965

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 17th day of May, 1965, by Councilman VanderWall, 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, Smith, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Patton, Shastid

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

ATTEST: Rex E. Gallufus
REX E. GALLUFUS, City Clerk

(SEAL)
APPROVED AS TO FORM:

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

**Ordinance 719 C.S.
Exhibit A – Map**

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

Ord. No. 719-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 June, 1965, Councilman Smith 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, Shastid, Smith,
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton, VanderWall

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 7, 1965

AN ORDINANCE AMENDING SECTION MAP 18-3-9 OF THE
ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (ELLIS)

WHEREAS, a verified application for an amendment to
Section 18-3-9 of the Zoning Map was filed by Lance E.
Ellis on March 19,
19 65, 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 April 21,
19 65, 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. 65-55, adopted on
April 21, 19 65, the Planning Commission recommended
to the Council that the application of Lance E. Ellis
to amend Section 18-3-9 of the Zoning
Map to reclassify the hereinafter described property from One-
Family Zone, R-1, to Two-Family
Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing,
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 18-3-9 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 center line of Evergreen Avenue at its intersection with the center line of Carver Road; thence North $0^{\circ} 46' 30''$ West along the center line of Carver Road a distance of 420.00 feet, more or less, to a point being the intersection of the center line of Carver Road and the north line of Lot 10, Block 6501 extended, Park Manor No. 1 Subdivision; thence North $89^{\circ} 21' 30''$ West along the North line of said Lot 10 a distance of 309.95 feet to the Northwest corner of said Lot 10; thence South $0^{\circ} 46' 30''$ East along the West line of said Lot 10 a distance of 426.78 feet more or less to the center line of Evergreen Avenue; thence North $89^{\circ} 15' 10''$ East along the center line of Evergreen Avenue a distance of 309.87 feet, more or less, to its intersection with the center line of Carver Road, said point being the point of beginning.

SECTION 3. ZONING MAP. Section 18-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and 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 May, 19 65, by Councilman Hughes.

who moved its introduction and passage to print, which action
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, Smith,
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

APPROVED AS TO DESCRIPTION:

By [Signature]
Planning Department

Ordinance 720 C.S.
Exhibit A – Map

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

Ord. No. 720-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 June, 1965, Councilman Smith 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, Shastid, Smith,
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton, VanderWall

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 7, 1965

AN ORDINANCE AMENDING SECTION 8-1.502 OF ARTICLE 5 OF CHAPTER 1 OF TITLE VIII OF THE MODESTO MUNICIPAL CODE RELATING TO THE PARK FUND.

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

SECTION 1. AMENDMENT OF CODE. Section 8-1.502 of Article 5 of Chapter 1 of Title VIII of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 8-1.502. TITLE OF FUND. Such fund shall be known as the "Park Fund" and it shall remain inviolate for the making of such capital outlays as the Council shall direct to be made from such fund for the purpose of development of parks within the City of Modesto, and no moneys shall be disbursed therefrom except for such purpose, except upon consent of the electors obtained, as provided in said Act.

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 May, 1965, by Councilman VanderWall, 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, Smith, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell

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

ATTEST: [Signature]
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

By ELWYN L. JOHNSON, City Attorney

Ord. No. 721-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 June, 1965, Councilman Smith 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, Shastid, Smith,
Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Patton, VanderWall

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 7, 1965

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

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Alfred L. Flory on March 9, 1965, 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 April 21, 1965, 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. 65-54, adopted on April 21, 1965, the Planning Commission recommended to the Council that the application of Alfred L. Flory to amend Section 22-3-9 of the Zoning Map to reclassify the hereinafter described property from One-Family Zone, R-1, to Two-Family Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, 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 22-3-9 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 the Northeast corner of Lot 12 of the Broughton Colony filed for record March 17, 1904; thence South $0^{\circ} 26' 30''$ East along the East line of said Lot 12 a distance of 159.83 feet; thence South $89^{\circ} 33' 30''$ West 142.89 feet; thence North $0^{\circ} 26' 30''$ West 30.98 feet; thence South $89^{\circ} 33' 30''$ West 185.11 feet; thence North $0^{\circ} 26' 30''$ West 130.79 feet to the North line of said Lot 12; thence North $89^{\circ} 54'$ East along said North line of Lot 12 a distance of 328.01 feet to the point of beginning.

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

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 May, 1965, 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, Patton, Shastid, Smith,
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

APPROVED AS TO DESCRIPTION:
By Donald J. [Signature]
Planning Department

Ordinance 722 C.S.
Exhibit A – Map

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

Ord. No. 722-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 June, 1965, Councilman Smith 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, Shastid, Smith,
Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Patton, VanderWall

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 7, 1965

AN ORDINANCE AMENDING SECTION MAPS 16-3-9 AND 17-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MCHENRY AVENUE: H-1)

WHEREAS, the Planning Commission on February 16, 1965, initiated proceedings to rezone frontages along McHenry Avenue from M.I.D. Lateral No. 3 north to the city limit lines in Sections 16-3-9 and 17-3-9 to Highway Frontage Zone, H-1, as shown on the map entitled "Proposed H-1 Zoning - McHenry Avenue," dated February 16, 1965, and

WHEREAS, after public hearing held on April 21, 1965, it was found and determined by the Planning Commission that rezoning of the area as shown on the map entitled "Proposed H-1 Zoning - McHenry Avenue," dated April 21, 1965, and on file in the office of the Planning Director, is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 65-51, adopted on April 21, 1965, the Planning Commission recommended to the Council that Sections 16-3-9 and 17-3-9 of the Zoning Map be amended to rezone to Highway Frontage Zone, H-1, properties shown on the map entitled "Proposed H-1 Zoning - McHenry Avenue," dated April 21, 1965, attached to said resolution and made a part thereof, 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 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. Sections 16-3-9 and 17-3-9 of the Zoning Map are hereby amended as shown 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 7th day of June, 1965, 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, Shastid, Smith,
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Patton, VanderWall

APPROVED: 
PETER W. JOHANSEN, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY: 
ELWYN L. JOHNSON, City Attorney

Ordinance 723 C.S.
Exhibit A – Map

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


Ord. No. n 723-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 June, 19 65, 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,
Smith, VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 21, 1965

AN ORDINANCE REPEALING SECTIONS 2-5.14 AND 2-5.15 OF CHAPTER 5 OF TITLE II OF THE MODESTO MUNICIPAL CODE, RELATING TO POLITICAL ACTIVITIES.

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

SECTION 1. REPEALS. Sections 2-5.14 and 2-5.15 of Chapter 5 of Title II of the Modesto Municipal Code are hereby repealed.

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 7th day of June, 1965, 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, Smith, Mayor Johansen

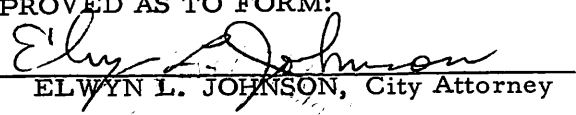
NOES: Councilmen: None

ABSENT: Councilmen: Patton, VanderWall

APPROVED: 
PETER W. JOHANSEN, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:
By 
ELWYN L. JOHNSON, City Attorney

Ord. No. 724-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 June, 1965, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance finally adopted by the following vote:

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

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 14, 1965

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE SHERWOOD MEADOWS NO. 2 ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by
Robert P. Bomberger, Muriel F. Bomberger, Harold J. Kreutz, Needa
Kreutz, J. A. Saletta, Billie Saletta, J. E. Fulford, Dawna Fulford,
C. H. Harrison, Agnes Harrison, Harley D. Brannan, Norma F. Brannan
and Harry F. MacDonald
on March 27, 1965, 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 SHERWOOD MEADOWS NO. 2
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
3rd day of May, 1965, set said petition for hear-
ing at the hour of 8:00 o'clock P.M. on the 14th day of
June, 1965, 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 May 13, 1965,
and on May 20, 1965; and in the Turlock Daily
Journal, a newspaper published outside the City of Modesto, but
in the County of Stanislaus, on May 13, 1965, and
on May 20, 1965, 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, the Stanislaus County Local Agency Formation
Commission did on February 17, 1965, approve the
annexation of said uninhabited territory to the City of Modesto,
pursuant to Section 54766 of the Government Code, and

WHEREAS, on the 14th day of June, 1965,
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 SHERWOOD MEADOWS NO. 2 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, being a portion of Sections 15 and 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at a point on the existing City Limits, as established by the Southeastern corner of the ATHENS ADDITION, as per description filed November 19, 1962, as Instrument 43543, Stanislaus County Records; thence along the existing City Limits and the Eastern line of said Athens Addition, North $0^{\circ} 53'$ West, 615.62 feet, to the Northeastern corner of said Athens Addition; thence continuing along the existing City Limits and the Northern line of said Athens Addition, North $89^{\circ} 30' 00''$ West, 160.00 feet, to the Southeastern corner of ATHENS NO. 2 ADDITION, as per description filed February 5, 1963, as Instrument 4471, Stanislaus County Records; thence along the existing City Limits and the Eastern line of said Athens No. 2 Addition, North $0^{\circ} 53'$ West, 389.94 feet, to the Southeastern corner of the EAST FLOYD NO. 3 ADDITION, as per description filed July 19, 1961, as Instrument 22858, Stanislaus County Records; thence along the existing City Limits and the Eastern line of said East Floyd No. 3 Addition, North $0^{\circ} 53'$ West, 215.00 feet, to a Southwestern corner of SHERWOOD MEADOWS ADDITION, as per description filed March 26, 1965 as Instrument 11993, Stanislaus County Records; thence along the existing City Limits and a Southern line of said Sherwood Meadows Addition, South $89^{\circ} 30'$ East, 185.01 feet, to a point on the section line between said Sections 15 and 16; thence along the existing City Limits and Western and Southern lines of said Sherwood Meadows Addition, South $0^{\circ} 53'$ East, 204.94 feet; North $89^{\circ} 45' 50''$ East, 661.89 feet; South $0^{\circ} 52' 30''$ East, 400.00 feet, North $89^{\circ} 45' 50''$ East, 650.00 feet, to the Southeastern corner of said Sherwood Meadows Addition and the intersection of the East-West quarter section line and the North-South quarter section line of said Section 15; thence along said quarter-quarter section line South $0^{\circ} 52' 30''$ East, 1320.03 feet, to its intersection with the East-West quarter quarter section line; thence South $89^{\circ} 47' 15''$ West, 1311.68 feet, to the section line common to Sections 15 and 16; thence along said section line, North $0^{\circ} 53'$ West, 703.89 feet, to its intersection with the easterly extension of the Southern line of the Athens Addition; thence North $89^{\circ} 31'$ West, 25.01 feet to the point of beginning, containing 48.741 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 14th day of June, 1965, by Councilman Shastid, who moved its adoption and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmen: None

ABSENT: Councilmen: None

ATTEST: [Signature]
R. E. GALLFUS, City Clerk

APPROVED: [Signature]
PETER W. JOHANSEN, Mayor

(SEAL)

APPROVED AS TO FORM BY: [Signature]
~~ELWYN L. JOHNSON~~, City Attorney
ELWYN L. JOHNSON

APPROVED AS TO DESCRIPTION: [Signature]
Public Works Department

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

WHEREAS, a verified application for an amendment to Section 15-3-9 of the Zoning Map was filed by Robert P. Bomberger on March 31, 1965, to reclassify from One-Family Zone, R-1, to Neighborhood Commercial Zone, C-1, Multiple-Family Zone, R-3, and Two-Family Zone, R-2, certain described property, and

WHEREAS, after public hearing held on April 21, 1965, 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, and

WHEREAS, by Resolution No. 65-56, adopted on April 21, 1965, the Planning Commission recommended to the Council that:

(1) The area requested for rezoning from One-Family Zone, R-1, to Multiple-Family Zone, R-3, be approved.

(2) The area hereinafter described be rezoned from One-Family Zone, R-1, to Two-Family Zone, R-2.

(3) Action on the request for rezoning from One-Family Zone, R-1, to Neighborhood Commercial Zone, C-1, be further considered, and

WHEREAS, after further consideration of the requested rezoning from One-Family Zone, R-1, to Neighborhood Commercial Zone, C-1, on May 18, 1965, the Planning Commission adopted Resolution No. 65-69, recommending to the Council that the requested rezoning 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 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 15-3-9 of the Zoning Map is hereby amended to reclassify the hereinafter described properties as follows:

(a) From One-Family Zone, R-1, to Neighborhood Commercial Zone, C-1:

Commencing at the West quarter corner of said Section 15 on the center line of Coffee Road; thence along the West line of said Section 15 and the center line of Coffee Road North $0^{\circ} 53'$ West 615.00 feet to the true point of beginning of this description; thence continuing along the west section line and the center line of Coffee Road North $0^{\circ} 53'$ West 704.00 feet to the Northwest corner of the Southwest quarter of the Northwest quarter of said Section 15, and a point on the center line of Floyd Avenue; thence along the center line of Floyd Avenue North $89^{\circ} 44'$ East 537.03 feet; thence South $0^{\circ} 16'$ East 243.00 feet to the point of tangency of a curve to the left; thence along the arc of said curve having a radius of 330 feet, through a central angle of $36^{\circ} 13' 19''$ for a distance of 208.62 feet; thence South $53^{\circ} 30' 41''$ West 450.29 feet; thence South $89^{\circ} 45' 50''$ West 230.00 feet to the true point of beginning of this description.

(b) From One-Family Zone, R-1, to Multiple-Family Zone, R-3:

Commencing at the West quarter corner of said Section 15 on the center line of Coffee Road; thence along the West line of said Section 15 and the center line of Coffee Road North $0^{\circ} 53'$ West 400.00 feet to a point on the present City Limits line of the City of Modesto and the true point of beginning of this description; thence continuing along the West section line and center line of Coffee Road North $0^{\circ} 53'$ West 215.00 feet; thence North $89^{\circ} 45' 50''$ East 230.00 feet; thence North $53^{\circ} 30' 41''$ East 450.29 feet to a point on a curve concave to the Northeast; thence along the arc of said curve in a Northerly direction on a radius of 330.00 feet through a central angle of $36^{\circ} 13' 19''$ for a distance of 208.62 feet; thence tangent to said curve North $0^{\circ} 16'$ West 243.00 feet to a point on the center line of Floyd Avenue; thence along the center line of Floyd Avenue North $89^{\circ} 44'$ East 130.00 feet; thence South $0^{\circ} 16'$ East 150.00 feet; thence South $11^{\circ} 48' 37''$ East 183.27 feet; thence South $47^{\circ} 21'$ East 182.00 feet; thence South $42^{\circ} 39'$ West 150.70 feet; thence South $49^{\circ} 42'$ East 90.07 feet to the point of tangency of a curve to

the right; thence along said curve having a radius of 430.00 feet through a central angle of 8° 53' 16" for a distance of 66.70 feet; thence South 49° 11' 16" West 140.00 feet; thence South 32° 29' 43" West 150.00 feet; thence Southeasterly 58.46 feet to a point on the existing City Limits line extended easterly; thence along the last named line South 89° 45' 50" West 700.98 feet to the true point of beginning of this description.

(c) From One-Family Zone, R-1, to Two-Family Zone, R-2:

Commencing at the West quarter corner of said Section 15 on the center line of Coffee Road; thence North 89° 45' 50" East 700.98 feet to the true point of beginning of this description; thence continuing North 89° 45' 50" East 360.02 feet; thence North 0° 53' West 355.00 feet; thence South 89° 45' 50" West 5.05 feet; thence North 0° 14' 10" West 130.00 feet; thence North 20° 00' West 199.77 feet; thence North 47° 21' West 125.00 feet; thence South 42° 39' West 15.92 feet; thence North 47° 21' West 125.00 feet; thence North 42° 39' East 365.00 feet; thence North 57° 52' 10" East 92.21 feet; thence North 89° 07' 30" East 182.00 feet; thence North 0° 52' 30" West 170.00 feet to the Northeast corner of the Southwest quarter of the Northwest quarter of said Section 15 and a point on the center line of Floyd Avenue; thence along the center line of Floyd Avenue South 89° 44' West 645.00 feet; thence South 0° 16' East 150.00 feet; thence South 11° 48' 37" East 183.27 feet; thence South 47° 21' East 182.00 feet; thence South 42° 39' West 150.70 feet; thence South 49° 42' East 90.07 feet to the point of tangency of a curve to the right; thence along the arc of said curve having a radius of 430.00 feet through a central angle of 8° 53' 16" for a distance of 66.70 feet; thence South 49° 11' 16" West 140.00 feet; thence South 32° 29' 43" West 150.00 feet; thence Southeasterly 58.46 feet to a point on the existing City Limits line extended easterly; thence South 0° 53' East 400.00 feet to the true point of beginning of this description.

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

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 June, 1965, 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,
Smith, 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

APPROVED AS TO DESCRIPTION:

By Russell A. Fry
Planning Department

Ordinance 726 C.S.
Exhibit A – Map

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

Ord. No. 726-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 June, 19 65, Councilman Hughes moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Patton, Smith,
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

EFFECTIVE DATE: July 28, 1965

AN ORDINANCE ADDING ARTICLE 3 TO CHAPTER 1 OF TITLE IV OF THE MODESTO MUNICIPAL CODE, RELATING TO CARNIVALS AND CIRCUSES.

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

SECTION 1. AMENDMENT OF CODE. Article 3 is hereby added to Chapter 1 of Title IV of the Modesto Municipal Code to read as follows:

ARTICLE 3. CARNIVALS AND CIRCUSES

SEC. 4-1.301. PERMIT REQUIRED. It shall be unlawful for any person, firm or corporation to establish, set up, maintain, exhibit, conduct or carry on in the City of Modesto any carnival, circus, fair, menagerie, wild animal show, trained animal show, rodeo, ferris wheel, merry-go-round, traveling show, or other similar or related type of amusement place, unless a permit to do so has been issued as hereinafter provided and is in full force and effect.

SEC. 4-1.302. APPLICATION FOR PERMIT. Any person, firm or corporation desiring a permit required by this article shall make application therefor to the Director of Finance. The application shall be verified and shall set forth:

- (a) The name and address of the applicant.
- (b) If the applicant is a corporation, the names and addresses of the corporate officers.
- (c) The name and address of the proprietor and the person to be in immediate charge of the place of amusement.
- (d) The location at which it is proposed to conduct the place of amusement.
- (e) A description of the amusement devices proposed to be conducted, the placement of these devices, and the method of operation.
- (f) The inclusive dates during which the place of amusement is proposed to be conducted and the hours during which the place of amusement is proposed to be kept open each day.
- (g) Such other information as may be required by the City Manager.

The Director of Finance shall transmit the application to the City Manager for approval or disapproval.

SEC. 4-1.303. APPLICATION FEE. The application shall be accompanied by an Application Fee in the sum of Twenty-Five and no/100ths (\$25.00) Dollars. This fee

is in addition to any business license fee which is now or may hereafter be required to be paid. One half ($\frac{1}{2}$) of the Application Fee shall be retained by the City if the permit applied for is denied.

SEC. 4-1.304. REDUCTION OF AND WAIVER OF APPLICATION FEE. (a) The Application Fee established by this article shall be reduced to Ten and no/100ths (\$10.00) Dollars by the City Manager, upon written request being filed with the Director of Finance prior to the filing of the application for a permit if it is proved to the City Manager's satisfaction:

(1) That there will be no more than five (5) rides, booths, shows or concessions, in any combination.

(2) That no admission fee to the grounds will be charged.

(3) That no fee will be charged, directly or indirectly, by the permittee or any other person, firm, or corporation, for participating in any individual ride, game or other amusement activity, or for witnessing any such activity, if such activity is within the scope of the permit sought.

(4) That no purchase or thing of any kind is required to be paid for or obligated for in any way by any person as a condition of securing admission or participating in or witnessing any such amusement activity.

(b) The Application Fee established by Section 4-1.303 of this article shall be waived by the City Manager upon written request being filed with the Director of Finance prior to the filing of the application for a permit if it is proved to the City Manager's satisfaction:

(1) That the activity for which an application for a permit is being made is conducted, managed and carried on wholly by a nonprofit institution or organization for the benefit of charitable, religious, or benevolent purposes.

(2) That such nonprofit institution or organization will derive, both directly and indirectly, any and all profits to be derived from such activity.

(c) No person, firm or corporation engaged in the business of conducting any amusement activity or of leasing equipment for such amusement activity shall be relieved of the Application Fee required by Section 4-1.303 of this article solely by reason of the sponsorship of such amusement activity in the City of Modesto by an institution or organization which might itself be entitled to a waiver of such fee.

SEC. 4-1.305. INVESTIGATION BY CITY MANAGER. The City Manager shall cause such investigation to be made as he deems necessary and shall thereafter approve the issuance of such proposed permit if he finds that the proprietor and the person to be in immediate charge of the place of amusement are of good moral character, that the proposed place of amusement is not of such a character as

to disturb the public peace or be injurious to good morals, and that the conducting thereof in the proposed location will not disturb the peace and quiet of any considerable number of persons residing in the vicinity thereof; otherwise, the City Manager shall disapprove the application. Upon approval by the City Manager of an application, the Director of Finance shall issue the permit. No permit issued pursuant to the provisions of this article shall be transferable.

SEC. 4-1.306. LOCATION REQUIREMENTS. No amusement activity governed hereby shall be located in any zone where such activity is specifically prohibited by the zoning regulations of the City of Modesto. No part of any amusement activity, including rides, booths, exhibits, concession stands, equipment, or other facilities connected therewith, shall be located closer than three hundred (300') feet to any occupied dwelling. Carnivals, fairs and other amusement activities operated by schools, churches and other local nonprofit, educational, or charitable organizations, may be exempted from this requirement by the City Manager, provided that the permittee is entitled to exemption from an Application Fee pursuant to subsections (a) and (b) of Section 4-1.304 hereof, and further provided that such amusement activity will not, in the judgment of the City Manager, be a nuisance to residents within the three hundred (300') foot radius of such activity.

SEC. 4-1.307. HOURS OF OPERATION. No amusement activity regulated by this article shall operate between 11:00 o'clock P.M. and 8:00 o'clock A.M. of the following morning. The City Manager may further restrict the hours of operation of any amusement activity if such restriction in his judgment is necessary to protect surrounding residential areas.

SEC. 4-1.308. OPERATION ON PUBLIC STREETS PROHIBITED. No amusement activity, or any equipment used in connection therewith, shall be operated or be located upon a public street or alley, except that a parade operating under specific authority from the City, in accordance with all terms and conditions of any permit granted for the same, may operate on public streets and alleys according to the terms of such permit.

SEC. 4-1.309. ILLUMINATION OF AMUSEMENT AREA. All lights and illumination of an amusement activity regulated hereby, including facilities, equipment and rides, shall be arranged so as to reflect the light and glare away from any adjacent residential properties. Any searchlights used to advertise any amusement activity regulated hereby shall comply with the requirements and regulations of Article 12 of Chapter 7 of Title IV of this Code.

SEC. 4-1.310. EMERGENCY LIGHTING. The area around and between tents, facilities and equipment of any amusement activity shall be well lighted at all times during the operation of such amusement activity or any part thereof. An emergency lighting system approved by the Building Department to provide adequate lighting for orderly evacuation in event of disaster or emergency shall be provided by the permittee when

required by the City Manager. The operation of any amusement activity at any time when such requirements are not being fully met is prohibited.

SEC. 4-1.311. SOUND AMPLIFYING EQUIPMENT. All sound amplifying equipment used in conjunction with any amusement activity regulated hereby shall comply with the following regulations:

(a) The only sounds permitted are music and human speech.

(b) The human speech and music amplified shall not be profane, lewd, indecent or slanderous.

(c) The volume of sound shall be controlled so that it will not be audible for a distance in excess of two hundred (200') feet from its source, and so that said volume is not unreasonably loud, raucous, jarring, disturbing or a nuisance to persons within the area of audibility.

(d) No sound amplifying equipment shall be operated with an excess of fifteen (15) watts of power in the last stage of amplification.

(e) Any sound truck used to advertise any amusement activity regulated hereby shall comply with the requirements and regulations of Article 13 of Chapter 7 of Title IV of this Code.

SEC. 4-1.312. GROUND COVER. All areas or parcels of land used for any amusement activity regulated hereby, including off-street parking areas, shall be either paved with a permanent paving material, such as portland cement concrete or asphaltic concrete, or be treated with some type of temporary ground cover, such as oil, wood chips or gravel, in order to inhibit dust. In order to insure that adjoining areas are adequately protected from such dust, the City Manager may prescribe the type of ground cover to be used, taking into account such things as the type of amusement activity, the type of area being used, its proximity to other areas, and the length of time for which the permit is issued.

SEC. 4-1.313. OFF-STREET PARKING. As part of the determination as to whether the proposed location of an amusement activity is suitable or not, the City Manager shall take into account the availability of off-street parking areas to accommodate the automobiles which can reasonably be anticipated in connection with the amusement activity for which an application has been made. If the City Manager determines that the amount of off-street parking area available adjacent to and in the immediate vicinity of the proposed location of the amusement activity is inadequate, he may disapprove the application in whole or in part. In making this determination, the City Manager shall take into account such things as the size of the amusement activity, the hours of operation, the type of uses in the vicinity and the availability of on-street parking.

SEC. 4-1.314. HEALTH AND SANITATION. The amusement activity, and each portion thereof, shall conform to the health and sanitation requirements established by

the City Health Officer, and by applicable State and City laws.

SEC. 4-1.315. BUILDING AND FIRE CODES. All amusement activities shall comply with the Building and Fire Codes and ordinances of the City of Modesto. Upon request, permittees shall furnish proof to the City of Modesto that all equipment, rides, tents and structures utilized in connection with any amusement activity have been inspected and are in compliance with applicable State and City laws and regulations, and shall cooperate with the inspection thereof by local police, fire, building, health or other public officials and personnel. In the event any tent shall be used as a place of public assemblage, the following rules shall apply:

(a) No flammable or explosive liquid or gas shall be stored or used in, or within fifty (50') feet of, such tent.

(b) Smoking shall not be permitted within any such tent, and NO SMOKING signs shall be prominently displayed throughout such tent, and at each entrance thereof.

(c) Such tent and bunting, flammable decorations and sawdust therein or thereabout shall be entirely treated with a fire-retardant solution.

(d) All weeds and flammable vegetation in or within thirty (30') feet of such tent shall be removed and prevented from regrowing.

(e) The grounds both inside and outside of tents shall be kept free and clear of combustible waste, which shall either be stored in closed metal containers or removed from the premises without accumulation. No open fire shall be permitted on the premises, unless allowed pursuant to a permit from the Fire Department.

(f) Any condition that presents a fire hazard or would contribute to the rapid spread of fire, or would delay or interfere with the rapid exit of persons from such tent, or would interfere with or delay the extinguishment of a fire, shall be immediately abated, eliminated, or corrected as ordered by the Fire Department.

SEC. 4-1.316. CLEANING AREA. Any person granted a permit to conduct or carry on an amusement activity regulated hereby shall be responsible for keeping the area or parcel of land used for the amusement activity, including off-street parking areas, free and clear of all rubbish, waste matter and debris during the time such amusement activity is carried on or conducted.

SEC. 4-1.317. BOND REQUIRED. In order to insure that all areas used for amusement activities are kept free and clear of all rubbish, waste matter and debris and are properly cleaned up and cleared of all such material at the termination of the amusement activity, every applicant for a permit, except those noted below, shall file with the Director of Finance a cash bond or other security approved as to form by the City Attorney in the

sum of One Hundred and no/100ths (\$100.00) Dollars. Said bond shall be conditioned upon the permittee completely cleaning up and clearing the amusement area, including any off-street parking area, of any rubbish, waste matter and debris.

Exceptions. Applicants for permits who are entitled to a reduction of or an exemption from the Application Fee, pursuant to subsections (a) and (b) of Section 4-1.304 hereof, shall not be required to furnish the bond required by this section.

SEC. 4-1.318. REVOCATION OR SUSPENSION OF PERMIT. Any permit issued under the terms of this article may be suspended or revoked by the City Manager when it shall appear to the City Manager that the business or occupation, or the doing or performance of the act for which the permit was granted, is conducted, maintained, done or performed contrary to the application hereinbefore described, or in violation of any law of the State of California or ordinance of the City of Modesto, or is conducted, maintained, performed or done so as to constitute a nuisance or disturb the peace of persons in the vicinity or in any manner deleterious to the public peace, health or welfare.

SEC. 4-1.319. APPEALS. Any person, firm or corporation aggrieved by the action of the City Manager in approving or denying an application for a reduction or exemption from the Application Fee, in approving or disapproving the issuance of a permit, or in revoking or suspending or refusing to revoke or suspend any permit, may, within five (5) days after such action, appeal to the Council of the City of Modesto by filing a written notice thereof with the City Clerk. The Council shall then review the determination or decision of the City Manager in the matter appealed from and may approve, disapprove or modify such determination or decision. The action of the Council herein shall be final and conclusive.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto 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 June, 1965, 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, Smith, 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. 727-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 June, 1965, Councilman Hughes moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance finally adopted by the following vote:

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

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 28, 1965

AN ORDINANCE AMENDING SECTIONS 6-1.212 AND 6-1.213 OF ARTICLE 2 OF CHAPTER 1 OF TITLE VI OF THE MODESTO MUNICIPAL CODE, RELATING TO FEES FOR CARNIVALS AND CIRCUSES.

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

SECTION 1. AMENDMENT OF CODE. Sections 6-1.212 and 6-1.213 of Article 2 of Chapter 1 of Title VI of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 6-1.212. CARNIVAL ACTIVITY. Every person conducting, carrying on or managing a carnival activity shall pay a license tax in the sum of Three and no/100ths (\$3.00) Dollars per day for each and every separate show, entertainment, game, merry-go-round, ferris wheel, device, amusement, vaudeville, or dramatic performance, game of chance or skill, shooting gallery, for which a separate charge is made for admission, seats or standing room, or to operate or play at such game of chance or skill; or if only one charge is made for admission, or seat, or standing room, or to play at any such games of chance or skill. The license tax per day shall be ascertained by multiplying the number of each of such shows, exhibitions and entertainments for which a charge is made, by the amount fixed herein for each separate exhibition, show or game.

For the purpose of this section, the words "carnival activity" are defined to mean and include one or more shows, entertainments, games, devices, amusements, vaudeville, dramatic or minstrel performances, or games, tricks, devices or wheels, the result of the operation of which is dependent upon chance or skill and/or as a result of the operation of which things representing value may be given or paid; provided, however, that this section shall not apply to bowling alleys, skating rinks or circuses. Provided that nothing in this section shall be construed to license or authorize the conduct of any gambling or any game or device prohibited by the laws of California or the laws of the City.

For the purpose of this section, if the carnival activity is managed and carried on wholly by a non-profit institution or organization for the benefit of charitable, religious, or benevolent purposes, and if such nonprofit institution or organization will derive, both directly and indirectly, any and all profits to be derived from such carnival activity, then the business license tax imposed by this section shall be waived; but, no person, firm or corporation engaged in the business of conducting any carnival activity shall be relieved of the business license tax imposed by this section solely by reason of the sponsorship of such carnival activity in the City of Modesto by an institution or organization which might itself be exempt from such business license tax.

SEC. 6-1.213. CIRCUSES. Every person conducting, carrying on or managing a circus shall pay a license tax according to the following schedule:

- (a) Maximum seating capacity (tent or arena)
0 - 500 persons - \$25.00 per day.
- (b) Maximum seating capacity (tent or arena)
501 - 1,000 persons - \$50.00 per day.
- (c) Maximum seating capacity (tent or arena)
more than 1,000 persons - \$75.00 per day.

For the purpose of this section, if the circus is managed and carried on wholly by a nonprofit institution or organization for the benefit of charitable, religious, or benevolent purposes, and if such nonprofit institution or organization will derive, both directly and indirectly, any and all profits to be derived from such circus, then the business license tax imposed by this section shall be waived; but, no person, firm or corporation engaged in the business of conducting any circus shall be relieved of the business license tax imposed by this section solely by reason of the sponsorship of such circus in the City of Modesto by an institution or organization which might itself be exempt from such business license tax.

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 June, 1965, 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, Smith, 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: 

ELWYN L. JOHNSON, City Attorney

Ord. No. 728-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 June, 19 65, Councilman Hughes moved its final adoption, which motion being duly seconded by Councilman ^{Smith} ~~Shastid~~, was upon roll call carried and the ordinance finally adopted by the following vote:

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

APPROVED 
PETER W. JOHANSEN, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: July 28, 1965

AN ORDINANCE AMENDING SECTION 4-4.302 OF ARTICLE 3 OF CHAPTER 4 OF TITLE IV OF THE MODESTO MUNICIPAL CODE, RELATING TO STREETS IN SUBDIVISIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 4-4.302 of Article 3 of Chapter 4 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-4.302. GENERAL CONDITIONS OF DESIGN. The following general conditions of design shall apply:

(a) Streets and Highways.

(1) Relationship to Existing Streets. The street system in the proposed subdivision shall relate functionally to the existing streets in the area adjoining the subdivision.

(2) Center Lines. The center lines of all streets wherever practicable shall be the continuations of the center lines of existing streets, or shall be offset at least one hundred (100') feet.

(3) Intersections. Each street intersection or interception shall be as near to a right angle as is practicable.

(4) Cul-de-sac or Dead End Streets. No cul-de-sac or dead end street shall be more than five hundred (500') feet in length. Where necessary to give access to or permit a satisfactory future subdivision of adjoining land, streets shall extend to the boundary of the property and the resulting dead end streets may be approved without a turn-around. In all other cases a turn-around having a minimum radius of fifty (50') feet measured to the property line or a comparable area in another form shall be required, separated to the depth of one lot from the exterior boundary line or other topographical feature of the subdivision.

(5) Curve Radius. The center line curve radius on all streets and highways shall conform to accepted engineering standards of design and shall be subject to approval of the City Engineer.

(6) Intersection Corner Rounding. At street intersections, the block corners shall be rounded at the property line with a curve having a radius of not less than ten (10') feet. A greater curve radius may be required if streets intersect other than at right angles.

(7) Street Names. All names shall be as approved by the Planning Commission. Duplication of existing names will not be allowed unless the streets are obviously in alignment with existing streets and not so far removed as to be confusing.

(8) Part-Width Streets. In case of a part-width street, a minimum of forty (40') feet along and

adjacent to a boundary of the subdivision will be required except in cases in which proper deed or instrument of dedication to the City duly executed by the owner or owners of the adjacent lands be filed with the map of the subdivision, granting sufficient land to make a street of the required full width. Part-width streets shall be permitted only on the periphery of a subdivision and only when the street design approved by the Planning Commission requires the street to be so located that a full dedication would require land not in the subdivider's ownership or control. In no case shall a part-width street be less than forty (40') feet in width, except as provided below. The words "part-width street" shall be lettered on the map following the name of such streets.

Exception - A part-width street less than forty (40') feet may be permitted upon recommendation of the Planning Commission and subject to the approval of the City Council, as set forth in Section 1805 of the Streets and Highways Code of the State of California. The recommendation of the Planning Commission and the approval of the City Council shall be based upon the following factors:

(aa) The extension of the street is along property lines which form a boundary of the subdivision.

(ab) Adherence to the forty (40') foot part-width standard creates an offset in the center line of the street.

(ac) The public interest in having a street without an offset in the center line thereof outweighs the general public policy, set forth above, of having all part-width streets a minimum of forty (40') feet in width.

In all cases in which a part-width street less than forty (40') feet is permitted, on-street parking may be prohibited until such time as a minimum of forty (40') feet of the street is improved.

(9) Width of Streets. Street right of way widths shall be not less than those set forth herein. Increased widths may be required when determined necessary by the Planning Commission in the public interest. Approval or determination of street classification shall be made by the Planning Commission.

Street Class	Minimum Width
Major Streets	90 feet
Collector Streets	60 feet
Industrial Streets	60 feet
Minor Streets	50 feet
Frontage Streets	As Required
Cul-de-sac	50 feet

(b) Alleys.

(1) Alleys shall be prohibited in residential subdivisions except when determined to be necessary by the Planning Commission for any one of the following reasons:

(aa) The unusual size, shape or topographical character of the property to be subdivided.

(ab) The relationship to existing or proposed adjacent commercial, industrial or high density residential development, or adjacent railroad or canal rights of way.

(ac) The special nature of the design or density of a residential subdivision where dwellings are to be grouped in such a manner as to require access from other than the street frontage.

(ad) The need to maintain continuity of existing alleys where the property to be subdivided is located immediately between existing residential blocks where alleys are provided.

(2) Residential alleys shall be a minimum of twenty (20') feet in width.

(3) Alleys shall be provided where needed to serve existing or proposed commercial or industrial areas, and shall have a minimum width of thirty (30') feet, with adequate provision for ingress and egress.

(4) Where two (2) alleys intersect, ten (10') foot corner cut-offs measured along the property lines from the point of intersection will be required.

(5) Alleys shall be so laid out and aligned as to provide reasonable access for utilities and other services.

(c) Blocks.

(1) Acre or Large Lot Subdivisions. Where a parcel is first subdivided into small farms or acre tracts, the blocks shall be of such size and shape and be so divided as to provide for the opening of major and collector streets and for the ultimate extension and opening of minor streets and alleys at such intervals as will permit a subsequent division of any parcel into lots of normal size.

(2) Block Lengths. Block lengths shall not exceed one thousand (1000') feet unless existing conditions warrant a variance. Long blocks are desirable adjacent to heavily traveled streets in order to reduce the number of intersections.

(3) Block Widths. Blocks shall be of sufficient width to permit the plotting of two (2) tiers of lots of normal depth.

(d) Lots.

(1) Side Lines. The side lines of all lots wherever practicable shall be at right angles to the center line of the street.

(2) Division of Lots. No lot shall be divided by a county, city, school or any other taxing district boundary line.

(3) Lot Widths and Depths. The size and shape of each lot shall be in conformance to the zoning regulations effective in the area of the proposed subdivision.

(4) Building Lines. Building setback lines shall be indicated by dotted lines on the Subdivision Map, as required by the Planning Commission

(5) Suitability of Lots. All lots shall be suitable for the purpose for which they are intended to be sold. No land subject to flooding or deemed by the Planning Commission to be uninhabitable shall be plotted for residential occupancy.

(e) Easements.

(1) For Utilities. The subdivider shall grant easements for utility facilities at the rear of all lots, except where alleys are provided and in contiguous locations to permit anchorage, line continuity and ingress and egress. Easements shall be granted for public utility use along lot lines where necessary for extension of sewer, drainage, or utility lines.

(2) For Planting. Where streets are less than sixty (60') feet in width, easements three (3') feet in width for planting and utilities shall be required adjacent to each street right of way line.

(3) Dedication. Dedication of easements shall be for the purpose of installing and maintaining utilities, planting strips and for other public purposes as may be ordered or directed by the Council.

(4) Protection of Easements. No person other than a public utility shall erect, construct or place any building or structure except fences or walls on any public utility easement. No person shall permit or allow vines or other climbing plant materials to become attached to public utility poles. It shall be the responsibility of the owner and/or occupant of real property to maintain any public utility easement area located thereon in such a manner that its condition will not interfere with the proper operation and maintenance of public utility facilities located thereon. Any public utility using such easement, its representatives, agents or employees shall have the right to trim or top such trees or shrubs growing within or overhanging the easement as may endanger or interfere with public utility facilities constructed therein and may have free access to said public utility facilities and every part thereof at all times for the purpose of constructing, operating and maintaining said public utility facilities.

(5) Design of Easements. Easements shall be located and designed in subdivisions to provide for reasonable, practical and useful placement, replacement, enlargement, repair and maintenance of utility facilities.

(6) Location of Overhead Utilities. All overhead utilities shall be placed in rear lot and side lot easements, except where utilities cross streets, or must be located outside of the easements for other good and sufficient reasons as determined by the Planning Commission, as follows:

(aa) In alleys, where alleys are permitted by the Planning Commission.

(ab) In the street where topography precludes utility construction in easements, such as on steep hillsides.

(ac) In streets where the subdivision is along river frontages, canals, or ditches.

(ad) In streets in conjunction with multiple dwelling developments where streets constitute service roads; where buildings front away from streets; or where building lot area exceeds twenty thousand (20,000) square feet or lot width exceeds two hundred (200') feet.

(ae) For other good and sufficient reasons.

(f) Frontage Streets.

(1) When any lots front or side on any major street the subdivider may be required to dedicate and improve a frontage street to provide ingress to and egress from such lots.

(g) Water Courses. The subdivider shall, subject to riparian rights, dedicate a right of way for storm drainage purposes conforming substantially with the lines of any natural water course or channel, stream or creek that traverses the subdivision, or at the option of the subdivider, provide by dedication, further and sufficient easements or construction, or both, to dispose of such surface and storm waters.

(h) Sewage Disposal. Provision shall be made for adequate sewerage to be installed in accordance with the provisions of the applicable laws 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 28th day of June, 1965, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

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

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

ATTEST: REX E. GAILFUS, City Clerk

(SEAL)
APPROVED AS TO FORM: ELWYN L. JOHNSON, City Attorney

Ord. No. 729-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 6th day of July, 1965, 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,
VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Shastid, Smith

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

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

EFFECTIVE DATE: August 5, 1965

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF
MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1966,
AND PROVIDING FOR CERTAIN TRANSFERS OF FUNDS.

WHEREAS, pursuant to the Charter of the City of Modesto a proposed budget for the 1965-66 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 1965-66", presented by the City Manager to the City Council at its meeting held May 3, 1965, 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, 1966, and the several amounts stated therein as proposed expenditures are hereby appropriated for the various objects therein described.

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

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

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

SECTION 5. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at ^{an adjourned} / regular meeting of the Council of the City of Modesto held on the 30th day of June, 1965, by Councilman VanderWall, who moved its adoption, 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, Smith,
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 Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

AN ORDINANCE ADDING SECTION 10-2.1622 TO ARTICLE 16 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 10-2.1622 is hereby added to Article 16 of Chapter 2 of Title X of the Modesto Municipal Code to read as follows:

SEC. 10-2.1622. ALLOWABLE NUMBER OF DWELLING UNITS AFTER DEDICATION OF LAND FOR RIGHT OF WAY WIDENING PURPOSES. Notwithstanding any other provisions of this chapter to the contrary, whenever the owner of a residentially zoned lot is willing to dedicate part of said lot to the City of Modesto for the purpose of widening an existing right of way, the City may enter into an agreement with said person which, among other things, may provide that for the purpose of applying the provisions of this chapter to determine the number of dwelling units which may be constructed on said lot, that the area of said lot dedicated to the City of Modesto for the purposes of widening an existing right of way may be taken into account; but said dedicated area shall not be taken into account for the purpose of determining any other requirements set forth in this chapter.

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 6th day of July, 1965, by Councilman VanderWall, 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, Smith

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

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

(SEAL)

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

Ord. No. 731-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 12th day of July, 1965, 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:

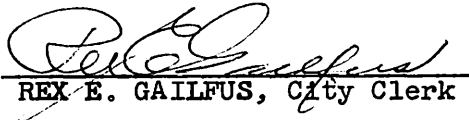
AYES: Councilmen: Hughes, Mitchell, Patton, Smith,
Vice Mayor VanderWall
NOES: Councilmen: None
ABSENT: Councilmen: Shastid, Mayor Johansen

APPROVED



~~PETER JOHNSEN, Mayor~~
RICHARD VANDERWALL, Vice Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: August 11, 1965

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

WHEREAS, a petition was filed with the City Clerk by
M. E. A. Land Company, Harvard Pfitzer, Ervin N. Keller, Julie M.
Keller and John E. Gorman

on May 20, 1965, 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 ANGELO
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
21st day of June, 1965, set said petition for hear-
ing at the hour of 4:30 o'clock P.M. on the 2nd day of
August, 1965, 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 July 1, 1965,
and on July 8, 1965; and in the Turlock Daily
Journal, a newspaper published outside the City of Modesto, but
in the County of Stanislaus, on July 1, 1965, and
on July 8, 1965, 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, the Stanislaus County Local Agency Formation Commission did on March 17, 1965, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to Section 54766 of the Government Code, and

WHEREAS, on the 2nd day of August, 1965, 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 ANGELO 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:

ANGELO ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern corner of the Rose Avenue School Addition, as per description filed March 30, 1965 as Instrument 12390, Stanislaus County Records, said point being on the section line common to Sections 22 and 23; thence along the City Limits and said section line North $0^{\circ} 45' 00''$ West, 1393.95 feet, to a point on the Westerly extension of the Northern line of Block 1409 of SCENIC VILLAGE UNIT NO. 1, as per map filed August 19, 1964, in Volume 20 of Maps, Page 82, Stanislaus County Records; thence along said extension, East, 41.50 feet, to the Northwestern corner of Scenic Village Unit No. 1; thence along the boundary of Scenic Village Unit No. 1 the following bearings and distances; East, 898.52 feet; South $0^{\circ} 45'$ East, 179.01 feet; West, 166.16 feet; South $0^{\circ} 45'$ East, 313.30 feet; South $74^{\circ} 50'$ East, 22.30 feet; South $15^{\circ} 10'$ West, 193.92 feet; North $74^{\circ} 50'$ West, 103.93 feet; South $0^{\circ} 46' 30''$ East, 4.73 feet; South $89^{\circ} 23' 45''$ West, 163.61 feet; thence continuing South $89^{\circ} 17'$ West, 145.21 feet, to the Eastern line of the properties shown on the Map filed January 31, 1944, in Volume 3 of Record of Surveys, Page 60 Stanislaus County Records; thence along said Eastern line and its Southerly extension South $0^{\circ} 38' 00''$ East, 682.12 feet, to its intersection with the center line of a 50 foot Public Road known as Scenic Drive; thence along said center line on a curve concave to the South, the center of which bears South $0^{\circ} 56' 36''$ East, having a Radius of 954.93 feet, a Central Angle of $8^{\circ} 46' 24''$, and an Arc Length of 146.22 feet; thence continuing along the center line of Scenic Drive, South $80^{\circ} 17' 00''$ West, 188.60 feet, to the point of beginning, containing 17.871 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 2nd day of August, 19 65, by Councilman Hughes, 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, Patton, Shastid, Smith, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

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

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

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

APPROVED AS TO DESCRIPTION: R. A. Hayward
Public Works Department
C.P.
6-25-65

AN ORDINANCE AMENDING SECTION 10-2.1618 OF ARTICLE 16 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 10-2.1618 of Article 16 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.1618. SUBSTANDARD LOTS. When a lot has less than the minimum required area or width as set forth in any of the zones contained herein, or in a precise plan, and was of record on the effective date of this chapter or is a part of a subdivision the tentative map of which was approved by the City or County Planning Commission prior to the effective date of this chapter, such lot shall be deemed to have complied with the minimum required lot area and width as set forth in any such zone or precise plan, except that such substandard lot shall qualify for only one single-family residence; provided, however, that if such substandard lot contains the minimum required lot area for a use in the zone in which such lot is located and if the width of such lot is not less than fifty (50') feet, then the lot may qualify for such use. On such substandard lot the width of each side yard for a dwelling may be reduced to a width which is not less than the same percentage of the width of the lot as the required side yard would be of the required lot width provided that on interior lots no side yard shall be less than three (3') feet and on corner and reversed corner lots no side yard on the side street side shall be less than seven and one-half (7 1/2') feet and the other side yard shall be not less than three (3') feet.

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 2nd day of August, 1965, 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, Smith, VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: Pauline P. Stanley APPROVED: Peter W. Johansen
(SEAL) Acting City Clerk PETER W. JOHANSEN, Mayor

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

Ord. No. 733-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 9th day of August, 1965, 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: Hughes, Mitchell, Patton, Shastid,
VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Smith

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


~~REC'D BY CLERK~~, City Clerk
PAULINE P. STANLEY, Acting

EFFECTIVE DATE: September 8, 1965

AN ORDINANCE AMENDING SECTIONS 10-2.1801 AND 10-2.1805 OF ARTICLE 18 OF CHAPTER 2 OF TITLE X OF THE MODESTO MUNICIPAL CODE, RELATING TO OFF-STREET PARKING REQUIREMENTS.

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

SECTION 1. AMENDMENT OF CODE. Sections 10-2.1801 and 10-2.1805 of Article 18 of Chapter 2 of Title X of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 10-2.1801. GENERAL.

(a) Every building hereafter erected shall be provided with parking space as provided in Section 10-2.1802 subject to the other provisions of this article. Such parking space shall be made permanently available and be permanently maintained for parking purposes.

(b) Every building hereafter enlarged, reconstructed, remodeled or structurally altered shall be provided with parking spaces to compensate for the additional parking demand, if any, created by such enlargement, reconstruction, remodeling or structural alteration. The parking spaces required by this subsection shall be determined by subtracting the number of parking spaces required by the provisions of Section 10-2.1802 of this chapter for the building as used prior to its enlargement, reconstruction, remodeling or structural alteration from the number of spaces required by said section for the building for its proposed use after its enlargement, reconstruction, remodeling or structural alteration. Such parking space shall be made permanently available and be permanently maintained for parking purposes. For buildings other than dwellings, if the number of parking spaces thus determined does not exceed the number of spaces required by the provisions of Section 10-2.1802 for the building as used prior to its enlargement, reconstruction, remodeling or structural alteration by five (5) spaces, no parking space need be provided by reason of the enlargement, reconstruction, remodeling or structural alteration of the building. In the event it is not possible to determine the number of parking spaces required for a particular building in the manner prescribed by this subsection, the Planning Commission shall determine an adequate number of parking spaces for such a building based on standards comparable to those contained in Section 10-2.1802 of this chapter.

(c) Notwithstanding the provisions of subsection (a) above, if any existing building is hereafter removed or demolished to provide a site for a building, the new building shall be provided with parking spaces in conformance with subsection (b) of this section.

(d) When the computation of the number of off-street parking spaces required by this article results in a fractional space, such fractional space shall be counted as a parking space only if it is equivalent to one-half ($\frac{1}{2}$) a space or more.

SEC. 10-2.1805. GENERAL REQUIREMENTS. The following general requirements shall apply:

(a) Size and Access: Each off-street parking space shall have an area of not less than one hundred seventy (170) square feet, exclusive of drives or aisles, and a width of not less than eight and one-half (8½') feet. Each such space shall be provided with adequate ingress and egress.

When the required parking space for a one- or two-family structure is not to be provided in a covered garage, such space shall be not less than two hundred (200) square feet and shall be so located and/or constructed that it may later be covered by a garage structure in accordance with the provisions of this chapter.

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

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

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

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

(c) Mixed Occupancies in a Building: In the case of mixed uses in a building or on a lot, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one space shall not be considered as providing required parking facilities for any other use except as hereinafter specified for joint use.

(d) Joint Use: The Planning Commission may, upon application by the owner or lessee of any property, authorize the joint use of parking facilities by the following uses or activities under the conditions specified herein.

(1) Up to fifty (50%) per cent of the parking facilities required by this article for a use considered to be primarily a daytime use may be provided by the parking facilities of a use considered to be primarily a nighttime use; up to fifty (50%) per cent of the parking facilities required by this article for a use considered to be primarily a nighttime use may be provided by the parking facilities of a use considered to be primarily a daytime use, provided such reciprocal parking area shall be subject to conditions set forth in paragraph (4) below.

(2) Up to one hundred (100%) per cent of the parking facilities required by this article for a church or for an auditorium incidental to a public or parochial school

may be supplied by parking facilities of a use considered to be primarily a daytime use, provided such reciprocal parking area shall be subject to conditions set forth in paragraph (4) below.

(3) The following uses are typical daytime uses; banks, business offices, retail stores, personal service shops, clothing or shoe repair or service shops, manufacturing or wholesale buildings and similar uses. The following uses are typical of nighttime and/or Sunday uses; auditoriums incidental to a public or parochial school, churches, dance halls, theater and bars.

(4) Conditions required for joint use:

(aa) The building or use for which application is made for authority to utilize the existing off-street parking facilities provided by another building or use, shall be located within four hundred (400') feet of such parking facility.

(ab) The applicant shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the joint use of off-street parking facilities is proposed.

(ac) If the building, structure or improvement requiring parking space is in one ownership, and the required parking space provided in another ownership, partially or wholly, there shall be a recording in the office of the County Recorder of Stanislaus County, California, of a covenant by such owner or owners for the benefit of the City of Modesto in the form first approved by said City that such owner or owners will continue to maintain such parking space so long as said building, structure or improvement is maintained within said City. The covenant herein provided must stipulate that the title to and right to use the lot or lots upon which the parking space is to be provided will be subservient to the title to the premises upon which the building is to be erected and that it is warranted that said lot or lots is not and will not be made subject to any other covenant or contract for use without prior written consent.

(e) Common Facilities: Common parking facilities may be provided in lieu of the individual requirements contained herein, but such facilities shall be approved by the Planning Commission as to size, shape and relationship to business sites to be served, provided the total of such off-street parking spaces, when used together, shall not be less than the sum of the various uses computed separately. When any such common facility is to occupy a site of five thousand (5000) square feet or more, then the parking requirements as specified herein for each of (2) or more participating buildings or uses may be reduced not more than fifteen (15%) per cent upon approval of development plans by the Planning Commission in the manner prescribed for a conditional use permit as set forth in Article 20 of this chapter.

(f) Plans: The plan of the proposed parking area shall be submitted to the Building Department at the time of the application for the building permit for the building to which the parking area is accessory. The plans shall clearly indicate the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping and other features and appurtenances of the proposed parking lot.

All parking areas shall be subject to the same restrictions governing accessory buildings as defined in the zone in which said parking areas are located.

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

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 August, 1965, by Councilman Mitchell, 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, ~~Smith~~ VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Smith

APPROVED:

Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST: Pauline P. Stanley
~~RENE P. CALLOS~~, City Clerk
Pauline P. Stanley, Acting
(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 734-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 August, 19 65, 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, VanderWall,
Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Shastid, Smith

APPROVED

Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST:

Pauline P. Stanley
~~RECORDED & INDEXED~~ City Clerk
PAULINE P. STANLEY, Acting

EFFECTIVE DATE: September 15, 1965

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

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Wolverine Building Service on May 11, 1965, 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 20, 1965, 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. 65-100, adopted on July 20, 1965, the Planning Commission recommended to the Council that the application of Wolverine Building Service to amend Section 22-3-9 of the Zoning Map to reclassify the hereinafter described property from One-Family Zone, R-1, to Two-Family Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, 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 22-3-9 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:

OK
Beginning at the intersection of the center lines of Rose Avenue and Kruger Drive; thence North 0° 37' West 499.17 feet along the center line of Rose Avenue; thence South 89° 54' 15" West 145.51 feet and along the north line of said Liberini Park No. 1 Subdivision to the northwest corner of Lot 1, Block 1108; thence South 0° 37' East 498.98 feet along the westerly lines of Lots 1 through 7 inclusive of Block 1108 and to the center line of Kruger Drive; thence North 89° 58' 50" East 145.51 feet along the center line of Kruger Drive to the point of beginning.

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

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 August, 19 65, 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, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid, Smith

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

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

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By *Don Samuels*
Planning Department

Ord. No. 735-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 September, 19 65, Councilman Shastid 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,
Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 7, 1965

**Ordinance 735 C.S.
Exhibit A – Map**

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

AN ORDINANCE AMENDING SECTION MAP 32-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED
THEREON. (5TH STREET)

WHEREAS, by Resolution No. 65-199, adopted April 26, 1965, the Council initiated proceedings to amend Section 32 of the Zoning Map to reclassify from Multiple-Family Zone, R-3, to General Commercial Zone, C-2, the hereinafter described property and referred the proposed amendment to the Planning Commission for public hearing, report and recommendation, and

WHEREAS, after public hearing held on July 20, 1965, 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. 65-99, adopted July 20, 1965, the Planning Commission recommended to the Council that Section 32-3-9 of the Zoning Map be amended to reclassify the hereinafter described property from Multiple-Family Zone, R-3, to General Commercial Zone, C-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 32-3-9 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 the intersection of the northeasterly extension of the center line of F Street and the center line of U.S. 99 Freeway; thence, southeasterly along the center line of U.S. 99 Freeway to its intersection with the northeasterly extension of the center line of E Street; thence, southwesterly along the center line of E Street and its northeasterly

extension to its intersection with the center line of the northwest-southeast alley in Block 13, City of Modesto; thence, northwesterly along the center line of said alley to its intersection with the center line of F Street; thence, northeasterly along the center line of F Street and its north-easterly extension to its intersection with the center line of U.S. 99 Freeway, being the true point of beginning.

SECTION 3. ZONING MAP. Section 32-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 August, 1965, by Councilman VanderWall, 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, VanderWall,
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid, Smith

APPROVED:

Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST: Pauline P. Stanley
~~Pauline P. Stanley~~, City Clerk

(SEAL)

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

APPROVED AS TO DESCRIPTION: Don Samuels
Planning Department

Ord. No. 736-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 September, 19 65, Councilman Shastid 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,
Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

APPROVED 
PETER W. JOHANSEN, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 7, 1965

Ordinance 736 C.S.
Exhibit A – Map

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

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

WHEREAS, a verified application for an amendment to
Section 8-3-9 of the Zoning Map was filed by Gilbert
Medeiros and Opal Medeiros on June 15,
19 65, 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 20,
19 65, 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. 65-101, adopted on
July 20, 19 65, the Planning Commission recommended
to the Council that the application of Gilbert Medeiros and
Opal Medeiros to amend Section 8-3-9 of the Zoning
Map to reclassify the hereinafter described property from One-
Family Zone, R-1, to Two-Family
Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing,
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 8-3-9 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:

OK

Commencing at the Southwest corner of said Section 8, being the intersection of the center lines of Tully Road and Rumble Road; thence North 0° 54' West 654.29 feet along the center line of Tully Road to the point of beginning of this description; thence South 89° 09' 30" East and along the North line of Lot 51 of the Standiford Colony 169.51 feet; thence South 0° 53' 30" East 325.12 feet; thence North 88° 59' West 169.50 feet to the center line of Tully Road; thence North 0° 54' West 324.66 feet along the center line of Tully Road to the point of beginning.

SECTION 3. ZONING MAP. Section 8-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 August, 1965, 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, Vard erWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid, Smith

APPROVED:

Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST:

Pauline P. Stanley

~~REX B. GIBBS~~ City Clerk

PAULINE P. STANLEY, Acting
(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By

Ann J. J. J.
Planning Department

Ord. No. 737-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 September, 19 65, Councilman Shastid 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,
Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 7, 1965

Ordinance 737 C.S.
Exhibit A – Map

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

31-3-9 AND 6-4-9
AN ORDINANCE AMENDING SECTION MAPS / OF THE
ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (DANA DEVELOPMENT
ASSOCIATION, INC.)

WHEREAS, a verified application for an amendment to
31-3-9 and 6-4-9
Sections / of the Zoning Map was filed by Dana
Development Association, Inc. on June 14
1965, 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 20
19 65, 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. 65-102, adopted on
July 20, 1965, the Planning Commission recommended
to the Council that the application of Dana Development
Association, Inc. to amend Sections / 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. Sections / of the
are
Zoning Map/~~is~~ hereby amended to reclassify the following described
property from Neighborhood Commercial Zone, C-1,
to Multiple-Family Zone, R-3 :

02
Beginning at the most southeasterly corner of Lot 17, Block 3092 of Walnut Grove Subdivision, recorded on November 14, 1958 in Volume 19 of the official records of Stanislaus County; thence South 89° 05' West 174.60 feet; thence South 1° 00' East 10.00 feet to the center line of a 20 foot east-west alley; thence South 89° 05' West 257.49 feet along the center line of said alley to its intersection with the center line of a northwest-southeast alley; thence North 40° 43' West 392.29 feet along the center line of said northwest-southeast alley to the southeasterly line of Paradise Road, being 66.00 feet in width; thence North 49° 17' East 307.75 feet along said southeasterly line of Paradise Road; thence North 89° 20' East 240.00 feet; thence North 1° 22' 30" West 125.00 feet to the south line of Chicago Avenue; thence North 89° 20' East 202.92 feet along the south line of Chicago Avenue to the northeast corner of said Lot 17; thence South 1° 22' 30" East 611.47 feet to the southeasterly corner of Lot 17, being the true point of beginning.

SECTION 3. ZONING MAP. Sections 31-3-9 and 6-4-9 of the Zoning Map of the City of Modesto ^{are} ~~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 August, 19 65, by Councilman Mitchell,

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, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Shastid, Smith

APPROVED:

Peter W. Johansen
PETER W. JOHANSEN, Mayor

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

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Ken Janssen
Planning Department

Ord. No. 738-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 September, 19 , Councilman Shastid 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,
Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

APPROVED

Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST:

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 7, 1965

**Ordinance 738 C.S.
Exhibit A – Map**

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

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1965-66.

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, 1965, and ending June 30, 1966, the rates of taxation hereinafter specified, said rates being upon each One Hundred and no/100ths (\$100.00) Dollars of the valuation according to the equalized assessment roll, to wit:

- (a) Tax Code Areas No. 2-1; 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 \$.08

THE AGGREGATE OF SAID SUMS, TO WIT \$1.77

- (b) Tax Code Areas No. 2-3; 2-4; and 2-5;

FOR THE GENERAL FUND \$1.53

FOR THE PARK FUND \$.05

FOR THE LIBRARY FUND \$.08

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 16th day of August, 1965, by Councilman Hughes, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried by the following vote:

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

NOES: Councilmen: None

ABSENT: Councilmen: Shastid, Smith

APPROVED

Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST: *Pauline P. Stanley*
Pauline P. Stanley, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

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

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

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Max Hanney on June 30, 1965, to reclassify from Neighborhood Commercial Zone, C-1, to Multiple-Family Zone, R-3, and from Multiple-Family Zone, R-3, to Neighborhood Commercial Zone, C-1, the hereinafter described property, and

WHEREAS, after public hearing held on July 20, 1965, 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. 65-103, adopted on July 20, 1965, the Planning Commission recommended to the Council that the application of Max Hanney to amend Section 22-3-9 of the Zoning Map to reclassify the hereinafter described property from Neighborhood Commercial Zone, C-1, to Multiple-Family and from Multiple-Family Zone, R-3, to Neighborhood Commercial Zone, R-3 / ~~be approved~~ Zone, C-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 22-3-9 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, ~~xx~~ and from Multiple-Family Zone, R-3, to Neighborhood Commercial Zone, C-1:

C-1 to R-3

OK
Beginning at a point bearing South 0° 45' East a distance of 701.85 feet and South 89° 59' 53" West a distance of 248.50 feet from the quarter section corner between Section 22 and 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence South 0° 45' East a distance of 442.02 feet; thence South 89° 59' 53" West a distance of 403.00 feet; thence North 0° 45' West a distance of 442.02 feet; thence North 89° 59' 53" East a distance of 403.00 feet to the point of beginning.

R-3 to C-1

OK
Beginning at a point bearing South 0° 45' East a distance of 671.85 feet from the quarter section corner common between Section 22 and 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence South 89° 59' 53" West a distance of 248.50 feet to a point which is 200.00 feet west of the west property line of Old Oakdale Road as a 90.00 foot street; thence South 0° 45' East parallel with and 200.00 foot distance from said West right-of-way line of Old Oakdale Road a distance of 320.02 feet; thence North 89° 59' 53" East a distance of 248.50 feet to the section line common to Section 22 and 23; thence North 0° 45' West a distance of 320.02 feet to the point of beginning.

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

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 August, 19 65, 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~~, VanderWall, Mayor Johansen
NOES: Councilmen: ~~No~~ Shastid
ABSENT: Councilmen: Hughes, Smith

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

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

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Elon [unclear]
Planning Department

Ord. No. 740-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 September, 1965, Councilman Shastid 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,
Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 7, 1965

**Ordinance 740 C.S.
Exhibit A – Map**

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

AN ORDINANCE AMENDING SECTION 10-2.901 OF ARTICLE 9 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 10-2.901 of Article 9 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.901. PERMITTED USES. In a C-2 zone only the following uses are permitted:

(a) Primary uses:

- (1) Any use permitted in the C-1 (Neighborhood Commercial) zone.
- (2) Advertising signs and structures.
- (3) Amusement and recreation services.
- (4) Antique store.
- (5) Appliance sales, household.
- (6) Armored car service.
- (7) Automobile or trailer rental.
- (8) Automobile repair, excluding painting, upholstery, and body and fender work, except that which is incidental to general repair.
- (9) Bus terminal.
- (10) Carnival.
- (11) Circus.
- (12) Coin operated machine rental service.
- (13) Department store; mail order house.
- (14) Detective and watching agency.
- (15) Drinking place.
- (16) Eating place.
- (17) Electrical supply store.
- (18) Employment agency.
- (19) Express office.
- (20) Farm and garden supply store.
- (21) Farm machinery sales, storage, repair and rental conducted wholly within an entirely enclosed building.
- (22) Floor covering sales.
- (23) Funeral service.
- (24) Furniture.
- (25) Furrier and fur shop, including repair and storage.
- (26) Hardware store.
- (27) Heating and plumbing equipment dealer.
- (28) Hobby shop.
- (29) Hospital supply.
- (30) House equipment display.
- (31) Ice dealer.
- (32) Insulation sales.
- (33) Leather goods, repair.
- (34) Mobile home dealer, including travel trailers, campers and camp cars.

- (35) Motion picture distributor.
- (36) Motion picture theater, indoor.
- (37) Motor vehicle dealer, new and used cars.
- (38) News syndicate.
- (39) Nonprofit educational and scientific research agency.
- (40) Nonprofit membership organization, except a church.
- (41) Orthopedic and artificial limb store.
- (42) Parts dealer, airplane, automobile, motorboat, motorcycle and trailer.
- (43) Printing shop.
- (44) Private museum or art gallery.
- (45) Public address system business.
- (46) Radio or television broadcasting studio.
- (47) Research agency, commercial and testing laboratory.
- (48) Roofing sales.
- (49) Secondhand store.
- (50) Sign painting shop.
- (51) Steam bath; massage.
- (52) Stone monument business, retail sales only, excluding stone cutting and blasting, other than lettering.
- (53) Taxicab central office, cab maintenance, storage and repair, excluding painting, upholstering and body and fender work, except that which is incidental to general repair.
- (54) Taxidermist shop.
- (55) Tire, battery and accessory dealer, not including tire recapping and vulcanizing.
- (56) Travel bureau.
- (57) Upholstery and furniture repair.
- (58) Vocational school.
- (59) Weather stripping sales.

(b) The following uses subject to the granting of a conditional use permit by the Board of Zoning Adjustment:

- (1) Car laundry.
- (2) Small animal hospital.

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

(d) Processing, packaging, treating, storing or manufacturing of products to be sold at retail on the premises or to be sold wholesale, subject to the provisions and limitations of Section 10-2.902.

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 23rd day of August, 1965, 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: Hughes, Smith

APPROVED:


PETER W. JOHANSEN, Mayor

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

APPROVED AS TO FORM:

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

Ord. No. 741-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 September, 19⁶⁵, Councilman Shastid 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,
Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 7, 1965

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1965-66, AND REPEALING ORDINANCE NO. 739-C.S.

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

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

SECTION 2. TAX RATE. There is hereby levied upon the assessed valuation of the property in the following described tax code areas situated in the City of Modesto, State of California, for the fiscal year beginning July 1, 1965, and ending June 30, 1966, the rates of taxation hereinafter specified, said rates being upon each One Hundred and no/100ths (\$100.00) Dollars of the valuation according to the equalized assessment roll, to wit:

- (a) Tax Code Areas No. 2-1; 2-2; 2-6; 2-7; 2-8; 2-9; 2-11; 2-12; 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 \$.08

THE AGGREGATE OF SAID SUMS, TO WIT \$1.77

- (b) Tax Code Areas No. 2-3; 2-4; and 2-5;

FOR THE GENERAL FUND \$1.53

FOR THE PARK FUND \$.05

FOR THE LIBRARY FUND \$.08

THE AGGREGATE OF SAID SUMS, TO WIT \$1.66

SECTION 3. REPEALS. Ordinance No. 739-C.S. adopted by the Council of the City of Modesto on the 16th day of August, 1965, is hereby repealed.

SECTION 4. EFFECTIVE DATE. Pursuant to Section 722 of the ~~Charter of~~ the City of Modesto, this ordinance shall take effect and be in full force and operation upon adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once in The Modesto 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 August, 1965, by Councilman Mitchell, who moved its adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried by the following vote:

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

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Smith

APPROVED:

Peter W. Johansen
PETER W. JOHANSEN, Mayor

ATTEST: Pauline P. Stanley
Pauline P. Stanley, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

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

AN ORDINANCE AMENDING ARTICLE 1 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE, AMENDING SECTION 3-2.802 OF ARTICLE 8 OF CHAPTER 2 OF TITLE III, AND ADDING SECTION 3-2.809.1 THERETO, RELATING TO TRAFFIC REGULATIONS.

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

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

ARTICLE 1. DEFINITIONS

SEC. 3-2.101. DEFINITIONS OF WORDS AND PHRASES. (a) The words and phrases used in this chapter shall have the meanings respectively ascribed to them in this article.

(b) Whenever any words or phrases used in this chapter are not defined herein, but are now or hereafter defined in the Vehicle Code of the State of California, such definitions are incorporated herein and shall be deemed to apply to such words and phrases used herein as though set forth herein in full.

SEC. 3-2.102. BUS LOADING ZONE. The space adjacent to a curb reserved for the exclusive use of vehicles operated by a public carrier during the loading or unloading of passengers.

SEC. 3-2.103. COUNCIL. The Council of the City of Modesto.

SEC. 3-2.104. CURB. The lateral boundary of the roadway whether such curb be marked by curbing construction, or not so marked; the word "curb" as herein used shall not include the line dividing the roadway of a street from parking strips in the center of a street, nor from tracks or rights of way of public utility companies.

SEC. 3-2.105. DIRECTOR OF PARKING AND TRAFFIC. Director is the Director of Parking and Traffic of the City of Modesto.

SEC. 3-2.106. FREIGHT LOADING ZONE. A space adjacent to a curb reserved for the exclusive use of commercial vehicles during the loading or unloading of materials.

SEC. 3-2.107. HOLIDAYS. For the purpose of this chapter only, holidays are the first day of January, the twelfth day of February, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the first Monday in September, the ninth day of September, the twelfth day of October, the eleventh day of November, the twenty-fifth day of December, and Thanksgiving Day.

SEC. 3-2.108. LOADING ZONE. The space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

SEC. 3-2.109. OFFICIAL TIME STANDARD. Whenever certain hours are named herein, they shall mean standard time or daylight saving time as may be in current use in the City.

SEC. 3-2.110. PARKING METER. A mechanical device installed within or upon the curb or sidewalk area, immediately adjacent to a parking space, for the purpose of controlling the period of time occupancy of such parking meter space by any vehicle is permitted.

SEC. 3-2.111. PARKWAY. That portion of a street other than a roadway or a sidewalk.

SEC. 3-2.112. PASSENGER LOADING ZONE. The space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

SEC. 3-2.113. PEDESTRIAN. Any person afoot.

SEC. 3-2.114. PICKUP. To take aboard a load or cargo of the type or kind that said vehicle is designed to haul.

SEC. 3-2.115. POLICE OFFICER. Every officer of the Police Department of the City, or any officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

SEC. 3-2.116. PUBLIC PARKING FACILITY. Any lot, space or area within the City now or hereafter used for off-street parking of vehicles by members of the public, and owned or operated for such use by the City.

SEC. 3-2.117. TRUCK ROUTE. A street, avenue or thoroughfare over and upon which vehicles designed or used for the transportation of commodities or materials may be driven and operated regardless of weight and size of said vehicles; provided, said vehicles do not exceed the size and weight of vehicles permitted by state law to be driven upon or over highways and streets within the State of California.

SEC. 3-2.118. VEHICLE CODE. The Vehicle Code of the State of California.

SECTION 2. AMENDMENT OF CODE. Section 3-2.802 of Article 8 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.802. CLINGING TO MOTOR VEHICLES. No person shall attach himself with his hands, or catch on, or hold on to with his hands, or by any other means, to any moving vehicle or train for the purpose of receiving motive power therefrom.

hereby added to Article 8 of Chapter 2 of Title III of the Modesto Municipal Code to read as follows:

SEC. 3-2.809.1. RAILWAY GATES. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or being opened or closed.

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 August, 1965, 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, Smith, Shastid, VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes

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

ATTEST: Pauline P. Stanley
Aiding City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 743-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 September, 1965, Councilman Shastid 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,
Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 7, 1965

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
BRIGGSMORE, from Tully Road to the westerly city limits	35 miles per hour
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
<u>COFFEE ROAD, Norwegian to Floyd</u>	<u>30 miles per hour</u>
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
<u>ENCINA, Covena to Santa Ana</u>	<u>25 miles per hour</u>
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
<u>OLD OAKDALE ROAD, Scenic Drive to north city limits</u>	<u>30 miles per hour</u>
ORANGEBURG AVENUE, east of McHenry Avenue	35 miles per hour
<u>ROBLE AVENUE, Santa Ana to Rosina</u>	<u>25 miles per hour</u>
<u>ROSE AVENUE, Crestview to north city limits</u>	<u>35 miles per hour</u>
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 23rd day of August, 1965, by Councilman VanderWall, 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, Smith, VanderWall,
Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: Hughes

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

ATTEST: Pauline P. Stanley
Pauline P. Stanley, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 744-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 September, 1965, Councilman Shastid 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,
Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 7, 1965

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

WHEREAS, a petition was filed with the City Clerk by
Lance E. Ellis, Carol L. Ellis and Stanco Investments

on July 6, 1965, 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 ROSE ACRES
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
26th day of July, 1965, set said petition for hear-
ing at the hour of 4:30 o'clock P.M. on the 7th day of
September, 1965, 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 5, 1965,
and on August 12, 1965; and in the Turlock Daily
Journal, a newspaper published outside the City of Modesto, but
in the County of Stanislaus, on August 5, 1965, and
on August 12, 1965, 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, the Stanislaus County Local Agency Formation Commission did on June 16, 1965, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to Section 54766 of the Government Code, and

WHEREAS, on the 7th day of September, 1965, 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 ROSE ACRES 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, being a portion of the South half of Section 15, 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 Eastern line of the SHERWOOD MEADOWS NO. 2 ADDITION, as per description filed July 13, 1965, as Instrument 27284, Stanislaus County Records, said point being South $0^{\circ} 52' 30''$ East, 566.25 feet, from the Northeast corner of the Northwest quarter of the Southwest quarter of said Section 15; thence along a curve concave to the South, the center of which bears South $7^{\circ} 10' 12''$ East, a Radius of 2130.00 feet, a Central Angle of $20^{\circ} 27' 12''$ and an Arc Length of 760.36 feet; thence along a reverse curve, concave to the North, having a Radius of 1870.00 feet, a Central Angle of $14^{\circ} 09'$ and an Arc Length of 461.82 feet; thence North $89^{\circ} 08'$ East, 100.00 feet, to the Northwest corner of the South half of the Northwest quarter of the Southeast quarter of Section 15, said point being on the center line of a 40 foot Public Road known as Rose Avenue; thence along the North line of the South half of the Northwest quarter of the Southeast quarter of Section 15, said line being the North line of the property conveyed to Stanco Investments, by Deed recorded January 16, 1963, by Instrument 2069, Stanislaus County Records, North $89^{\circ} 46' 32''$ East, 1312.20 feet; thence along the East line of the Northwest quarter of the Southeast quarter, North $0^{\circ} 50' 54''$ West, 8.00 feet; thence along the North line of the property conveyed to Raymond M. Hayes by Deed recorded February 4, 1947, as Instrument 2928, Stanislaus County Records, North $89^{\circ} 25' 34''$ East, 1312.14 feet, to a point on the East line of Section 15, said point being on the center line of a 40 foot Public Road known as Oakdale Road; thence along the East line of Section 15, South $0^{\circ} 49' 48''$ East, 676.91 feet; thence along the North line of the Southeast quarter of the Southeast quarter of Section 15, South $89^{\circ} 47' 15''$ West, 1311.99 feet; thence along the West line of the Southeast quarter of the Southeast quarter of Section 15, South $0^{\circ} 50' 54''$ East, 660.64 feet; thence along the South line of the North half of the Southwest quarter of the Southeast quarter of Section 15, South $89^{\circ} 47' 58''$ West, 1311.78 feet; thence along the West line of the Southeast quarter of Section 15, North $0^{\circ} 52'$ West, 1060.74 feet; thence South $89^{\circ} 08'$ West, 100.00 feet; thence along a tangent curve, concave to the North, having a Radius of 2130.00 feet, a Central Angle of $14^{\circ} 09'$ and an Arc Length of 526.03 feet; thence along a reverse curve, concave to the South, having a Radius of 1870.00 feet, a Central Angle of $21^{\circ} 19' 59''$ and an Arc Length of 696.26 feet, to a point on the East line of the Northwest quarter of the Southwest quarter of Section 15 and the existing City Limits on the East line of the Sherwood Meadows No. 2 Addition; thence along the existing City Limits, North $0^{\circ} 52' 30''$ West, 261.80 feet, to the point of beginning, containing 67.792 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 7th day of September, 1965, by Councilman Hughes, who moved its adoption 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,
Smith, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

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: R. A. Rosewood
Public Works Department

WHEREAS, a petition was filed with the City Clerk by
Edward G. Wylie and Virginia Lee Wylie

on June 2, 1965, 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 EL VECINO NO. 2
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
2nd day of August, 1965, set said petition for hear-
ing at the hour of 7:45 o'clock P.M. on the 13th day of
September, 1965, 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 12, 1965,
and on August 19, 1965; and in the Turlock Daily
Journal, a newspaper published outside the City of Modesto, but
in the County of Stanislaus, on August 12, 1965, and
on August 19, 1965, 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, the Stanislaus County Local Agency Formation Commission did on May 19, 1965, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to Section 54766 of the Government Code, and

WHEREAS, on the 13th day of September, 1965, 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 EL VECINO NO. 2 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:

EL VECINO NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, also being a portion of Lot 30 of the MENSINGER COLONY as per map filed May 10, 1909, in Volume 4 of Maps, Page 25, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits, as established by the Northwestern corner of the EL VECINO ADDITION as per description filed December 29, 1960, as Instrument 36791, Stanislaus County Records; thence along the Westerly line of the El Vecino Addition and the existing City Limits, South 0° 39' 30" East, 198.00 feet, to the Southwestern corner of the El Vecino Addition, which is a point on the existing City Limits as established by the Northern line of the YORKSHIRE ADDITION as per description filed March 11, 1959, as Instrument 6961, Stanislaus County Records; thence along said Northern line and its Westerly extension, North 89° 35' 30" West, 131.52 feet, to a point on the center line of a 40-foot public road known as El Vecino Avenue, said point being the Southeastern corner of Lot 30 of the Mensinger Colony; thence along the Southern line of Lot 30, North 89° 40' 41" West, 660.67 feet, to the Southwestern corner of Lot 30; thence along the Western line of Lot 30, North 0° 40' 20" West, 113.62 feet, to a point on the Southern line of Modesto Irrigation District Lateral No. 4; thence along said Southern line, North 49° 30' East, 860.36 feet, to a point on the center line of El Vecino Avenue; thence along said center line, South 0° 39' 30" East, 478.13 feet, to a point on the Westerly extension of the Northern line of the El Vecino Addition; thence along said extension of the Northern line, South 89° 35' 30" East, 131.52 feet, to the point of beginning, containing 6.586 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 ^{not} 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 13th day of September, 1965, by Councilman Mitchell, who moved its adoption and passage to print, which motion being duly seconded by Councilman Smith, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

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

ATTEST: Rex E. Gallpus
REX E. GALLPUS, City Clerk

(SEAL)

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

APPROVED AS TO DESCRIPTION: R. A. Horwood
Public Works Department

AN ORDINANCE ADDING SECTION 10-2.2903.1 TO ARTICLE 29 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 10-2.2903.1 is hereby added to Article 29 of Chapter 2 of Title X of the Modesto Municipal Code to read as follows:

SEC. 10-2.2903.1. PERMITTED USES UPON APPROVAL OF PLANNING DIRECTOR. The following uses shall be permitted in an H-1 Zone subject to the approval of the Planning Director:

- (a) Christmas tree sales.
- (b) Fireworks stands.

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 13th day of September, 1965, 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, Smith, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: VanderWall

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

ATTEST: [Signature]
GAILLUS, City Clerk

(SEAL)
APPROVED AS TO FORM: [Signature]
ELWYN L. JOHNSON, City Attorney

Ord. No. 747-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 September, 1965, 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, VanderWall
Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Shastid, Smith

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 20, 1965

7-3-9 AND 8-3-9

AN ORDINANCE AMENDING SECTION MAPS /_____ OF THE
ZONING MAP OF THE CITY OF MODESTO, RECLASSIFY-
ING CERTAIN PROPERTY LOCATED THEREON.

(PACIFIC INVESTMENT COMPANY)

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

7-3-9 and 8-3-9

SECTION 1. ZONING CHANGE. Sections /_____ of the Zoning

Map ~~is~~ ^{are} hereby amended to reclassify the following described property
from One-Family Zone, R-1, _____ to Planned Development
Zone, P-D (21) _____:

Commencing at a point South 0° 54' East 20.00 feet
from the East quarter corner of Section 7, Township
3 South, Range 9 East, Mount Diablo Base and Meridian;
thence South 89° 09' 45" East 641.42 feet; thence
South 0° 54' East 1300.11 feet to the center of Woodrow
Avenue; thence North 89° 09' 30" West 641.42 feet;
thence North 0° 54' West 2.88 feet; thence North 89°
11' 45" West 265.00 feet; thence North 0° 54' West
400.00 feet; thence North 89° 11' 45" West 26.00 feet;
thence North 0° 54' West 631.76 feet; thence North
89° 08' West 254.01 feet; thence North 0° 54' West
60.00 feet; thence North 89° 08' West 365.00 feet;
thence South 54° 06' West 133.55 feet; thence North
89° 08' West 290.00 feet; thence North 1° 02' 40"
West 285.00 feet; thence South 89° 08' East 1310.18
feet to the point of beginning.

SECTION 2. USES. The following uses shall be permitted
in said P-D (21) 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:

**Ordinance 748 C.S.
Exhibit A – Map**

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

(a) FOOD SERVICES.

Supermarket, bakery, delicatessen, meat, poultry and fish, frozen foods, dairy drive-in, candy and confections.

(b) RETAIL COMMERCIAL USES.

Variety store, family clothiers (men's, women's, infants', and children's), shoes, shoe repair - other apparel accessories, custom tailoring (dress making, millinery shop), ladies specialty - hosiery, handbags, bridal shop, maternity, sporting goods, jewelry, florist, flower shops, cigar stand, news dealer, music and records, cameras and photo supplies, gifts, novelties, card shop, travel agency, hobby shop, luggage, imports, interiors, toys, trading stamp redemption center, post office, service station, auto accessories, laundromat, dry cleaners, laundry, antiques, optometrist, office supplies, stationery, hardware, bank, bank savings and loan, personal finance company, utilities collection agency, drug store, liquors - package store, books and stationery, tobacco shop, sewing machines, fabrics, lock and key shop, radio and television - including repairs, interior decorating, coin collector, health foods, art shop, lending library, drapery and curtain shop, nursery and baby supplies, stock brokerage, music studio and dance, nut shop, paint and wallpaper (related business offices), title company, lawn mower and bicycle shop.

(c) EATING ESTABLISHMENTS.

Restaurants, cafeteria, sandwich shop, coffee shop, carry-out foods, donut shop, ice cream shop.

(d) PERSONAL SERVICES.

Barber shop, beauty shop, slenderizing salon, pet clipping services.

(e) MEDICAL AND PROFESSIONAL OFFICES.

(f) CONVALESCENT HOSPITAL OR REST HOME.

(g) GENERAL OFFICES.

(h) MULTIPLE-FAMILY.

With maximum density of thirty (30) dwelling units per acre.

(i) CHURCH.

7-3-9 and 8-3-9

SECTION 3. ZONING MAP. Section Maps/____ of the Zoning
are
Map of the City of Modesto/~~is~~ amended to appear as set forth on the
maps
~~maps~~ attached hereto, which/~~is~~ are 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 meet-
ing of the Council of the City of Modesto held on the 13th day of
September, 1965, 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, Smith,
Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

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

ATTEST: REX E. GAILFUS, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION: -2-
By Planning Department
Planning Department

Ord. No. 748-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 27th day of September, 1965, 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, Patton, Shastid,
VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: Smith

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 27, 1965

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

WHEREAS, a petition was filed with the City Clerk by Billy K. Reich, Johnna L. Reich, Lewis R. Sexton, Josephine A. Sexton, ~~Anthony Bedford, Judith Lynn Bedford, Stephen Zagyi, Mona Zagyi,~~ James A. Green, Mary S. Green, C. P. Clark, Harley D. Brannan, ~~Norma Brannan, Robert P. Bomberger, and Muriel E. Bomberger~~

on July 23, 1965, 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 SHERWOOD TERRACE 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 August, 1965, set said petition for hearing at the hour of 8:00 o'clock P.M. on the 27th day of September, 1965, 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 published in the City of Modesto on August 26, 1965, and on September 2, 1965; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on August 26, 1965, and on September 2, 1965, 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 21, 1965, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to Section 54766 of the Government Code, and

WHEREAS, on the 27th day of September, 1965, 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 SHERWOOD TERRACE 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, being a portion of the Northeast quarter of Section 16, 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 RUMBLE ADDITION, as per description filed October 30, 1962, as Instrument 41103, Stanislaus County Records, said point being on the section line common to Sections 9 and 16, said section line being the center line of a 60-foot Public Road known as Rumble Road, and also being the Southern line of the CRESTWOOD TERRACE ADDITION, as per description filed August 22, 1962, as Instrument 31905, Stanislaus County Records; thence along the existing City Limits as established by the Crestwood Terrace Addition and along the section line common to Sections 9 and 16, South $89^{\circ} 30'$ East, 355.46 feet, to the Southeastern corner of the Crestwood Terrace Addition and the Southwestern corner of the WALNUT ACRES ADDITION, as per description filed May 14, 1963, as Instrument 18496, Stanislaus County Records; thence continuing along the existing City Limits as established by the Walnut Acres Addition and the section line common to Sections 9 and 16, South $89^{\circ} 30'$ East, 703.64 feet, to the Northeastern corner of the SHERWOOD TERRACE subdivision, as per Map filed November 25, 1964, in Volume 20 of Maps, Page 89, Stanislaus County Records; thence along the Eastern line of said Sherwood Terrace, South $1^{\circ} 49' 50''$ East, 1320.19 feet, to the Southeastern corner of said subdivision and the Southern line of the North half of the Northeast quarter of Section 16, said Southern line being the center line of a 40-foot Public Road known as Floyd Avenue; thence along said Southern line of the North half of the Northeast quarter, South $89^{\circ} 30' 40''$ East, 162.17 feet, to the Northerly extension of the Eastern line of property conveyed to Steve Zagyi, by Deed recorded in Volume 1862, Page 102, Stanislaus County Records; thence along the Eastern line of said Zagyi property, said line being parallel with the center line of Coffee Road, South $0^{\circ} 54' 15''$ East, 120.00 feet, to the Southern line of said Zagyi property; thence along the Southern line of said Zagyi property, North $89^{\circ} 30' 40''$ West, 100.00 feet to the Eastern line of property conveyed to E. H. Gamegan, et ux, by Deed recorded in Volume 1221, Page 46, Stanislaus County Records; thence along the Eastern line of said Gamegan property, South $0^{\circ} 54' 15''$ East, 70.00 feet, to a point on the existing City Limits at the Northwestern corner of the EAST FLOYD NO. 3 ADDITION, as per description filed July 19, 1961, as Instrument 22858, Stanislaus County Records; thence along the existing City Limits and the Western line of said East Floyd No. 3 Addition, South $0^{\circ} 54' 15''$ East, 5.00 feet, to the Southern line of said Gamegan property and the Northern line of the EAST FLOYD NO. 2 ADDITION, as per description filed June 29, 1960, as Instrument 18293, Stanislaus County Records; thence along the existing City Limits and the Northern line of said East Floyd No. 2 Addition, the following bearings and distances: North $89^{\circ} 30' 40''$ West, 100.00 feet; North $0^{\circ} 54' 15''$ West, 40.00 feet; North $89^{\circ} 30' 40''$ West, 268.00 feet; North $0^{\circ} 54' 15''$ West, 135.00 feet; North $89^{\circ} 30' 40''$ West 46.33 feet, to the Northwestern corner of the EAST FLOYD ADDITION, as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records, said point being on the Southern line of Floyd Avenue; thence along the existing City Limits and the Northern line of East Floyd Addition, North $89^{\circ} 30' 40''$ West, 735.14 feet, to the Southeastern corner of the Rumble Addition; thence along the existing City Limits and the Eastern line of the Rumble Addition, North $0^{\circ} 36' 40''$ West, 20.00 feet, to a point on the Southern line of the North half of the Northeast quarter of Section 16 and the center line of Floyd Avenue; thence continuing along the existing City Limits and the Eastern line of the Rumble Addition, North $0^{\circ} 36' 40''$ West, 1319.57 feet, to the point of beginning, containing 34.535 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 25th day of October, 1965, by Councilman Smith, who moved its adoption 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, Smith,
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
~~XXXXXXXXXXXX~~ City Attorney
ELWYN L. JOHNSON

APPROVED AS TO DESCRIPTION: Public Works Department
SF
9-29-65
-4

AN ORDINANCE AMENDING SECTION 9-1.15 OF CHAPTER 1 OF TITLE IX OF THE MODESTO MUNICIPAL CODE RELATING TO THE BUILDING CODE.

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

SECTION 1. AMENDMENT OF CODE. Section 9-1.15 of Chapter 1 of Title IX of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 9-1.15. ROOF COVERINGS. That Section 1704 of said Building Code be amended to read as follows:

Section 1704. Roof coverings shall be "fire retardant" except in Type V Buildings housing Group I and J occupancies, where it may be as specified in Section 3203 (f). Group H occupancies shall be required to have automatic sprinklers on the roof (Ridge Sprinklers) where wood shingles or shakes are used.

Skylights shall be constructed as required in Chapter 34.

Penthouses shall be constructed as required in Chapter 36.

For use of plastics in roofs see Chapter 52.

Exception: Roofs of cedar or redwood shakes having a nominal thickness of one inch (1") at the butt may be used in Fire Zone 3 on buildings of Groups B, C, F and G Occupancies of Type V construction provided that the horizontal clearance between cornice and property line, except street fronts, is not less than thirty (30') feet. Such roofs shall have solid sheathing of at least three-quarter inch (3/4") plywood overlaid with approved coal tar saturated asbestos felt weighing approximately fourteen (14) pounds per one hundred square feet (100 sq. ft). In addition, shakes shall be installed with eighteen (18") inch interlay of approved asbestos felt in the manner provided in Section 3203 (f) 5.

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 25th day of October, 1965, 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, Smith,
VanderWall, Mayor Johansen

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST:

By Rex E. Gallus
Rex E. Gallus, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 750 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 November, 1965, 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, Shastid, Smith,
VanderWall, Mayor Johansen
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED


PETER W. JOHANSEN, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 1, 1965