

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1969, AND PROVIDING FOR CERTAIN TRANSFERS OF FUNDS.

WHEREAS, pursuant to the Charter of the City of Modesto, a proposed budget for the 1968-69 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 1968-69", presented by the City Manager to the City Council at its meeting held May 6, 1968, 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, 1969, 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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of June, 1968, by Councilman Hughes, 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, Shastid, Smith,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Simon

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

ATTEST:

By: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

AN ORDINANCE AMENDING SECTION 10-2.1802 OF ARTICLE 18 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. Section 10-2.1802 of Article 18 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.1802. PARKING SPACES REQUIRED. Except as otherwise provided in this article, the number of off-street parking spaces required shall be as follows:

Beauty College - two and one-half (2.5) for each training station.

Bowling alley - eight (8) for each lane.

Children's dancing school - one for each six hundred (600) square feet of gross floor area.

Churches - one for each five (5) seats.

Clubs and lodges not having sleeping rooms - adequate number as determined by the Planning Commission.

Dance halls - one for each fifty (50) square feet of gross floor area used for dancing.

Dwellings -

Single-family - one for each dwelling unit.

Two-family - one for each dwelling unit.

Multiple-family - one and one-half (1.5) for each dwelling unit.

Eating and drinking establishments (on premises consumption) - one for each four (4) seats, including stools, benches and booths, or one for each sixty (60) square feet of dining area when the number of seats is unknown.

Hospitals - adequate number as determined by the Planning Commission.

Hotels - one for each three (3) guest rooms.

Libraries - one for each five hundred (500) square feet of gross floor area.

Manufacturing plants and kindred uses - one for each four (4) employees on the site at any one time, including changes of shifts.

Motels - one for each sleeping unit or dwelling unit.

Motor vehicle and machinery repair - one for each six hundred (600) square feet of gross floor area, with repair space for motor vehicles or machinery not counted as parking space.

Mortuaries and funeral homes - one for each five (5) seats in the assembly room used for services.

Offices - business or profession offices, banks - one for each five hundred (500) square feet of gross floor area.

Medical or dental clinics or offices - one for each two hundred (200) square feet of gross floor area.

Pool halls - two (2) for each table.

Retail stores - one for each five hundred (500) square feet of gross floor area.

Rooming and lodging houses, clubs and fraternity houses having sleeping rooms - one for each two (2) sleeping rooms.

Sanitariums, children's homes, homes for the aged, nursing homes - one for each four (4) beds.

Schools - adequate number as determined by the Planning Commission.

Stadiums, sports arenas, auditoriums - one for each
five (5) seats of maximum seating capacity.
Theaters - one for each five (5) seats.
Transportation terminal facilities - adequate number
as determined by the Planning Commission.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of July, 1968, by Councilman Robinson, 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, Robinson, Shastid, Smith, Simon
Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: ~~SIMON~~ None

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

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk
(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 902-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1968, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: August 21, 1968

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

Beginning at the interior quarter corner of said Section 15, said quarter corner being on the centerline of Rose Avenue; thence South along the North-South quarter section line and said center line of Rose Avenue 660.37 feet to the Westerly extension of the North line of Highland Manor No. 1, according to the official map thereof, recorded in Volume 21 of Maps at Page 31, Stanislaus County Records; thence South $89^{\circ} 21' 25''$ East along said Westerly extension and said North line of Highland Manor No. 1 a distance of 99.05 feet; thence North $0^{\circ} 38' 35''$ East 125.00 feet; thence South $89^{\circ} 21' 25''$ East 29.56 feet; thence North parallel to and 130.00 feet from said centerline of Rose Avenue 535.39 feet to the East-West quarter section line; thence North $89^{\circ} 22' 07''$ West along said East-West quarter section line 130.01 feet to the point of beginning.

Containing: 1.88 acres; □

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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of July, 19 68, 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, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: Lee H. Davies
~~PETER L. JOHNSON~~, Mayor
LEE H. DAVIES,

ATTEST: W. T. Chynoweth
~~PETER L. JOHNSON~~, City Clerk
W. T. CHYNOWETH,
(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Phil Jones
Planning Department

**Ordinance 903 C.S.
Exhibit A – Map**

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

Ord. No. 903-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of August, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: Smith

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 4, 1968

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

WHEREAS, a petition was filed with the City Clerk by
Robert H. Pappas, Maria Pappas, Jewell C. Harper and Gary Christopherson

on May 17, 1968, 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 EAST ORANGEBURG 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 10th day of June, 1968, set said petition for hearing at the hour of 7:45 o'clock P.M. on the 22nd day of July, 1968, 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 Bee, a newspaper published in the City of Modesto on June 13, 1968, and on June 20, 1968; and in the ~~THE RIVERBANK NEWS~~ Riverbank News ~~NEWSPAPER~~, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on June 21, 1968, and on June 28, 1968, 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,

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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 16, 1968, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to ~~SECTION 20000~~ the Government Code, and

WHEREAS, on the 22nd day of July, 1968, 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, to be effective upon the filing with the Secretary of State of the State of California of a certified copy of this ordinance,

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

EAST ORANGEBURG NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of 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 Eastern line of the EAST ORANGEBURG ADDITION (112), as per description filed June 29, 1960, as Instrument 18295, Stanislaus County Records, said point being on the center line of a public road known as East Orangeburg Avenue and also being on the South line of the North half of the Northwest quarter of Section 21; thence along the existing City Limits on the Eastern line of the East Orangeburg Addition, and the Western line of Lot 9 of the COOLIDGE COLONY, as per map filed November 15, 1910, in Volume 5 of Maps, Page 17, Stanislaus County Records, North $0^{\circ} 10'$ West, 330.00 feet, to a point on the North line of the South half of Lot 9; thence leaving the City Limits and along the North line of the South half of Lots 9, 10 and a portion of Lot 11, South $89^{\circ} 00'$ East, 726.00 feet to a point on the Western line of property conveyed to the Orangeburg Avenue Baptist Church; thence along the Western and Northern line of said church property the following bearings and distances: North $0^{\circ} 10'$ West, 160.00 feet; South $89^{\circ} 00'$ East, 141.00 feet; North $0^{\circ} 10'$ West, 20.00 feet, South $89^{\circ} 00'$ East, 123.00 feet, to a point on the Eastern line of Lot 11 of the Collidge Colony; thence along the Eastern line of Lot 11, South $0^{\circ} 10'$ East, 510.00 feet, to a point on the center line of East Orangeburg Avenue and the South line of the North half of the Northwest quarter of Section 21, said point also being on the Northern line of the SUNRISE ADDITION (206), as per description filed September 25, 1967, as Instrument 30334, Stanislaus County Records; thence along the existing City Limits on a Western line of the Sunrise Addition and the Eastern line of A SUBDIVISION OF LOTS 21 AND 22 OF THE MENSINGER COLONY, as per map filed April 15, 1927, in Volume 11 of Maps, Page 2, Stanislaus County Records, South $0^{\circ} 06'$ East, 214.45 feet, to a point on the Easterly extension of the Southern line of the North half of Lot 2 of said subdivision; thence along said line and the existing City Limits on a Northern line of the Sunrise Addition, North $89^{\circ} 00'$ West, 350.70 feet, to a point on the Western line of a 20 foot alley in Block 1136, as shown on the map of the MENSINGER TRACT NO. 4, as per map filed August 1, 1946, in Volume 14 of Maps, Page 68, Stanislaus County Records; thence leaving the City Limits and along the Western line of the alley in Block 1136, North $0^{\circ} 06'$ West, 214.45 feet, to a point on the center line of East Orangeburg Avenue and the South line of the North half of the Northwest quarter of Section 21; thence along said center line, North $89^{\circ} 00'$ West, 638.64 feet, to a point on the existing City Limits on the Eastern line of the East Orangeburg Addition; thence along the existing City Limits, North $89^{\circ} 00'$ West, 0.66 feet, to the point of beginning, containing 10.245 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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1968, by Councilman Shastid, who moved its adoption and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: Lee H. Davies
~~SECRETARY OF THE CITY~~ Mayor
LEE H. DAVIES,

ATTEST: W. T. Chynoweth
~~RECORDED~~ City Clerk

(SEAL) W. T. CHYNOWETH,
APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney
APPROVED AS TO DESCRIPTION: Public Works Department
8/6/65

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE EAST ORANGEBURG NO. 3 ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by
Eva R. Landes, Erma V. Schnee, Leland S. Schnee, June D. Jewett,
Marie L. Jewett, Eugene E. Bradley and Elizabeth H. Bradley
on May 17, 1968, 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 EAST ORANGEBURG NO. 3
ADDITION, situate in the County of Stanislaus, State of California,
and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the
10th day of June, 1968, set said petition for hear-
ing at the hour of 7:50 o'clock P.M. on the 22nd day of
July, 1968, 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 Bee, a newspaper pub-
lished in the City of Modesto on June 13, 1968,
and on June 20, 1968; and in the Riverbank
News ~~and in the Riverbank Daily~~
~~Journal~~, a newspaper published outside the City of Modesto, but
in the County of Stanislaus, on June 21, 1968, and
on June 28, 1968, 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,
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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 16, 1968, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to ~~SECTION 1. The territory hereinafter described is hereby~~ the Government Code, and

WHEREAS, on the 22nd day of July, 1968, at the hour of 7:50 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, to be effective upon the filing with the Secretary of State of the State of California of a certified copy of this ordinance,

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

April 12, 1968

EAST ORANGEBURG NO. 3 ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of 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 a Northern line of the SUNRISE ADDITION (206), as per description filed September 25, 1967, as Instrument 30334, Stanislaus County Records, said point being the Southwestern corner of Lot 12 of the COOLIDGE COLONY, as per map filed November 15, 1910, in Volume 5 of Maps, Page 17, Stanislaus County Records, said point also being on the center line of a public road known as East Orangeburg Avenue and on the South line of the North half of the Northwest quarter of Section 21; thence along the existing City Limits on the Northern line of the Sunrise addition and the Southern line of Lot 12, South $89^{\circ} 00'$ East, 330.00 feet, to the Eastern line of said Lot 12; thence along the Eastern line of Lot 12, North $0^{\circ} 10'$ West, 330.00 feet, to a point on the Northern line of the South half of Lot 12 of the Coolidge Colony; thence along said Northern line, North $89^{\circ} 00'$ West, 330.00 feet, to a point on the Western line of Lot 12; thence along the Western line of Lot 12, South $0^{\circ} 10'$ East, 330.00 feet, to the point of beginning, containing 2.500 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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 19 68, by Councilman Shastid, who moved its adoption and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: Lee H. Davies

~~XXXXXXXXXXXXXXXXXXXX~~ Mayor

LEE H. DAVIES,

ATTEST: W. T. Chynoweth

~~XXXXXXXXXXXXXXXXXXXX~~ City Clerk

(SEAL) W. T. CHYNOWETH,

APPROVED AS TO FORM: Elwyn L. Johnson

ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION: Public Works Department

8/6/65

87-5167

AN ORDINANCE ESTABLISHING BUILDING LINE SETBACKS ALONG CERTAIN STREETS, PROHIBITING THE ERECTION OF BUILDINGS OR STRUCTURES OR THE INSTALLATION OF WELLS, EXCAVATIONS, AND OTHER SUBSURFACE STRUCTURES THEREIN, PROVIDING FOR THE ENFORCEMENT THEREOF AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

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

SECTION 1. BUILDING LINE SETBACK. The term "building line setback" is defined for the purpose of this ordinance to mean the space between the established center line of a street and a line parallel thereto, including any setback area required to be provided by the zoning regulations of the City.

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

certain streets in the City.

SECTION 3. USE OF BUILDING LINE SETBACKS. Within the building line setbacks established by this ordinance, it shall be unlawful to erect buildings of any kind, or to erect any structure, including, but not confined to, advertising structures or solid walls; or to establish any well, whether for water, oil or other hydrocarbon products, or to make excavations or install any subsurface structure except those subsurface structures permitted by the Building Code; provided such prohibition shall not apply to trees, agricultural crops, open fences, or public utilities installed under authority of law, or any buildings, structure, well excavation or subsurface structure existing on the effective date of this ordinance, or to signs, canopies or marquees permitted by the Municipal Code.

SECTION 4. BUILDING LINE SETBACK ON NINTH STREET. A building line setback is hereby established along each side of Ninth Street between Morton Boulevard and "P" Street which building line setback shall be the following distances from the established center line, plus any additional setback which may be required as a front yard or side street side yard by the zoning regulations of the City: Northeast side - forty-eight (48') feet between "P" Street and "G" Street, tapers from forty-eight (48') feet at Southeast line of "G" Street to forty-four (44') feet at Northwest line of "E" Street, forty-four (44') feet between "E" Street and Morton Boulevard; Southwest side - forty-four (44') feet between "P" Street extended and Morton Boulevard except those properties in Block 47, Block 46, and Block U, where the property line is further than forty-four (44') feet in which case the building line setback is the property line.

SECTION 5. DETERMINATION OF THE LOCATION OF THE "ESTABLISHED CENTER LINE". Where uncertainty exists as to the exact location of the established center line of any street the Council shall determine such location after recommendation by the City Engineer.

SECTION 6. VARIANCES. When practical difficulties, unnecessary hardships, or results inconsistent with the general purpose of this ordinance result through the strict and literal interpretation and enforcement of the provisions hereof, the Board of Zoning Adjustment shall have authority, as an administrative act, subject to the provisions of this ordinance, to grant, upon such conditions as it may determine, such variances from the provisions of this ordinance as may be in harmony with its general purpose and intent, so that the spirit of this ordinance shall be observed, public safety and welfare secured and substantial justice done.

SECTION 7. SEVERABILITY. If any section, subsection, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance; it being hereby expressly declared that this ordinance, and each section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, adopted, approved and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 8. VIOLATIONS AND PENALTIES. Any person, firm, association or corporation who, either as principal, owner, agent, servant or employee violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding One Thousand and no/100ths (\$1,000.00) Dollars, or by imprisonment in the County Jail of Stanislaus County, California, for a period not exceeding one year, or by both such fine and imprisonment.

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a separate offense for each day or portion thereof during which such violation continues and shall be punishable therefor as herein provided.

The imposition of one penalty for any violation of this ordinance shall not excuse the violation, or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time.

SECTION 9. 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 10. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1968, 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, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Paul Woods
Public Works Department

Ord. No. 906-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of August, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Smith

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 4, 1968

AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 352-C.S., ENTITLED "AN ORDINANCE ESTABLISHING BUILDING LINE SETBACKS ALONG CERTAIN STREETS, PROHIBITING THE ERECTION OF BUILDINGS OR STRUCTURES OR THE INSTALLATION OF WELLS, EXCAVATIONS, AND OTHER SUBSURFACE STRUCTURES THEREIN, PROVIDING FOR THE ENFORCEMENT THEREOF AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF."

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

SECTION 1. AMENDMENT OF ORDINANCE. Section 5 of Ordinance No. 352-C.S., is hereby amended to read as follows:

SECTION 5. BUILDING LINE SETBACK ON NEEDHAM AVENUE. A building line setback is hereby established along each side of Needham Avenue between McHenry Avenue and Olive Avenue and between Nellie Avenue and North Ninth Street, which building setback line shall be forty-five (45') feet each side of the established center line, plus any additional setback which may be required as a front yard or side street side yard by the zoning regulations of the City.

A building line setback is also established along each side of Needham Avenue between Olive Avenue and Nellie Avenue, which building setback line shall be forty-seven and one-half (47½') feet north of the established center line and forty-five (45') feet south of the established center line, plus any additional setback which may be required as a front yard or side street side yard by the zoning regulations of the City.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1968, by Councilman SM Robinson, 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, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY *[Signature]*
Public Works Department

Ord. No. 907-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of August, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Smith

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 4, 1968

AN ORDINANCE AMENDING SECTION 12-4.102 OF ARTICLE 1 OF CHAPTER 4 OF TITLE XII OF THE MODESTO MUNICIPAL CODE RELATING TO USE OF MANCINI BOWL BY OTHER ORGANIZATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 12-4.102 of Article 1 of Chapter 4 of Title XII of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 12.4-102. OTHER ORGANIZATIONS. (a) Uses Authorized. The use of Mancini Bowl may be authorized by the ~~Council~~ Director of Parks and Recreation for special events or special meetings other than regular meetings by other organizations. All such requests for use of the Bowl for these purposes shall be submitted in writing to the ~~Council~~ Director of Parks and Recreation and shall be approved or denied by the ~~Council~~ Director of Parks and Recreation based on the availability of the Bowl for the use requested and the determination of the ~~Council~~ Director of Parks and Recreation that the use requested is consistent with park purposes and the existing land uses in the surrounding area. In the event the Director of Parks and Recreation denies such a request, the applicant may appeal such denial to the City Council. In the event the Council approves ~~such a~~ the request, the applicant shall thereafter obtain a permit for the approved use from the Department of Parks and Recreation, which shall be issued by the Department in accordance with the action of the Council.

(b) Fees and Charges. The rental fee to be charged for authorized use of Mancini Bowl, pursuant to this section, shall be as established from time to time by resolution adopted by the Council.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of July, 1968, by Councilman Robinson, 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, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST:

By *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 908-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of August, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Smith

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 4, 1968

AN ORDINANCE AMENDING SECTION 4-4.601 OF ARTICLE 6 OF CHAPTER 4 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO THE FILING OF FINAL SUBDIVISION MAPS.

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

SECTION 1. AMENDMENT OF CODE. Section 4-4.601 of Article 6 of Chapter 4 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-4.601. FILING. (a) Filing Within Eighteen (18) Months of Tentative Approval. The subdivider or his agent may file a final map within eighteen (18) months after the approval or conditional approval of the tentative map. In any case where a final map or record of survey map is not filed within eighteen (18) months after approval of the tentative map, and where no extension of time has been granted, a new tentative map shall be required.

(b) Checking Fees. A tracing of the final map shall be filed with the City Engineer together with a checking fee of Fifteen and no/100ths (\$15.00) Dollars, plus Fifty Cents (\$.50) per lot payable to the City Treasury, no part of which shall be returnable, at least thirty (30) days prior to the meeting of the Council at which approval is expected.

(c) Filing of Traverse Sheets. At the time of the filing of the final map with the City Engineer, the subdivider shall also file therewith traverse sheets showing traverse closures and the computation of all distances, angles, and course shown on the final map. The traverse of the boundaries of the tract and of lots and blocks shall close within a limit of error of one in five thousand (5,000).

(d) Report and Guarantee of Clear Title. The final map shall be accompanied by a report prepared by a duly authorized title company naming the persons whose consent is necessary to the preparation and recordation of said map and to the dedication of the streets, alleys and other public places shown on the map and certifying that as of the date of the preparation of the report, the persons therein named are all the persons necessary to give clear title to said subdivision. At the time of recording the approved said map, there shall be filed with the County Recorder a guarantee executed by a duly authorized title company for the benefit and protection of the City showing that persons (naming them) consenting to the preparation and recordation of said map and offering for dedication the streets, alleys and other public places shown thereon are all the persons necessary to pass clear title to said subdivision and to the dedications shown thereon.

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

Ord. No. 909-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 12th day of August, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Hughes, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Smith

APPROVED



LEE H. DAVIES, Mayor

ATTEST: W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 11, 1968

AN ORDINANCE AMENDING SECTIONS 9-6.15.1, 9-6.22, 9-6.24 AND 9-6.27 OF CHAPTER 6 OF TITLE IX OF THE MODESTO MUNICIPAL CODE RELATING TO SIGNS.

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

SECTION 1. AMENDMENT OF CODE. Sections 9-6.15.1, 9-6.22, 9-6.24 and 9-6.27 of Chapter 6 of Title IX of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 9-6.15.1. SIGNS NOT TO CONSTITUTE HAZARD OR NUISANCE. (a) Nuisance Prohibited. 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.~~

(b) Movement Prohibited. No sign or other advertising structure, as regulated in this chapter shall have or consist of any moving, rotating or otherwise animated part, or any flashing, blinking, fluctuating or otherwise animated light, nor shall be directly illuminated, but may be indirectly illuminated. The provisions of this subsection shall not be applied so as to prohibit the following types of signs.

(1) A sign changing so as to show time and/or temperature.

(2) An on-premises barber pole of a height not to exceed thirty (30") inches, of traditional design, which shall be permitted to revolve during the time that a barber shop is open for business.

SEC. 9-6.22. WALL SIGNS. (a) Definition. Wall signs as regulated by this chapter shall include all flat signs of solid face construction which are placed against a building or other structure and attached to the exterior front, rear, or side wall of any building, or other structure.

(b) Construction. (1) Materials Required. All wall signs for which a permit is required under this chapter, shall have a surface or 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.

(c) Location. (1) Limitation on Placement and Area. No wall sign shall cover wholly or partially any wall opening, nor project beyond the ends or top of the wall to which it is attached, and any one wall sign shall not exceed an area of ~~five hundred (500)~~ two hundred fifty (250) square feet. An additional ten (10%) per cent of the total sign area may be allowed for cut-outs. Not more than fifty (50%) per cent of the wall area of any one side of a building or other structure shall be used for advertising purposes, including painted wall signs.

(2) Projection. Above Sidewalk and Set-back Line. No wall sign shall be permitted to extend more than ten (10") inches beyond the building line, and the lower edge of any such sign shall not be attached to a wall at a height of less than ten (10') feet above the sidewalk or ground.

(3) Obstructions to Doors, Windows or Fire Escapes. No wall sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape.

(d) Erection. (1) Supports and Attachment. Wall signs shall be safely and securely attached to the building walls. If they are erected on concrete or masonry building walls, they shall be attached to the building wall by means of metal anchors, bolts or expansion screws embedded in said wall; provided, however, that such signs may rest in or be bolted to metal brackets or saddles sufficient to carry the weight, each of which shall be

securely fixed to the wall as herein provided. In no case shall any wall sign be secured with wire or strips of wood; nails may be used only to attach such signs to wood surfaces.

SEC. 9-6.24. ROOF SIGNS. (a) Definition. Roof sign, as regulated by this chapter, shall mean any sign erected, constructed and maintained wholly upon or over the roof of any building with the principal support on the roof structure.

(b) Construction. (1) Materials Required. Every roof sign, including the upright supports and braces thereof, shall be constructed entirely 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.

(c) Location. (1) Height and Area Limitations. ~~The extreme height of any part of the sign above the lowest point of the roof directly beneath any part of the sign and the areas of same shall not exceed the values stated in the following table:~~

~~TYPES OF BUILDING HEIGHT IN FEET --- TOTAL AREA -
(Uniform Building Code)~~

1	40	600 square feet
2	40	600 square feet
3	30	600 square feet
4	20	300 square feet
5	20	300 square feet

~~All heights indicated above shall be subject to any height limitations which are or may be imposed by any governmental authority due to the proximity of the sign to the municipal airport of the City.~~

The highest point of any roof sign above the lowest point of the roof directly beneath any part of the sign shall be no more than twenty (20) feet and the total advertising area of a roof sign shall be no greater than two hundred fifty (250) square feet.

(2) Set-back From Roof Edge. Except for signs erected on property devoted to an open-air business, no roof sign with an area over fifty (50) square feet shall be erected or maintained with the face thereof nearer than three (3') feet to the inside face of the fire wall toward which the sign faces.

(3) Space Between Sign and Roof. Except for signs erected on property devoted to an open-air business, all roof signs shall have a space at least five (5') feet in height between the base of the sign and the roof level, and have at least five (5') feet clearance between the vertical supports thereof; or at least fifty (50%) per cent of the space so defined shall remain clear of any obstruction.

(4) Prohibited Obstructions. No roof sign shall be placed on the roof of any building or structure in such manner as to prevent free passage from one part of said roof to any other part thereof or interfere with openings in said roof and shall comply with Section 9-6.14.

(d) Erection. (1) Bracing, Anchorage and Supports. Every roof sign shall be thoroughly secured to the building by iron or other metal anchors, bolts, supports, rods, or braces. They shall be supported on and attached to the building by a suitable metal frame, which shall be positively anchored to the main structural members of the building. Sills, stringers, ornamental trim and foot walks may be of combustible material.

SEC. 9-6.27. FIN SIGNS. (a) Definition. Fin sign, as regulated by this chapter, shall mean any sign which projects over any public or private sidewalk, driveway, alley or thoroughfare, and which is supported wholly by poles placed in the ground or partly by such a pole and partly by a building or structure.

(b) Construction. (1) Materials Required. All fin signs, including supports, shall be designed and 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.

(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 superimposed 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.

(3) Illumination. When reflectors are used, they shall concentrate the illumination upon the area of the sign and prevent glare upon the street or adjacent property.

(4) Movable Parts To Be Secured. Any movable part of a projecting sign such as the cover of a service opening shall be securely fastened by chains, hinges, screws or bolts.

(5) Area Limitations. Except by special permission of the Council, the area of that portion of a fin sign that projects beyond the property line shall not exceed fifty (50) square feet on each side.

(6) Thickness Limitation. The distance measured between the principal faces of any fin sign shall not exceed eighteen (18") inches.

(c) Location. (1) No fin sign over a public sidewalk may have its lowest point less than ten (10') feet above the surface of such sidewalk and no part thereof may extend nearer the curb face than two (2') feet. No fin sign over other public driveways, alleys or thoroughfares may have its lowest point less than fifteen (15') feet above the surface of such other driveway, alley or thoroughfare.

(2) Height and Area Limitation. No fin sign shall have its highest point more than twenty-five (25') feet above the ground level; provided, however, that the Council may authorize the erection of such sign in excess of said height limitation if it finds that said sign will not endanger the public health, safety or welfare. The total advertising area of a fin sign shall be no greater than two hundred fifty (250) square feet.

(d) Erection. (1) All supports of fin signs shall be placed in or upon private property and shall be securely built, constructed and erected to conform with the requirements of Section 9-6.10.

SECTION 2. DECLARATION OF EMERGENCY. The Council of the City of Modesto hereby finds and declares that the foregoing ordinance is necessary as an emergency measure for preserving the public peace, health and safety. The following is a statement of the facts showing its urgency: Unless the foregoing ordinance is adopted without delay, there is the danger that signs and billboards will be constructed which, because of their excessive height, size, and because of their being illuminated or having flashing lights, will jeopardize the public peace, health and safety of the citizens of the City of Modesto.

SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall go into effect and be in full force and operation as of the date of its adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August, 1968, by Councilman Mitchell, who moved its ^{adoption} introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Robinson, Shastid, Simon,
Mayor Davies

NOES: Councilmen: Hughes

ABSENT: Councilmen: Smith

APPROVED:

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

By

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

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

SECTION 1. AMENDMENT OF CODE. Sections 9-6.15.1, 9-6.22, 9-6.24 and 9-6.27 of Chapter 6 of Title IX of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 9-6.15.1. SIGNS NOT TO CONSTITUTE HAZARD OR NUISANCE. (a) Nuisance Prohibited. 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.~~

(b) Movement Prohibited. No sign or other advertising structure, as regulated in this chapter shall have or consist of any moving, rotating or otherwise animated part, or any flashing, blinking, fluctuating or otherwise animated light, nor shall be directly illuminated, but may be indirectly illuminated. The provisions of this subsection shall not be applied so as to prohibit the following types of signs.

(1) A sign changing so as to show time and/or temperature.

(2) An on-premises barber pole of a height not to exceed thirty (30") inches, of traditional design, which shall be permitted to revolve during the time that a barber shop is open for business.

SEC. 9-6.22. WALL SIGNS. (a) Definition. Wall signs as regulated by this chapter shall include all flat signs of solid face construction which are placed against a building or other structure and attached to the exterior front, rear, or side wall of any building, or other structure.

(b) Construction. (1) Materials Required. All wall signs for which a permit is required under this chapter, shall have a surface or 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.

(c) Location. (1) Limitation on Placement and Area. No wall sign shall cover wholly or partially any wall opening, nor project beyond the ends or top of the wall to which it is attached, and any one wall sign shall not exceed an area of ~~five hundred (500)~~ two hundred fifty (250) square feet. An additional ten (10%) per cent of the total sign area may be allowed for cut-outs. Not more than fifty (50%) per cent of the wall area of any one side of a building or other structure shall be used for advertising purposes, including painted wall signs.

(2) Projection Above Sidewalk and Set-back Line. No wall sign shall be permitted to extend more than ten (10") inches beyond the building line, and the lower edge of any such sign shall not be attached to a wall at a height of less than ten (10') feet above the sidewalk or ground.

(3) Obstructions to Doors, Windows or Fire Escapes. No wall sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape.

(d) Erection. (1) Supports and Attachment. Wall signs shall be safely and securely attached to the building walls. If they are erected on concrete or masonry building walls, they shall be attached to the building wall by means of metal anchors, bolts or expansion screws embedded in said wall; provided, however, that such signs may rest in or be bolted to metal brackets or saddles sufficient to carry the weight, each of which shall be

securely fixed to the wall as herein provided. In no case shall any wall sign be secured with wire or strips of wood; nails may be used only to attach such signs to wood surfaces.

SEC. 9-6.24. ROOF SIGNS. (a) Definition. Roof sign, as regulated by this chapter, shall mean any sign erected, constructed and maintained wholly upon or over the roof of any building with the principal support on the roof structure.

(b) Construction. (1) Materials Required. Every roof sign, including the upright supports and braces thereof, shall be constructed entirely 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.

(c) Location. (1) Height and Area Limitations. ~~The extreme height of any part of the sign above the lowest point of the roof directly beneath any part of the sign and the areas of same shall not exceed the values stated in the following table:~~

~~TYPES OF BUILDING HEIGHT IN FEET --- TOTAL AREA -
(Uniform Building Code)~~

1	40	600 square feet
2	40	600 square feet
3	30	600 square feet
4	20	300 square feet
5	20	300 square feet

~~All heights indicated above shall be subject to any height limitations which are or may be imposed by any governmental authority due to the proximity of the sign to the municipal airport of the City.~~

The highest point of any roof sign above the lowest point of the roof directly beneath any part of the sign shall be no more than twenty (20) feet and the total advertising area of a roof sign shall be no greater than two hundred fifty (250) square feet.

(2) Set-back From Roof Edge. Except for signs erected on property devoted to an open-air business, no roof sign with an area over fifty (50) square feet shall be erected or maintained with the face thereof nearer than three (3') feet to the inside face of the fire wall toward which the sign faces.

(3) Space Between Sign and Roof. Except for signs erected on property devoted to an open-air business, all roof signs shall have a space at least five (5') feet in height between the base of the sign and the roof level, and have at least five (5') feet clearance between the vertical supports thereof; or at least fifty (50%) per cent of the space so defined shall remain clear of any obstruction.

(4) Prohibited Obstructions. No roof sign shall be placed on the roof of any building or structure in such manner as to prevent free passage from one part of said roof to any other part thereof or interfere with openings in said roof and shall comply with Section 9-6.14.

(d) Erection. (1) Bracing, Anchorage and Supports. Every roof sign shall be thoroughly secured to the building by iron or other metal anchors, bolts, supports, rods, or braces. They shall be supported on and attached to the building by a suitable metal frame, which shall be positively anchored to the main structural members of the building. Sills, stringers, ornamental trim and foot walks may be of combustible material.

SEC. 9-6.27. FIN SIGNS. (a) Definition. Fin sign, as regulated by this chapter, shall mean any sign which projects over any public or private sidewalk, driveway, alley or thoroughfare, and which is supported wholly by poles placed in the ground or partly by such a pole and partly by a building or structure.

(b) Construction. (1) Materials Required. All fin signs, including supports, shall be designed and 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.

(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 superimposed 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.

(3) Illumination. When reflectors are used, they shall concentrate the illumination upon the area of the sign and prevent glare upon the street or adjacent property.

(4) Movable Parts To Be Secured. Any movable part of a projecting sign such as the cover of a service opening shall be securely fastened by chains, hinges, screws or bolts.

(5) Area Limitations. Except by special permission of the Council, the area of that portion of a fin sign that projects beyond the property line shall not exceed fifty (50) square feet on each side.

(6) Thickness Limitation. The distance measured between the principal faces of any fin sign shall not exceed eighteen (18") inches.

(c) Location. (1) No fin sign over a public sidewalk may have its lowest point less than ten (10') feet above the surface of such sidewalk and no part thereof may extend nearer the curb face than two (2') feet. No fin sign over other public driveways, alleys or thoroughfares may have its lowest point less than fifteen (15') feet above the surface of such other driveway, alley or thoroughfare.

(2) Height and Area Limitation. No fin sign shall have its highest point more than twenty-five (25') feet above the ground level; provided, however, that the Council may authorize the erection of such sign in excess of said height limitation if it finds that said sign will not endanger the public health, safety or welfare. The total advertising area of a fin sign shall be no greater than two hundred fifty (250) square feet.

(d) Erection. (1) All supports of fin signs shall be placed in or upon private property and shall be securely built, constructed and erected to conform with the requirements of Section 9-6.10.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of August, 1968, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Robinson, Shastid, Simon,
Mayor Davies

NOES: Councilmen: Hughes

ABSENT: Councilmen: Smith

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

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 911-C.S.

FINAL ADOPTION CLAUSE


The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of August, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: Hughes

ABSENT: Councilmen: Mitchell, Robinson

APPROVED 
LEE H. DAVIES, Mayor

ATTEST: 
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 25, 1968

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

WHEREAS, a petition was filed with the City Clerk by
Opal Medeiros, Gilbert Medeiros, Robert P. Bomberger and Muriel F.
Bomberger

on June 25, 1968, 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 LEVELAND
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 July, 1968, set said petition for hear-
ing at the hour of 7:45 o'clock P.M. on the 12th day of
August, 1968, 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 Bee, a newspaper pub-
lished in the City of Modesto on July 11, 1968,
and on July 18, 1968; and in ~~the Riverbank News~~
~~XXXXXX~~, a newspaper published outside the City of Modesto, but
in the County of Stanislaus, on July 12, 1968, and
on July 19, 1968, 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,
8/6/65

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 20, 1968, approve the annexation of said uninhabited territory to the City of Modesto, pursuant to ~~Section 54766 of~~ the Government Code, and

WHEREAS, on the 12th day of August, 1968, 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, to be effective upon the filing with the Secretary of State of the State of California of a certified copy of this ordinance,

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

LEVELAND ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 8, and the Northeast quarter of Section 17, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of the NORTHGATE ADDITION (67), as per description filed November 29, 1955 as Instrument 34498, and a point on the Eastern line of the DAVIS PARK ADDITION (168), as per description filed October 19, 1964 as Instrument 41436, Stanislaus County Records, said point being at the intersection of the Eastern line of the Tidewater Southern Railway Company right of way and the Southern line of a 40 foot public road known as Leveland Lane; thence along the Eastern line of the Railway right of way and the existing City Limits on the Eastern line of said Davis Park Addition, said line also being the Western line of property conveyed to Robert P. Bomberger by Deed recorded in Volume 2220, Page 530, Stanislaus County Records, North 1° 16' 15" West, 1009.48 feet, to the Northeastern corner of the Davis Park Addition and the Southeastern corner of the DAVIS PARK NO 2 ADDITION (207), as per description filed November 28, 1967, as Instrument 38646, Stanislaus County Records, said point being on the center line of Rumble Road; thence along the existing City Limits on the eastern line of said Davis Park No. 2 Addition and on the Western line of said Bomberger property, North 1° 20' 30" West, 660.46 feet to the Southwestern corner of the NORTHLAND ESTATES ADDITION (147) as per description filed February 5, 1963 as Instrument 4469, Stanislaus County Records; thence along the existing City Limits on the Southern line of said Northland Estates Addition and the Northern line of said Bomberger property, South 89° 27' 30" East, 790.80 feet, to the Southeastern corner of said Addition and the Southwestern corner of the NORTH WOOD ESTATES ADDITION (156), as per description filed May 14, 1963 as Instrument 18497, Stanislaus County Records; thence along the existing City Limits on the Southern line of said North Wood Estates Addition, South 89° 27' 30" East, 922.28 feet to the Southeastern corner of said Addition and the center line of a 60 foot public road known as Sherwood Avenue; thence along the existing City Limits on the Eastern line of said Addition, North 1° 20' 30" West, 641.98 feet to the Northeastern corner of said Addition, said point being on the Southern line of a 40 foot public road known as Woodrow Avenue; thence along the existing City Limits on the Northern line of said Addition and the Southern line of Woodrow Avenue, North 89° 30' West, 648.55 feet to the Southeastern corner of the WOODROW NO. 2 ADDITION (202), as per description filed July 26, 1967 as Instrument 23305, Stanislaus County Records; thence along the existing City Limits on the Eastern line of said Addition, North 1° 20' West, 889.22 feet to the Northeastern corner of said Addition; thence leaving the existing City Limits and continuing North 1° 20' West, 5.18 feet to the Northwestern corner of property conveyed to Gilbert Medeiros, et ux, by Deed recorded in Volume 2213, Page 802, Stanislaus County Records; thence along the Northern line of said Medeiros property, South 89° 35' East, 501.60 feet; thence along the Eastern line of said Medeiros property, South 1° 20' East, 545.16 feet, to the Northern line of property conveyed to Robert N. St. Jeor, et ux, by Deed recorded in Volume 1496, Page 383, Stanislaus County Records; thence along said St. Jeor property, North 89° 30' West, 120.00 feet and South 1° 20' East, 60.00 feet, to the Northern line of property conveyed to Jack M. Carlson, et ux, by Deed recorded in Volume 1556, Page 325, Stanislaus County Records; thence along said Carlson property, North 89° 30' West, 120.00 feet and South 1° 20' East, 270.00 feet to a point on the center line of Woodrow Avenue; thence along said center line, South 89° 30' East, 845.12 feet, to the Northerly extension of the Eastern line of the property conveyed to the First Baptist Church of Modesto by Deed recorded in Volume 1764, Page 16, Stanislaus County Records; thence along said Eastern line, South 0° 19' West, 662.41 feet to the Southeastern corner of said Church property; thence along the Southern line of said Church property, North 89° 27' 30" West, 409.00 feet to the Eastern line of 60 foot Sherwood Avenue and the Eastern line of a 30 foot strip of land conveyed to Robert

P. Bomberger by Deed recorded in Volume 2220, Page 539, Stanislaus County Records; thence along said Eastern line of Bomberger property on a tangent curve concave to the Northwest, having a Radius of 930.00 feet, a Central Angle of $38^{\circ} 46' 27''$, and an Arc Length of 629.36 feet; thence continuing along said Eastern line of Bomberger property on a reverse curve concave to the Southeast, having a Radius of 870.00 feet, a Central Angle of $36^{\circ} 47' 52''$, and an Arc Length of 558.75 feet; thence continuing along said Eastern line of Bomberger property and its Southerly extension on a tangent line, South $0^{\circ} 38' 05''$ West, 561.03 feet to a point on the existing City Limits on the Northern line of the Northgate Addition, said point being on the Southern line of 40 foot Leveland Lane; thence along the existing City Limits on the Northern line of said Addition and said Southern line of Leveland Lane, North $89^{\circ} 21' 55''$ West, 1328.68 feet to the point of beginning, containing 72.305 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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1968, 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, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Smith

APPROVED: Lee H. Davies
~~KATHERINE M. HANSEN~~ Mayor
LEE H. DAVIES,

ATTEST: Elwyn L. Johnson City Clerk
~~ELWYN L. JOHNSON~~

(SEAL) W. T. CHYNOWETH,
APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION: Elwyn L. Johnson
Public Works Department

8/6/65

φ 7-22-68

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

WHEREAS, a verified application for an amendment to Section 28-3-9 of the Zoning Map was filed by Octomedent, Inc. on June 14, 1968, to reclassify from Multiple-Family Residential Zone, R-3, to Professional Office Zone, P-0, the hereinafter described property, and

WHEREAS, after public hearing held on July 16, 1968, 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. 68-90, adopted on July 16, 1968, the Planning Commission recommended to the Council that the application of Octomedent, Inc., to amend Section 28-3-9 of the Zoning Map to reclassify the hereinafter described property from Multiple-Family Residential Zone, R-3, to Professional Office Zone, P-0, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, 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 28-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Multiple-Family Residential Zone, R-3, to Professional Office Zone, P-0:

**Ordinance 913 C.S.
Exhibit A – Map**

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

Lots: 1, 2, 3 and 4 in Block 128 of the City of Modesto as per map filed 12/21/42 in Volume 15 of Maps, Stanislaus County Records.

Including also the southwesterly 40 feet of 17th Street, the southeasterly 40 feet of "G" Street, and the northeasterly 10 feet of the 20 foot alley of said Block 128, all being adjacent to the above described property.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1968, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Smith

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

ATTEST: W. T. Chynoweth
~~XXXXXXXXXXXXXXXXXXXX~~ City Clerk
W. T. CHYNOWETH,
(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. 913-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of August, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 25, 1968

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

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by Modesto Professional Center, Inc., on April 25, 1968, to reclassify from Multiple-Family Residential Zone, R-3, to Professional Office Zone, P-0, the hereinafter described property, and

WHEREAS, after public hearing held on July 16, 1968, 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. 68-91, adopted on July 16, 1968, the Planning Commission recommended to the Council that the application of Modesto Professional Center, Inc., to amend Section 21-3-9 of the Zoning Map to reclassify the hereinafter described property from Multiple-Family Residential Zone, R-3, to Professional Office Zone, P-0, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, 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 21-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Multiple-Family Residential Zone, R-3, to Professional Office Zone, P-0:

Lot 24 and a portion of Lot 23, Mensinger Colony as shown on the map filed May 18, 1909, in Volume 4 of Maps, Page 25 in the Stanislaus County Recorders Office, further described as bounded on the north by Orangeburg Avenue; on the west by Nelson Avenue; on the east by Melrose Avenue; and on the south by a line 723 feet south of and parallel to Orangeburg Avenue.

Including also the south one-half of Orangeburg Avenue, the west one-half of Melrose Avenue and the east one-half of Nelson Avenue adjacent to the above described property.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1968, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Smith

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

ATTEST: W. T. Chynoweth
~~XXXXXXXXXXXXXXXXXXXX~~ City Clerk
W. T. CHYNOWETH,
(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY Raymond E. Fey
Planning Department

**Ordinance 914 C.S.
Exhibit A – Map**

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

Ord. No. 914-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of August, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

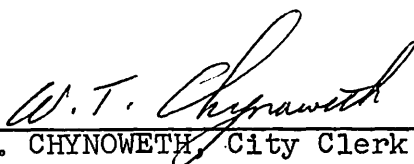
ABSENT: Councilmen: Mitchell, Robinson

APPROVED



LEE H. DAVIES, Mayor

ATTEST:



W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 25, 1968

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

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Carl and Lois Bastron on June 13, 1968, to reclassify from One-Family Residential Zone, _____, to Professional Office Zone, P-0, the hereinafter described property, and

WHEREAS, after public hearing held on July 16, 1968, 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. 68-92, adopted on July 16, 1968, the Planning Commission recommended to the Council that the application of Carl and Lois Bastron _____ to amend Section 22-3-9 of the Zoning Map to reclassify the hereinafter described property from One-Family Residential Zone, R-1, to Professional Office Zone, P-0, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, 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 Residential Zone, R-1, to Professional Office Zone, P-0:

All of Lot 18 in Block 1033 as shown on the map titled Downey Manor, filed August 5, 1955, in Volume 18 of Maps, Page 32, Stanislaus County Records.

Including also the northerly 30 feet of Locke Road and the easterly 45 feet of Coffee Road adjacent to the above described property.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1968, by Councilman Simon, 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, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Smith

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

ATTEST: W. T. Chynoweth
~~W. T. CHYNOWETH~~, City Clerk
W. T. CHYNOWETH,
(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Raymond J. Fey
Planning Department

**Ordinance 915 C.S.
Exhibit A – Map**

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

Ord. No. 915-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of August, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 25, 1968

AN ORDINANCE AMENDING SECTION MAP 16-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MODESTO RACQUET CLUB)

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

SECTION 1. ZONING CHANGE. Section 16-3-9 of the Zoning Map is hereby amended to reclassify the following-described property from One-Family Residential Zone, R-1, to Planned-Development Zone, P-D (45) :

All that certain real property situate in the City of Modesto (as to Parcel No. 1 and 2), County of Stanislaus, State of California, described as follows, to wit:

PARCEL NO. 1:

All that certain piece or parcel of land situated in Section 16, Township 3 South, Range 9 East, M. D. B. & M. and being a portion of Lots 12, 13, 14, 21, 22 and 23 of POMONA VILLA TRACT, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 16, 1904, in Volume 2 of Maps, at Page 4, and further described as follows, to wit:

COMMENCING at a three-quarters (3/4") inch iron pipe monument marking the intersection of the center line of Norwegian Avenue with the East line of McHenry Avenue; thence South 89° 39' East along the center line of Norwegian Avenue, a distance of 963.80 feet to the point of beginning of this description; thence continuing South 89° 39' East along said center line 463.75 feet; thence South 0° 49' East 512.62 feet to the Southerly line of Lot 21; thence North 70° 33' West along the Southerly line of Lots 21, 22 and 23, a distance of 494.26 feet to the Southeast corner of land conveyed to Vernon J. Maino, et ux, by Deed recorded September 6, 1950, in Volume 1008 of Official Records, at Page 381; thence North 0° 49' West along the East line of said Maino property 350.87 feet to the point of beginning.

EXCEPTING THEREFROM the Easterly 195.00 feet of the Northerly 130.00 feet.

PARCEL NO. 2:

All that portion of Lots 14 and 21 of said POMONA VILLA TRACT.

COMMENCING at a three-quarter (3/4") inch iron pipe marking the intersection of the centerline of Norwegian Avenue with the Easterly line of McHenry Avenue; thence South 89° 39' East along the centerline of Norwegian Avenue, a distance of 963.80 feet to a point 26.20 feet

West of the East line of Lot 12 of said POMONA VILLA TRACT; thence continuing South 89° 39' East along said centerline, 463.75 feet to the true point of beginning of this description; thence continuing South 89° 39' East along the centerline of Norwegian Avenue, a distance of 104.00 feet; thence South 0° 49' East, a distance of 548.90 feet to a point on the southwesterly line of above mentioned Lot 21; thence North 70° 33' West along said Southwesterly line of Lot 21, a distance of 110.84 feet to the Easterly line extended Southerly of that certain property conveyed to Fred A. Earle, Jr., by Deed dated December 21, 1956, and recorded February 18, 1967, in Volume 1411 of Official Records, at Page 375, as Instrument No. 2660; thence North 0° 49' West, 512.62 feet along the Easterly line of said Earle property and its extensions thereof, to the point of beginning.

EXCEPTING THEREFROM the North 130 feet thereof.

SECTION 2. USES. The following uses shall be permitted in said P-D(45) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code; said uses are as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit: Private recreational facilities, including the following:

1. Gymnasium;
2. Tennis facilities (excluding any stadium or bleachers, etc.);
3. Swimming facilities;
4. Parking area;
5. General recreation area; and
6. Club activities area.

SECTION 3. ZONING MAP. Section Map 16-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1968, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Shastid, Simon, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Robinson, Smith

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Donald Jay
Planning Department

**Ordinance 916 C.S.
Exhibit A – Map**

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

Ord. No. 916-C.S.

FINAL ADOPTION CLAUSE


The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of August, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

APPROVED 
LEE H. DAVIES, Mayor

ATTEST: 
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 25, 1968

AN ORDINANCE AMENDING SECTION MAP 5-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JAMES R. HOYLE)

WHEREAS, a verified application for an amendment to Section 5-4-9 of the Zoning Map was filed by James R. Hoyle on June 14, 1968, to reclassify from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, the hereinafter described property, and

WHEREAS, after public hearing held on July 16, 1968, 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. 68-95, adopted on July 16, 1968, the Planning Commission recommended to the Council that the application of James R. Hoyle to amend Section 5-4-9 of the Zoning Map to reclassify the hereinafter described property from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, 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 5-4-9 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2:

All of Lot 12, Block 3145 as shown on the map titled Fairway Estates Unit No. 1, filed November 10, 1964, in Volume 20 of Maps, Page 86, in Stanislaus County Records. Including also the easterly 10 feet of Colorado Avenue and the southerly 25 feet of Snead Drive adjacent to said Lot 12; and

All of Lot 6, Block 3155 as shown on the map titled Fairway Estates Unit No. 2, filed July 12, 1966, in Volume 21 of Maps, Page 51, in Stanislaus County Records; including the northerly 25 feet of Lema Avenue and the easterly 10 feet of Colorado Avenue adjacent to said Lot 6.

SECTION 3. ZONING MAP. Section 5-4-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of August, 1968, by Councilman Hughes, who moved its introduction and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Shastid, Simon, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Robinson, Smith

APPROVED: Lee H. Davies
~~PETER COCHRAN~~, Mayor
LEE H. DAVIES,

ATTEST: W. T. Chynoweth
~~W. T. CHYNOWETH~~, City Clerk
W. T. CHYNOWETH,
(SEAL)

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

APPROVED AS TO DESCRIPTION:
BY Bill E. Fey
Planning Department

**Ordinance 917 C.S.
Exhibit A – Map**

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

Ord. No. 917-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of August, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

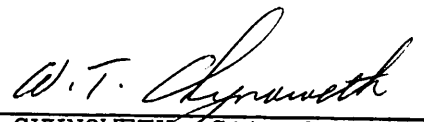
ABSENT: Councilmen: Mitchell, Robinson

APPROVED



LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 25, 1968

AN ORDINANCE AMENDING SECTION 6-1.112 OF ARTICLE 1 OF CHAPTER 1 OF TITLE VI OF THE MODESTO MUNICIPAL CODE RELATING TO BUSINESS LICENSES, AND AMENDING SECTIONS 8-2.608, 8-2.609 AND 8-2.610 OF ARTICLE 6 OF CHAPTER 2 OF TITLE VIII THEREOF RELATING TO TRANSIENT OCCUPANCY TAX.

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

SECTION 1. AMENDMENT OF CODE. Section 6-1.112 of Article 1 of Chapter 1 of Title VI of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 6-1.112. DELINQUENT LICENSES. (a) Delinquency. To all delinquent license taxes there shall be added a penalty of five (5%) percent of the amount of taxes due per month or fraction thereof until paid; the maximum penalty imposed on any one delinquency shall not exceed twenty-five (25%) per cent of the amount of taxes due.

(b) Fraud. If the Director determines that the nonpayment of any license tax due under this chapter is due to fraud, a penalty of twenty-five (25%) percent of the amount of the tax shall be added thereto in addition to the penalties stated in subparagraph (a) of this section.

(c) Penalties Merged with Tax. Every penalty imposed under the provisions of this section shall become a part of the tax herein required to be paid.

SECTION 2. AMENDMENT OF CODE. Sections 8-2.608, 8-2.609 and 8-2.610 of Article 6 of Chapter 2 of Title VIII of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 8-2.608. PENALTIES. (a) Delinquency. Any operator who fails to remit any tax imposed by this article within the time required shall, in addition to the amount of the tax, pay a penalty of five (5%) percent of the amount of the tax per month or fraction thereof until paid; the maximum penalty imposed on any one delinquency shall not exceed twenty-five (25%) percent of the amount of the tax.

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

(c) Penalties Merged with Tax. Every penalty imposed under the provisions of this section shall become a part of the tax herein required to be paid.

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

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

SEC. 8-2.610. APPEAL. Any operator aggrieved by any decision of the Tax Administrator with respect to the amount of such tax and penalties, if any, may appeal the decision in accordance with the procedure established by Chapter 4 of Title I of this Code.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective from and after thirty (30) days after its final passage and adoption.

SECTION 4. OPERATIVE DATE. This ordinance shall become operative on and after October 1, 1968.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of August, 1968, 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, Shastid, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 918-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of August, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman ^{Simon}~~Shastid~~, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Robinson

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 25, 1968

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1968-69, AND REPEALING ORDINANCE NO. 849-C.S.

The City 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, 1968, and ending June 30, 1969, 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; 2-7; 2-8; 2-9; 2-10; 2-12; 2-16; 2-17; and 2-18:

For the General Fund \$1.31
For the Bond Redemption and Interest Fund. \$.02

(1) Municipal Improvement Bonds of 1947
For the redemption of bonds and the
payment of interest thereon that
shall accrue during the said fis-
cal year:

For the Park Fund \$.05
For the Library Fund \$.09
The aggregate of said sums, to wit \$1.47

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

For the General Fund \$1.31
For the Park Fund. \$.05
For the Library Fund \$.09
The aggregate of said sums, to wit \$1.45

SECTION 3. REPEALS. Ordinance No. 849-C.S., adopted by the Council of the City of Modesto on the 14th day of August, 1967, 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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of August, 1968, by Councilman Shastid, who moved its introduction and adoption, 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, Shastid, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY Edwyn L. Johnson
EDWYN L. JOHNSON, City Attorney

AN ORDINANCE AMENDING SECTION 12-4.103 OF
ARTICLE 1 OF CHAPTER 4 OF TITLE XII OF THE
MODESTO MUNICIPAL CODE RELATING TO GENERAL
REGULATIONS FOR MANCINI BOWL.

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

SECTION 1. AMENDMENT OF CODE. Section 12-4.103 of Article 1 of Chapter 4 of Title XII of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 12-4.103. GENERAL REGULATIONS. (a) Evening Use. Any evening use of the Bowl shall be terminated, and all persons must clear the Bowl, vacate the premises and all lights must be turned off by 10:00 P.M. on the date of use.

(b) Use of Amplifiers or Loudspeaking Equipment. In the event that amplifiers or loudspeaking equipment is utilized, the volume of the sound shall be regulated or controlled so as not to unreasonably disturb or annoy the peace and quiet of the persons residing in areas adjoining Graceada Park.

(c) Selling of Merchandise, Services or Products. No merchandise, services or products shall be sold by any organization using the Bowl without the prior consent of the ~~Council~~ Director of Parks and Recreation which, in considering the request, shall consider the public interest, convenience and welfare to assure that the use is compatible with park purposes and the existing uses in the surrounding area. In the event the Director of Parks and Recreation denies such a request, the applicant may appeal such denial to the City Council.

(d) Type of Activity. No organization shall carry on any activity in the Bowl which will injure the facility.

(e) Alcoholic Beverages. Sale, possession, consumption or use of alcoholic beverages in Mancini Bowl is prohibited.

(f) Indemnification. All organizations obtaining permission to use Mancini Bowl shall indemnify and hold the City, its agents, officers and employees harmless from any and all liability for personal injuries, property damage and lost articles sustained or suffered by users of the Bowl, including the permittee, its agents, officers, employees or members.

(g) Reimbursement for Damages. Any person or organization obtaining permission to use the Bowl shall be responsible for reimbursing the City for any damages to the facility occurring or resulting during its use.

(h) Compliance with Regulations. The person or organization obtaining the permit for the use of Mancini Bowl shall be responsible for seeing that these regulations are complied with.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of August, 1968, 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, Shastid, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson, Simon

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

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 920-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of August, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Robinson

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: September 25, 1968

AN ORDINANCE AMENDING SECTION MAP 6-4-9 OF
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSI-
FYING CERTAIN PROPERTY LOCATED THEREON. (EL CASA VERDE, INC.)

The Council of the City of Modesto does ordain as fol-
lows:

SECTION 1. ZONING CHANGE. Section 6-4-9 of the
Zoning Map is hereby amended to reclassify the following-described
property from one-family residential zone, R-1,
to Planned-Development Zone, P-D (44) :

A portion of Section 6, Township 4 South, Range 9
East, M. D. B. & M., Stanislaus County. Bounded
on the South by Robertson Road and on the East by
Sutter Avenue, and more particularly as follows:

Beginning at the intersection of the West line of
Sutter Avenue with the North line of Robertson
Road, and proceeding thence from said point of
beginning along the North line of Robertson Road;
South $89^{\circ} 36'$ West 927.0' thence leaving said
North line North $0^{\circ} 10'$ E. 415.0'; thence North
 $89^{\circ} 36'$ E. 595.0'; thence South $0^{\circ} 10'$ W. 50.0';
thence North $89^{\circ} 36'$ E. 332.0' to a point on the
West line of Sutter Avenue, thence along said
West line South $0^{\circ} 10'$ W. 365.0' to the point of
beginning.

Including also, the westerly 20 feet of Sutter
Avenue and the northerly 20 feet of Robertson
Road adjacent to the above described property.

Containing 8.2 acres more or less.

SECTION 2. USES. The following uses shall be permitted in said P-D (44) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code: said uses are shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit:

One hundred ten (110) dwelling units composed of sixteen (16) efficiency units, twenty-four (24) one-bedroom, forty-eight (48) two-(2) bedroom, and twenty-two (22) three-(3) bedroom units.

A minimum of one hundred sixty-six (166) parking spaces.

SECTION 3. ZONING MAP. Section Map 6-4-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of August, 1968, by Councilman Shastid, 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, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Robinson

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, 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

**Ordinance 921 C.S.
Exhibit A – Map**

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

Ord. No. 921-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of September, 1968, Councilman Smith, moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Mitchell, Shastid, Simon, Smith

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Robinson, Mayor Davies

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: October 9, 1968

AN ORDINANCE AMENDING SECTION MAP 13-3-8 OF
THE ZONING MAP OF THE CITY OF MODESTO, ~~RECLASSIFYING~~ ~~PREZONING~~
~~BEING~~ CERTAIN PROPERTY LOCATED THEREON. (GENE
THOMAS TRAILER SALES)

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

SECTION 1. ZONING CHANGE. Section 13-3-8 of the
Zoning Map is hereby amended to ^{prezone}~~reclassify~~ the following-described
property ~~to~~ ~~the~~ ~~Planned-Development~~ ~~Zone,~~ ~~XXXX~~ ~~P-PD(46)~~
to Planned-Development Zone, ~~XXXX~~ P-PD(46):

All of the northeast one-quarter of the northeast
one-quarter of Section 13, Township 3 south, Range 8
east, of the Mount Diablo Base and Meridian.

Excepting therefrom all that portion of property
bounded by the following description. Beginning at
a point on the northeast corner of the northeast
one-quarter of the northeast one-quarter of said
Section 13, also being the true point of beginning;
thence southerly along the east line of the northeast
one-quarter of the northeast one-quarter of said
Section 13 to the point of intersection with the center-
line of Rumble Road; thence south 89° 21' 30" west
a distance of 70.00 feet to a point on a curve con-
cave to the north; thence along the arc of said curve
having a radius of 353.79 feet through a central
angle of 40° for a distance of 246.99 feet; thence
north 50° 38' 30" west a distance of 31.11 feet to
a point on a curve concave to the south; thence
along the arc of said curve having a radius of 353.79
feet through a central angle of 40° for a distance
of 246.99 feet to a point on the north line of
the northeast one-quarter of the northeast one-quarter
of said Section 13; thence easterly along the said
north line to the true point of beginning.

SECTION 2. USES. The following uses shall be permitted in said ~~Zone~~ ^{P-PD(46)} Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code: said uses are as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit:

1. Three hundred twelve (312) mobile home sites;
2. Two (2) clubhouse and recreation areas; and
3. Two (2) play lots.

SECTION 3. ZONING MAP. Section Map 13-3-8 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of September, 1968, by Councilman Shastid, 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, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Russell C. Fey
Planning Department *rwg*

Ordinance 922 C.S.
Exhibit A – Map

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

Ord. No. 922-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 7th day of October, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance adopted by the following vote:


AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon,
Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED



LEE H. DAVIES, Mayor

ATTEST:



W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: November 6, 1968

AN ORDINANCE REPEALING SECTIONS 3-1, 235.1 AND 3-1, 235.2 OF ARTICLE 2 OF CHAPTER 1 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO INCINERATORS.

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

SECTION 1. REPEALS. Sections 3-1, 235.1 and 3-1, 235.2 of Article 2 of Chapter 1 of Title III 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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of September, 1968, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Simon, Shastid, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 23rd day of September, 1968, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
- NOES: Councilmen: None
- ABSENT: Councilmen: None

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: October 23, 1968

AN ORDINANCE AMENDING SECTION MAP 18-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (W. LAWRENCE MEEK, D.C.)

WHEREAS, a verified application for an amendment to Section 18-3-9 of the Zoning Map was filed by W. Lawrence Meek, D.C. on June 14, 1968, to reclassify from Multi-Family Residential Zone, R-3, to Professional Office Zone, P-0, the hereinafter described property, and

WHEREAS, after public hearings held on July 16, and August 6, 1968, 1968,/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. 68-100, adopted on August 6, 1968, the Planning Commission recommended to the Council that the application of W. Lawrence Meek, D.C. to amend Section 18-3-9 of the Zoning Map to reclassify the hereinafter described property from Multi-Family Residential Zone, R-3, to Professional Office Zone, P-0, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, 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 Multi-Family Residential Zone, R-3, to Professional Office Zone, P-0:

All that portion of the southeast quarter of Section 18, Township 3 South, Range 9 East, M. D. B. & M. described as follows:

Beginning at the Southeast corner of said Section 18; thence North 0° 34' West along the East line of said Section 18, 124.08 feet to the true point of beginning of this description; thence North 89° 17' 30" West 173 feet; thence North 0° 34' West 430.92 feet to the centerline of Madrone Drive; thence South 89° 17' 30" East along the centerline of Madrone Drive 173 feet to the East line of said Section 18; thence South 0° 34' East along the East line of said Section 18, 430.92 feet to the true 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 Bee, the official newspaper of the City of Modesto.

Ordinance 924 C.S.
Exhibit A – Map

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

Ord. No. 924-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 7th day of October, 1968, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: November 6, 1968

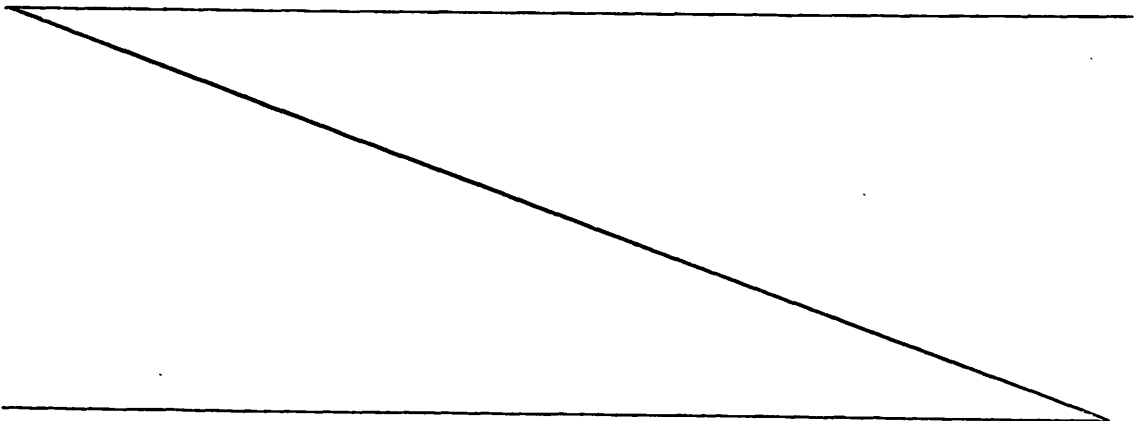
AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN
TERRITORY KNOWN AS THE HARTE TRACT ADDITION
TO THE CITY OF MODESTO.

WHEREAS, certain proceedings have been instituted under the Annexation Act of 1913, as amended, and other laws pertaining to annexation for the purpose of submitting to the qualified electors residing in certain territory hereinafter described, and generally designated as Harte Tract Addition, the question whether or not said territory shall be annexed to, incorporated in, and made a part of said City of Modesto, and whether or not the property in said territory shall, after such annexation, be subjected to taxation equally with the property within the City of Modesto to pay the bonded indebtedness of the City of Modesto for acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election, and

WHEREAS, the City Council finds that each and every and all of the requirements of law pertaining to said annexation proceedings and the election in said territory have been fully complied with,

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

SECTION 1. That annexation of the following described territory lying and being in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and particularly described as follows, to wit,



HARTE TRACT ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the North half of 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 a corner of the CROCCO ADDITION (171), as per description filed March 17, 1965, as Instrument 10620, Stanislaus County Records, said point being South 89° 30' East, 64.00 feet, measured at right angles, from the center line of a public road known as McHenry Avenue and South 0° 43' East, 14.00 feet, measured at right angles, from the North line of Section 16 and the North line of the HARTE TRACT, as per map filed June 15, 1950, in Volume 17 of Maps, Page 4, Stanislaus County Records, said point of beginning being on the center line of a public road known as Rumble Road;

Thence along the existing City Limits and a Southern line of the Crocco Addition and the center line of Rumble Road, South 89° 30' East, 1254.62 feet, to a Southeastern corner of the Crocco Addition;

Thence along the Eastern line of said Crocco Addition, North 0° 47' West, 34.00 feet, to a point on the Northern line of Rumble Road as shown on the map of the SHERWOOD FOREST Subdivision, filed August 13, 1956, in Volume 18 of Maps, Page 56, Stanislaus County Records;

Thence leaving the existing City Limits and along said Northern line of Rumble Road, South 89° 30' East, 854.23 feet, to a point on the Northerly extension of the Western line of the SHERWOOD MANOR ADDITION (94), as per description filed July 15, 1959, as Instrument 20526, Stanislaus County Records, said line being the Northerly extension of the Eastern line of the NORTON GARDENS subdivision, as per map filed August 12, 1958, in Volume 19 of Maps, Page 5, Stanislaus County Records; thence along said line, South 0° 39' 30" East, 20.00 feet, to a point on the North line of Section 16 and the Northwestern corner of Sherwood Manor Addition;

Thence along the existing City Limits and the Western line of said Sherwood Manor Addition, South 0° 39' 30" East, 616.60 feet, and North 89° 29' 50" West, 14.00 feet, to the Northeastern corner of the DEETER ADDITION (119), as per description filed March 15, 1961, as Instrument 8099, Stanislaus County Records;

Thence along the existing City Limits and the Northern line of said Deeter Addition, North 89° 29' 50" West, 151.00 feet, to a point on the Eastern line of a 60 foot public road known as Edward Avenue as shown on the map of the Harte Tract; thence along said Eastern line, South 0° 39' 30" East, 44.01 feet, to a point on the Easterly extension of the Southern line of a 40 foot public road known as Kavanagh Avenue as shown on the map of the Harte Tract; thence along said Southern line, and the Northern line of the Deeter Addition, North 89° 29' 50" West, 1585.55 feet, to the Northwestern corner of the Deeter Addition and the Northeastern corner of the Y.M.C.A. ADDITION (107), as per description filed March 29, 1960, as Instrument 9056, Stanislaus County Records;

Thence along the existing City Limits and the Northern line of the Y.M.C.A. Addition and the Southern line of Kavanagh Avenue, North 89° 29' 50" West, 357.60 feet, to a point on a line which is parallel with and 64.00 feet, measured at right angles, Easterly from the center line of McHenry Avenue, said line being an Eastern line of the Crocco Addition;

Thence along the existing City Limits and the Eastern line of the Crocco Addition, North 0° 43' West, 646.40 feet, to the point of beginning, containing 31.789 Acres, more or less.

be, and the same is hereby approved.

SECTION 2. That the said territory hereinabove described be, and the same is hereby annexed to, incorporated in, and made a part of the said City of Modesto, to be effective upon the filing with the Secretary of State of the State of California of a copy of the record of the canvass of the returns of said election in such new territory and a certified copy of this ordinance.

SECTION 3. The Clerk of the City of Modesto is hereby authorized and directed to make and certify, under the seal of the City of Modesto, and transmit to the Secretary of State of the State of California, a copy of the record of the canvass of the returns of said election in such new territory, and a copy of this ordinance, giving the date of its passage in accordance with the statutes providing therefor.

SECTION 4. That the said territory hereinabove described shall, after such annexation, be subjected to taxation equally with the property within the City of Modesto to pay the bonded indebtedness of the City of Modesto for acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election to be held to determine whether or not said property shall be annexed to the City.

SECTION 5. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect and be in full force and operation as of the date hereof.

SECTION 6. This ordinance shall be published in full in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 19 68, by Councilman Shastid, who moved its ~~adoption~~ **introduction and adoption,** which motion being duly seconded by Councilman Robinson, was upon roll call

carried and the ordinance ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST:

By *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By *Paul Wood*
Public Works Department
6-10-2-68

AN ORDINANCE AMENDING THE TITLE OF ARTICLE 3 OF CHAPTER 1 OF TITLE IV OF THE MODESTO MUNICIPAL CODE AND AMENDING SECTION 4-1.301 OF ARTICLE 3 OF CHAPTER 1 OF TITLE IV RELATING TO PERMITS FOR AMUSEMENT ACTIVITIES.

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

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

ARTICLE 3. ~~CARNIVALS-AND-CIRCUSES~~ AMUSEMENT ACTIVITIES

SECTION 2. AMENDMENT OF CODE. Section 4-1.301 of Article 3 of Chapter 1 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

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 amusement activity, including but not limited to carnivals, circuses, fairs, menageries, wild animal shows, rodeos, ferris wheels, merry-go-rounds, traveling shows, vehicular racing, vehicular skill driving, or any other similar or related type of amusement activity place, unless a permit to do so has been issued as hereinafter provided and is in full force and effect.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 1968, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried

and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon,
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST:

By *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

AN ORDINANCE AMENDING THE TITLE OF ARTICLE 3 OF CHAPTER 1 OF TITLE IV OF THE MODESTO MUNICIPAL CODE AND AMENDING SECTION 4-1.301 OF ARTICLE 3 OF CHAPTER 1 OF TITLE IV RELATING TO PERMITS FOR AMUSEMENT ACTIVITIES.

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

ARTICLE 3. ~~CARNIVALS AND CIRCUSES~~ AMUSEMENT ACTIVITIES

SECTION 2. AMENDMENT OF CODE. Section 4-1.301 of Article 3 of Chapter 1 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

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 amusement activity, including but not limited to carnivals, circuses, fairs, menageries, wild animal shows, rodeos, ferris wheels, merry-go-rounds, traveling shows, vehicular racing on a closed course, or any other similar or related type of amusement activity place, unless a permit to do so has been issued as hereinafter provided and is in full force and effect.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 1968, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

The foregoing ordinance was amended at an adjourned regular meeting of the Council of the City of Modesto held on the 12th day of November, 1968, by Councilman Shastid, who moved its amendment and republication, which motion being duly seconded by Councilman Smith, was upon roll call, carried and

ordered reprinted and republished by the following vote:

AYES: Councilmen: Mitchell, Simon, Shastid, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Robinson

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

ATTEST:

By *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 926-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 18th day of November, 1968, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Mitchell, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Robinson

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: December 18, 1968

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MODESTO AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA STATE EMPLOYEES' RETIREMENT SYSTEM

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

SECTION 1. AMENDMENT TO CONTRACT. That an amendment to the contract between the City Council of the City of Modesto and the Board of Administration, California State Employees' Retirement System is hereby authorized, a copy of said amendment to the contract being attached hereto, marked "Exhibit A", and by such reference made a part hereof as though herein set out in full.

SECTION 2. AUTHORIZATION TO EXECUTE AMENDMENT TO CONTRACT. The Mayor of the City Council is hereby authorized and directed to execute said amendment to the contract for and on behalf of said Agency,

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 1968, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

AMENDMENT TO CONTRACT BETWEEN THE
BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE
CITY COUNCIL
OF THE
CITY OF MODESTO

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the CITY COUNCIL of the CITY OF MODESTO, hereinafter referred to as Public Agency, having entered into a contract under date of July 27, 1946, effective August 1, 1946, and as amended effective December 1, 1950, July 1, 1956, July 1, 1959, November 1, 1959, January 1, 1960 and October 1, 1962, which provides for the participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. The following subparagraphs shall be added to Paragraphs 5 and 6 of said Contract:

5(c)(10) Section 21251.4 (providing for increases in allowances payable for
and time commencing on the first day of the calendar month coinciding
6(g)(7) with or next following the effective date of this amendment to miscellaneous members retired on or prior to July 1, 1956

5(c)(11) Section 21251.5 (providing for increases in allowances payable for
and time commencing on the first day of the calendar month coinciding
6(g)(8) with or next following the effective date of this amendment to persons retired on and prior to July 1, 1956).

5(c)(12) Section 21251.6 (providing for increases in allowances payable for
and time commencing on the first day of the calendar month coinciding
6(g)(9) with or next following the effective date of this amendment to persons retired prior to January 1, 1962).

5(c)(13) Section 21251.75 (providing for increases in allowances payable for
and time commencing on the first day of the calendar month coinciding
6(g)(10) with or next following the effective date of this amendment to persons retired prior to January 1, 1967).

B. Paragraphs 7 (a), 7 (b), and 7 (e) shall be stricken from said Contract and the following paragraphs substituted therefor:

7 (a) With respect to miscellaneous members, the public agency shall contribute the following percentages of monthly salaries earned as miscellaneous members of said System:

(1) 2.761 percent until June 30, 1986 on account of the liability for prior service benefits.

(2) 5.373 percent on account of the liability for current service benefits.

7 (b)

With respect to local safety members, the public agency shall contribute the following percentages of monthly salaries earned as local safety members of said System:

- (1) 1.784 percent until June 30, 1986 on account of the liability for prior service benefits.
- (2) 9.502 percent on account of the liability for current service benefits.

C. This amendment shall be attached to said Contract and shall become effective on the 1st day of January, 1969.

Witness our hands this 7th day of October, 1968.

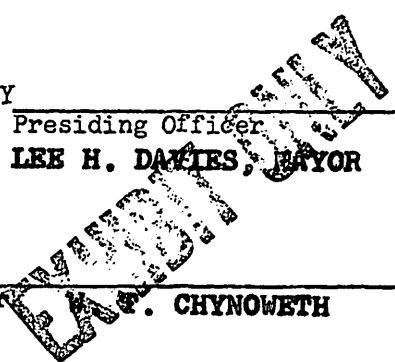
BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL OF THE
CITY OF MODESTO

BY
William E. Payne, Executive Officer

BY
Presiding Officer
LEE H. DAVIES, MAYOR

Attest:
Clerk F. CHYNOWETH



FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at ~~the~~ ^{an adjourned} regular meeting of the Council of the City of Modesto held on the 17th day of October, 1968, Councilman Smith, moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: November 16, 1968

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
CARPENTER ROAD, between California and Maze	40 miles per hour
CARPENTER ROAD, between the southerly city limits at the Tuolumne River and Robertson Road	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
COFFEE ROAD, Scenic Drive to M.I.D. Lateral #3	30 miles per hour
COFFEE ROAD, M.I.D. Lateral #3 to 200 feet north of Floyd Avenue	35 miles per hour

COLLEGE AVENUE, between Durant and Rumble	25 miles per hour
DEL VALE, entire length in city	25 miles per hour
EL VISTA, within the city limits	35 miles per hour
EMERALD, from Maze Road to the southerly city limits	25 miles per hour
ENCINA, Covena to Santa Ana	25 miles per hour
ENSLLEN, between Granger and Orangeburg	25 miles per hour
FAIRMONT AVENUE, between Virginia and McHenry	25 miles per hour
FLOYD AVENUE, within the city limits	30 miles per hour
FRANKLIN, between California and Laurel	25 miles per hour
GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
HADDON, between La Loma and Conejo	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
LEGION PARK ROAD, between Santa Cruz and Conejo	25 miles per hour
LEVELAND LANE, College to TSRR tracks	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>OAKDALE ROAD, between Scenic Drive and Orangeburg Avenue</u>	30 miles per hour
<u>OAKDALE ROAD, north of Orangeburg (within City limits)</u>	<u>50 miles per hour</u>
ORANGEBURG AVENUE, east of McHenry Avenue	35 miles per hour
ORANGEBURG AVENUE, Martin to Prescott	25 miles per hour
PRESCOTT ROAD, Briggsmore to Rumble	25 miles per hour
<u>RIVER ROAD, Herndon Road to 1200 feet westerly</u>	<u>35 miles per hour</u>
ROBLE AVENUE, Santa Ana to Rosina	25 miles per hour
ROSE AVENUE, Scenic Drive to 400 feet north of Kruger Avenue	30 miles per hour
ROSE AVENUE, 400 feet north of Kruger Avenue to Floyd Avenue	35 miles per hour
RUMBLE ROAD, between Tully and Tidewater Southern Tracks	25 miles per hour
RUMBLE ROAD, between Highgate and the east city limits	25 miles per hour
SHERWOOD, from Orangeburg to Northern Boulevard	25 miles per hour
STANDIFORD AVENUE, Tidewater Southern Railroad to McHenry Avenue	35 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

9TH STREET, from north end of
Tuolumne River Bridge to south
city limits

40 miles per hour

9TH STREET, from north end of
Tuolumne River Bridge to D
Street

30 miles per hour

9TH STREET, from P Street to
Tully Road

35 miles per hour

9TH STREET, from Tully Road to
north city limits

50 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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 1968, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

APPROVED: 
LEE H. DAVIES, Mayor

ATTEST:

BY 
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

BY 
ELWYN L. JOHNSON, City Attorney

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at ~~the~~ ^{an adjourned} regular meeting of the Council of the City of Modesto held on the 17th day of October, 1968, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: November 16, 1968

AN ORDINANCE AMENDING SECTION 10-2.1802 OF ARTICLE 18 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. Section 10-2.1802 of Article 18 of Chapter 2 of Title X of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 10-2.1802. PARKING SPACES REQUIRED. Except as otherwise provided in this article, the number of off-street parking spaces required shall be as follows:

- Beauty colleges -- two and one-half (2.5) for each training station.
- Bowling alleys -- eight (8) for each lane.
- Children's dancing schools -- one for each six hundred (600) square feet of gross floor area.
- Churches -- one for each five (5) seats.
- Clubs and lodges not having sleeping rooms -- adequate number as determined by the Planning Commission.
- Dance halls -- one for each fifty (50) square feet of gross floor area used for dancing.
- Dwellings --
 - Single-family -- one for each dwelling unit.
 - Two-family -- one for each dwelling unit.
 - Multiple-family -- one and one-half (1.5) for each dwelling unit.
- Eating and drinking establishments (on-premises consumption) -- one for each four (4) seats, including stools, benches and booths, or one for each sixty (60) square feet of dining area when the number of seats is unknown.
- Hospitals -- adequate number as determined by the Planning Commission.
- Hotels -- one for each three (3) guest rooms.
- Libraries -- one for each five hundred (500) square feet of gross floor area.
- Manufacturing plants and kindred uses -- one for each four (4) employees on the site at any one time, including changes of shifts.
- Medical or dental clinics or offices -- one for each two hundred (200) square feet of gross floor area.
- Mortuaries and funeral homes -- one for each five (5) seats in the assembly room used for services.
- Motels - one for each sleeping unit or dwelling unit.
- Motor vehicle and machinery repair -- one for each six hundred (600) square feet of gross floor area, with repair space for motor vehicles or machinery not counted as parking space.
- Offices -- business or profession offices, banks -- one for each five hundred (500) square feet of gross floor area.
- Pool halls -- two (2) for each table.
- Retail stores -- one for each five hundred (500) square feet of gross floor area.
- Rooming and lodging houses, clubs and fraternity houses having sleeping rooms -- one for each two (2) sleeping rooms.
- Sanitariums, children's homes, homes for the aged, nursing homes -- one for each four (4) beds.

Schools -- adequate number as determined by the Planning Commission.
Stadiums, sports arenas, auditoriums -- one for each five (5) seats of maximum seating capacity.
Theaters -- one for each five (5) seats.
Transportation terminal facilities -- adequate number as determined by the Planning Commission.
Warehouse and storage buildings -- one for each four (4) employees.
Wholesale stores -- one for each eight hundred (800) square feet of gross floor area.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1968, by Councilman Mitchell, 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, Robinson, Smith, Shastid, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Simon

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

APPROVED AS TO FORM:

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

ATTEST:

BY W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 4th day of November, 1968, Councilman Smith moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Simon, Smith,
Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: December 4, 1968

AN ORDINANCE AMENDING SECTION MAP 17-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSI-
FYING CERTAIN PROPERTY LOCATED THEREON. (P-D(28)
TO R-1) (TISMENAKIS)

WHEREAS, the Planning Commission on August 20, 1968, initiated proceedings to amend Section 17-3-9 of the Zoning Map to reclassify from Planned Development Zone, P-D(28), to One-Family Residential Zone, R-1, the hereinafter described property, and

WHEREAS, after public hearing held on October 22, 1968, 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. 68-129, adopted on October 22, 1968, the Planning Commission recommended to the Council that Section 17-3-9 of the Zoning Map be amended to reclassify the hereinafter described property from Planned Development Zone, P-D(28), to One-Family Residential Zone, R-1,

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

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

SECTION 2. ZONING CHANGE. Section 17-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(28), to One-Family Residential Zone, R-1:

All of that portion of Lot 7 of the Fresno Tract, according to the official map thereof, filed in the office of the Recorder of Stanislaus County, California, on March 14, 1903, in Volume 1 of Maps at Page 76, described as follows:

Commencing at the southeast corner of said Lot 7 and running thence North 0° 48' West, 8.35 chains to a point that is South 0° 48' East 537.18 feet from the northeast corner of said Lot 7; thence North 88° 48' West, 326 feet to the true point of beginning of the land herein described; thence continuing North 88° 48' West, 334 feet, more or less, to the west line of said Lot 7; thence North 0° 48' West, 516.94 feet and along the west line of said Lot 7 to the northwest corner thereof and the centerline of Modesto Irrigation District Lateral No. 3; thence North 89° 27' East, along the north line of said Lot and centerline of Modesto Irrigation District Lateral No. 3, 333.84 feet; thence South 0° 48' East, 527.04 feet to the point of beginning.

SECTION 3. ZONING MAP. Section 17-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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


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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of November, 1968, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Simon, Smith,
Mayor Davies

NOES: Councilmen: None

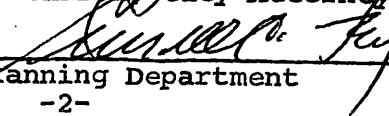
ABSENT: Councilmen: Robinson

APPROVED: 
LEE H. DAVIES, Mayor

ATTEST: 
W. T. CHYNOWETH, City Clerk

(SEAL)

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

APPROVED AS TO DESCRIPTION: 
Planning Department

**Ordinance 930 C.S.
Exhibit A – Map**

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 2nd day of December, 1968, Councilman Robinson, moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: January 1, 1969

AN ORDINANCE AMENDING SECTION MAP 20-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON.
(LORETELLI)

WHEREAS, a verified application for an amendment to Section 20-3-9 of the Zoning Map was filed by Amedeo Loretelli

on September 17, 1968, to reclassify from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, the hereinafter described property, and

WHEREAS, after public hearing held on October 22, 1968, 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. 68-133, adopted on October 22, 1968, the Planning Commission recommended to the Council that the application of Amedeo Loretelli

to amend Section 20-3-9 of the Zoning Map to reclassify the hereinafter described property from One-Family Residential Zone, R-1, to Two-Family Residential Zone, R-2, be approved,

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

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

SECTION 2. ZONING CHANGE. Section 20-3-9 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Residential Zone,

R-1 , to Two-Family Residential Zone,

R-2 :

Lots 29, 30, 31 and 32 in Block 6068 of Arbor Villa Tract No. 2, according to the official map thereof, filed in the office of the Recorder of Stanislaus County California, on September 8, 1955, in Volume 18 of Maps, at Page 37. Including also, the southerly 30 feet of Granger Avenue, the 20 feet of the north-south alley and the northerly 10 feet of the east-west alley, all being adjacent to the above-described property.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of November, 19 68, 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, Shastid, Simon, Smith,
Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: Robinson

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Russell Jay
Planning Department

**Ordinance 931 C.S.
Exhibit A – Map**

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

Ord. No. 931-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 2nd day of December, 1968, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: January 1, 1969

R-2 _____ :

All that certain real property situate in Lot 2 of Broughton Colony, according to the Official Map thereof, recorded in Volume 1 of Maps at Page 78, in the County of Stanislaus, State of California, described as follows:

Beginning at the Northwest corner of Cranbrook Colony No. 1 according to the Official Map thereof, recorded in Volume 21 of Maps at Page 37, Stanislaus County Records; thence South $89^{\circ} 52' 45''$ West 20.00 feet to the centerline of Rose Avenue; thence North $0^{\circ} 37'$ West along said centerline of Rose Avenue 125.00 feet; thence North $89^{\circ} 52' 45''$ East 126.15 feet; thence South $0^{\circ} 07' 15''$ East 125.00 feet to the North line of said Cranbrook Colony No. 1; thence South $89^{\circ} 52' 45''$ West along said North line of Cranbrook Colony No. 1 a distance of 105.07 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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1968, 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, Robinson, Shastid,
Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By

Samuel C. Fry
Planning Department

Ordinance 932 C.S.
Exhibit A – Map

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

Ord. No. 932-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of December, 1968, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Robinson, Shastid, Simon, Smith, Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mitchell

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: January 8, 1969

AN ORDINANCE AMENDING THE 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 Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1968, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Robinson, was upon roll call carried and ordered printed and published by the following vote:

AYES:	Councilmen:	Hughes, Mitchell, Robinson, Shastid, Smith, Simon, Mayor Davies
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

APPROVED: 
LEE H. DAVIES, Mayor

ATTEST:

By 
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
ELWYN L. JOHNSON, City Attorney

**Ordinance 933 C.S.
Exhibit A – Map**

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

Ord. No. 933-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of December, 1968, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Robinson, Shastid, Simon, Smith, Mayor Davies


NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mitchell

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: January 8, 1969

AN ORDINANCE GRANTING TO CABLECOM GENERAL OF MODESTO, A CALIFORNIA CORPORATION, A NONEXCLUSIVE FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM WITHIN THE CITY OF MODESTO.

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

SECTION 1. Unless it shall be apparent from the context that they have a different meaning, the following words and phrases shall have the meaning herein specified:

- A. "GRANTEE", shall mean Cablecom General of Modesto, a California corporation.
- B. "FRANCHISE DOCUMENTS", shall mean and shall include all of the following:
 - (1) Article XIV of the Charter of the City of Modesto.
 - (2) Chapter 4 of Title XI of the Modesto Municipal Code as it now exists or as it may hereafter be amended.
 - (3) The Notice Inviting Sealed Proposals-Applications.
 - (4) The General Instructions to applicants.
 - (5) The following addenda and modifications:
 - (a) Addendum No. 1, dated September 27, 1968.
 - (6) The Proposal and Application submitted by Grantee.
 - (7) This ordinance.
 - (8) The Acceptance of CATV Franchise form signed by Grantee.

SECTION 2. This ordinance is enacted pursuant to the authority provided in, and all of the provisions, terms and conditions of Article XIV of the Charter of the City of Modesto and Chapter 4 of Title XI of the Modesto Municipal Code, entitled "Procedure for Granting Community Antenna Television Franchises".

SECTION 3. Pursuant to the provisions of said Chapter 4 of Title XI of the Modesto Municipal Code, a nonexclusive franchise to construct, operate and maintain a CATV system within the City of Modesto, for a term of fifteen (15) years from the date of acceptance, is hereby granted to Grantee, with all of the rights and privileges and subject to each and all of the terms conditions and limitations as set forth in the "Franchise Documents".

SECTION 4. The following schedule of rates and charges which Grantee shall charge subscribers to the CATV system is hereby approved:

A. Installation Charges

(1) Residential

Primary television outlet, normal installation \$ No Charge

Additional outlets

(a) When installed at same time as Primary--each No Charge

(b) When installed at different time--each No Charge

(2) Hotels, Motels, Multiple Apartments (3 or more units), Commercial

Primary television outlet, normal installation No Charge

Additional outlets--each No Charge

(3) FM Radio

FM Radio outlet (installed at same time as TV primary outlet) No Charge

FM Radio outlet (installed at different time) No Charge

Additional outlets--each No Charge

For special installations involving unusual construction problems, long aerial cable run (over 150 feet), underground cable, etc., actual additional cost of installation at subscriber's expense.

B. Monthly Service Charges

(1) Residential

Primary television outlet 3.95

Additional outlets--each .45

FM Radio outlet (with TV service) No Charge

FM Radio outlets (without TV service) 3.95

Additional FM outlets--each .45

(2) Hotels, Motels, Multiple Apartments (3 or more units), Commercial

Primary television outlet .45

Additional outlets--each .45

FM Radio outlet (with TV service) No Charge

FM Radio outlet (without TV service) .45

Additional FM outlets--each .45

TV Dealer and licensed TV service shops, multiple outlets, regardless of number No Charge

C. Other Charges

(1) Relocation of existing outlet No Charge

(3) Disconnection of Service No Charge

D. Converter charges (converter at option of subscribers)

(1) Subscribers to have choice of following:

- (a) Deposit refundable after 24 months 17.50
- (b) Rental per month .45

E. Subscribers shall receive a 10% discount on service charges paid one year in advance

Said schedule of rates and charges may be changed only with the prior approval of the City Council expressed by resolution.

SECTION 5. As consideration for the granting of this franchise and the rights and privileges thereof, Grantee shall, during the term hereof, make periodic payments to the City, in manner, times and amounts as follows:

GROSS ANNUAL RECEIPTS AND PERCENTAGE PAYMENTS TO CITY

On the first \$100,000 (\$0 to \$100,000)	5%
On the next \$150,000 (\$100,000 to \$250,000)	15%
On the next \$250,000 (\$250,000 to \$500,000)	20%
On the next \$500,000 (\$500,000 to \$1,000,000)	25%
On the next \$1,000,000 (\$1,000, 000 to \$2,000,000)	31%
Over \$2,000,000	37%

In any calendar year, or portion thereof, during which payments under the above schedule amount to less than One Thousand Five Hundred and no/100ths (\$1,500.00) Dollars, Grantee shall pay the City as a minimum the sum of One Thousand Five Hundred and no/100ths (\$1,500.00) Dollars. In addition thereto, Grantee shall pay the City, as an additional minimum payment, the sum of Twelve Thousand and no/100ths (\$12,000.00) Dollars per year, commencing on the date of connection of the first subscriber to Grantee's system; said additional payment shall be prorated for any portion of the first calendar year in which it becomes payable.

Concurrently with the filing of an acceptance of award of this franchise, Grantee shall pay to the City the sum of Thirty-Two Thousand and no/100ths (\$32,000.00) Dollars advance payment to be credited against the annual percentage payments payable to City under the above schedule.

Grantee shall also pay to City annually five (5%) per cent of the gross annual receipts received directly or indirectly by Grantee from the construction, operation and maintenance of any CATV Franchise awarded Grantee by the

SECTION 6. The CATV system herein franchised shall be used and operated solely and exclusively for the purpose expressly authorized by this ordinance and Chapter 4 of Title XI of the Modesto Municipal Code and no other purpose whatsoever.

SECTION 7. All of the franchise documents pertaining to the within franchise are hereby incorporated by reference into this ordinance, and shall be deemed to be a part of this ordinance.

SECTION 8. This ordinance shall become effective thirty (30) days from and after its passage and adoption; provided, however, that the franchise hereby granted shall not become effective unless and until Grantee files with the City Clerk written acceptance thereof and an agreement to be bound by and comply with all of the requirements thereof, and delivers to the City Clerk the bond and insurance policies required to be furnished, all pursuant to the provisions of said Chapter 4 of Title XI of the Modesto Municipal Code.

SECTION 9. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of December, 1968, 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, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 934-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of December, 1968, Councilman Robinson moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mitchell

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: January 8, 1969

AN ORDINANCE AMENDING SECTION MAP 26-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO PREZONING
CERTAIN PROPERTY LOCATED THEREON. (K & R HOMES)

WHEREAS, a verified application for an amendment to
Section 26-3-9 of the Zoning Map was filed by K & R Homes
_____ on October 11,
1968, to prezone to two-family residential Zone,
R-2, the hereinafter described property, and

WHEREAS, after public hearing held on November 5,
1968, it was found and determined by the Planning Commission
that prezoning of the property as requested is required by public
necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 68-148, adopted on
November 5, 1968, the Planning Commission recommended to
the Council that the application of K & R Homes
_____ to amend Section 26-3-9 of the Zoning
Map to prezone the hereinafter described property to two-family
residential Zone, R-2, be approved,

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

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

SECTION 2. ZONING CHANGE. Section 26-3-9 of the
Zoning Map is hereby amended to prezone the following described
property to two-family residential Zone, R-2:

All that certain real property situate in the East
half of the South half of the Northeast quarter of
the Southwest quarter of Section 26, Township 3
South, Range 9 East, Mount Diablo Base and Meridian
in the County of Stanislaus, State of California,
described as follows:

Beginning at the Southeast corner of said Northeast quarter of the Southwest quarter of Section 26; thence North 0° 33' 30" West along the quarter section line 120.28 feet; thence South 89° 26' 30" West 266.00 feet; thence North 85° 59' 55" West 143.20 feet; thence North 69° 46' 18" West 135.91 feet; thence North 80° 23' 47" West 122.90 feet to the West line of said East half of the South half of the Northeast quarter of the Southwest quarter of Section 26; thence South 0° 34' 50" East along said West line of the East half of the South half of the Northeast quarter of the Southwest quarter of Section 26 a distance of 194.18 feet to the Southwest corner thereof; thence South 89° 54' 45" East along the South line of said East half of the South half of the Northeast quarter of the Southwest quarter of Section 26 a distance of 656.75 feet to the point of beginning.

Containing 2.08 acres.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1968, by Councilman Smith, who moved its introduction and passage to print, which motion being duly seconded by Councilman Simon, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Mitchell

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Samuel C. Fey
Planning Department

**Ordinance 935 C.S.
Exhibit A – Map**

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of January, 1969, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 5, 1969

AN ORDINANCE AMENDING SECTION MAP 9-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO, ~~RECLASSIFY~~ PREZONING
~~REZONING~~ CERTAIN PROPERTY LOCATED THEREON. (HAIG BERBERIAN
PREZONING - SERVICE STATION)

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

SECTION 1. ZONING CHANGE. Section 9-39 of the
Zoning Map is hereby amended to ~~reclassify~~ ^{prezone} the following-described
property ~~from~~ XX
to Planned-Development Zone, ~~PD-PD(47)~~

Parcel 1

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

Beginning at the east quarter section corner of said Section 9; thence North 0° 48' West along the east line of said Section 9 a distance of 225.00 feet; thence South 89° 12' West a distance of 219.38 feet; thence South 0° 39' West a distance of 219.38 feet to the east-west quarter section line of said Section 9; thence South 89° 21' East along said east-west quarter section line of Section 9 a distance of 225.00 feet to the point of beginning.

Containing 1.33 acres gross.

SECTION 2. USES. The following uses shall be permitted
P-PD(47)
in said ~~Zone~~ 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 Muni-
cipal Code:

A gasoline service station only, as shown on the Develop-
ment Plan and subject to compliance with Section 10-2.2704 of the
Municipal Code prior to the issuance of a building permit.

SECTION 3. ZONING MAP. Section Map 9-3-9 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 pub-
lished in full at least once at least three (3) days prior to its
final adoption in The Modesto Bee, the official newspaper
of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 19 68, by Councilman Mitchell, 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, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Donald C. Fey
Planning Department

**Ordinance 936 C.S.
Exhibit A – Map**

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

Ord. No. 936-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of January, 1969, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 5, 1969

SECTION 2. USES. The following uses shall be permitted
P-PD(48)
in said ~~SECTION~~ 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 Muni-
cipal Code:

A nonprofit fraternal organization, as shown on the
Development Plan and subject to compliance with Section 10-2.2704
of the Municipal Code prior to the issuance of a building permit.

SECTION 3. ZONING MAP. Section Map 9-3-9 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 pub-
lished in full at least once at least three (3) days prior to its
final adoption in The Modesto Bee, the official newspaper
of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 1968, by Councilman Mitchell, 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, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, 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

**Ordinance 937 C.S.
Exhibit A – Map**

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

Ord. No. 937-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of January, 1969, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 5, 1969

AN ORDINANCE AMENDING SECTION MAP 9-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, ~~RECLASSIFY~~ ~~PREZONING~~ ~~CERTAIN~~ PROPERTY LOCATED THEREON. (HAIG BERBERIAN PREZONING - PARCEL 3)

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

SECTION 1. ZONING CHANGE. Section 9-3-9 of the Zoning Map is hereby amended to ~~reclassify~~ ^{prezone} the following-described property ~~from~~ ~~to~~ ~~Planned-Development Zone, ~~RECLASSIFY~~ P-PD(49):~~

Parcel 3

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

Commencing at the east quarter section corner of said Section 9; thence North 89° 21' West along the east-west quarter section line of said Section 9 a distance of 789.00 feet to the true point of beginning of this description; thence continuing North 89° 21' West along said east-west quarter section line of Section 9 a distance of 530.12 feet to the north-south quarter quarter section line of said Section 9; thence North 0° 49' West along said north-south quarter quarter section line a distance of 200.06 feet; thence South 89° 21' East parallel to and 200.00 feet distance northerly at right angles from the aforementioned east-west quarter section line a distance of 535.24 feet; thence South 0° 39' West a distance of 200.00 feet to the true point of beginning.

Containing 2.446 acres gross.

SECTION 2. USES. The following uses shall be permitted
P-PD(49)
in said ~~Sec XXXXX~~ 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 Muni-
cipal Code:

Construction of seven (7) duplexes or a maximum of
fourteen (14) dwelling units, as shown on the Development Plan
and subject to compliance with Section 10-2.2704 of the Municipal
Code prior to the issuance of a building permit.

SECTION 3. ZONING MAP. Section Map 9-3-9 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 pub-
lished in full at least once at least three (3) days prior to its
final adoption in The Modesto Bee, the official newspaper
of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 19 68, by Councilman Mitchell, 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, Robinson, Shastid,
Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Summitry
Planning Department

**Ordinance 938 C.S.
Exhibit A – Map**

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

Ord. No. 938-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of January, 1969, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 5, 1969

SECTION 2. USES. The following uses shall be permitted
P-PD(50)
in said ~~XXXXXX~~ 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 Muni-
cipal Code:

Construction of ten (10) duplexes or a maximum of twenty
(20) dwelling units, as shown on the Development Plan and subject
to compliance with Section 10-2.2704 of the Municipal Code prior to
the issuance of a building permit.

SECTION 3. ZONING MAP. Section Map 9-3-9 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 pub-
lished in full at least once at least three (3) days prior to its
final adoption in The Modesto Bee, the official newspaper
of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 1968, by Councilman Mitchell, 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, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Samuel J. Key
Planning Department

**Ordinance 939 C.S.
Exhibit A – Map**

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

Ord. No. 939-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of January, 1969, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 5, 1969

AN ORDINANCE AMENDING SECTION MAP 9-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO, ~~RECESSIT~~ PREZONING
~~BY~~ CERTAIN PROPERTY LOCATED THEREON. (HAIG BERBERIAN
PREZONING - PARCEL 5)

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

SECTION 1. ZONING CHANGE. Section 9-3-9 of the
Zoning Map is hereby amended to ^{prezone} ~~recessit~~ the following-described
property ~~to~~ to Planned-Development Zone, ~~P-PD(51)~~ P-PD(51):

Parcel 5

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

Commencing at the east quarter section corner of said
Section 9; thence North 0° 48' West along the east
line of said Section 9 a distance of 580.00 feet;
thence South 89° 12' West a distance of 220.00 feet
to the true point of beginning of this description;
thence North 0° 48' West a distance of 185.00 feet;
thence South 89° 12' West a distance of 200.00 feet;
thence North 81° 48' West a distance of 45.00 feet;
thence South 12° 03' 34" West a distance of 171.25 feet;
thence in an easterly direction along a curve concave
to the north, through a central angle of 12° 51' 34",
having a radius of 1000.00 feet, a curve distance of
224.44 feet; thence North 89° 12' East a distance of
60.00 feet to the point of beginning.

Containing 1.094 acres gross.

SECTION 2. USES. The following uses shall be permitted in said ~~XXXXXX~~ 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:

Construction of three (3) duplexes or a maximum of six (6) dwelling units be authorized, as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 1968, by Councilman Mitchell, 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, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

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

APPROVED AS TO DESCRIPTION:
BY Sumell. Fey
Planning Department

Ordinance 940 C.S.
Exhibit A – Map

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

Ord. No. 940-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of January, 1969, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Simon, Mayor Davies

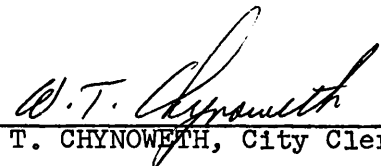
NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

APPROVED


LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 5, 1969

SECTION 2. USES. The following uses shall be permitted
P-PD(52)
in said/~~RUEXCOOK~~ 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 Muni-
cipal Code:

Construction of ten (10) duplexes or a maximum of twenty
(20) dwelling units as shown on the Development Plan and subject to
compliance with Section 10-2.2704 of the Municipal Code prior to the
issuance of a building permit.

SECTION 3. ZONING MAP. Section Map 9-3-9 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 pub-
lished in full at least once at least three (3) days prior to its
final adoption in The Modesto Bee, the official newspaper
of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 1968, by Councilman Mitchell, 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, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY Annella Fey
Planning Department

**Ordinance 941 C.S.
Exhibit A – Map**

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

Ord. No. 941-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of January, 1969, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

APPROVED

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 5, 1969

AN ORDINANCE AMENDING SECTION MAP 10-3-9 OF
THE ZONING MAP OF THE CITY OF MODESTO, ~~RECLASSIFY~~ PREZONING
~~BY~~ CERTAIN PROPERTY LOCATED THEREON. (HAIG BERBERIAN
PREZONING - COMMERCIAL SHOPPING CENTER)

The Council of the City of Modesto does ordain as fol-
lows:

SECTION 1. ZONING CHANGE. Section 10-3-9 of the
Zoning Map is hereby amended to ~~reclassify~~ ~~rezone~~
property ~~from~~ ~~the~~ following-described
to Planned-Development Zone, ~~PD~~ P-PD(53):

Parcel A

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

Beginning at the west quarter corner of said Sec-
tion 10; thence North 0° 48' 00" West along the
west line of said Section 10, a distance of 580.00
feet; thence North 89° 12' 00" East a distance of
125.00 feet; thence along a curve concave to the
northwest, through a central angle of 47° 41' 26",
having a radius of 250.00 feet, a curve length of
208.09 feet; thence North 41° 30' 34" East a
distance of 192.57 feet; thence South 48° 29' 26"
East a distance of 508.70 feet; thence South 41°
30' 34" West a distance of 252.74 feet; thence
along a curve concave to the southeast, through
a central angle of 42° 04' 07", having a radius
of 250.00 feet, a curve length of 183.56 feet;
thence South 0° 33' 33" East a distance of 110.00
feet to the east-west quarter section line of
said Section 10; thence South 89° 26' 27" West
along said east-west quarter section line a
distance of 580.00 feet to the point of beginning.

Containing 10.125 acres gross.

SECTION 2. USES. The following uses shall be permitted in said ~~250000X~~ P-PD(53) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code: said uses as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit:

C-1 uses: 1) Apparel store and related accessories; 2) Baby sitters' agency; 3) Barber shop, beauty shop; 4) Camera and photographic supply; 5) Cigar store and stand; 6) Diaper service; 7) Drug and proprietary medicine; 8) Dry cleaners, coin operated; 9) Eating and drinking establishments (as qualified in C-1 zone); 10) Food stores; 11) General merchandise; 12) Gift, novelty and souvenir; 13) Glassware; 14) Hat cleaning; 15) Interior decorating service; 16) Laundry and dry cleaning agency, including self service; 17) Liquor (off premises consumption); 18) News dealer and newsstand; 19) Parking area; and 20) Variety store.

C-2 uses: 1) Amusement and recreation services; 2) Child day care for more than six (6) children; 3) Private recreational grounds and facilities; 4) Hobby shop; and 5) Travel bureau.

The above uses are to be confined within a maximum of sixty-four thousand one hundred twenty-five (64,125) square feet of gross building area.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 19 68, by Councilman Mitchell, 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, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Ann M. Fry
Planning Department

Ordinance 942 C.S.
Exhibit A – Map

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

Ord. No. 942-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of January, 1969, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 5, 1969

SECTION 2. USES. The following uses shall be permitted in said ~~XXXXXXX~~ ^{P=PD(54)} 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:

Construction of fifty-four (54) multiple-residential dwelling units as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 19 68, by Councilman Mitchell, 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, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, 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

**Ordinance 943 C.S.
Exhibit A – Map**

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

Ord. No. 943-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of January, 1969, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

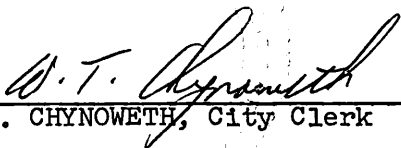
ABSENT: Councilmen: Robinson, Smith

APPROVED



LEE H. DAVIES, Mayor

ATTEST:



W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 5, 1969

SECTION 2. USES. The following uses shall be permitted in said ~~XXXXXXX~~ ^{P-PD(55)} 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:

Construction of thirty-two (32) multiple-residential dwelling units be authorized in said Planned Development Zone, as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 1968, by Councilman Mitchell, 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, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY Donald C. Fey
Planning Department

**Ordinance 944 C.S.
Exhibit A – Map**

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of January, 1969, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

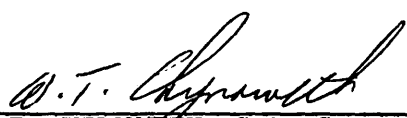
ABSENT: Councilmen: Robinson, Smith

APPROVED



LEE H. DAVIES, Mayor

ATTEST:


W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 5, 1969

SECTION 2. USES. The following uses shall be permitted
P→PD(56)
in said ~~XXXXXX~~ 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 Muni-
cipal Code:

Construction of one hundred eight (108) multiple-residential
dwelling units as shown on the Development Plan and subject to com-
pliance with Section 10-2.2704 of the Municipal Code prior to the
issuance of a building permit.

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

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

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

The foregoing ordinance was introduced at a regular

meeting of the Council of the City of Modesto held on the 16th
day of December, 1968, by Councilman Mitchell,
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, Robinson, Shastid, Simon,
Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Donald C. Fay
Planning Department

**Ordinance 945 C.S.
Exhibit A – Map**

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

Ord. No. 945-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of January, 1969, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

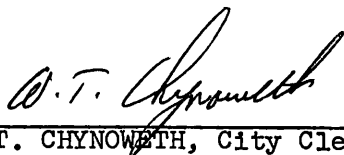
ABSENT: Councilmen: Robinson, Smith

APPROVED



LEE H. DAVIES, Mayor

ATTEST:



W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 5, 1969

SECTION 2. USES. The following uses shall be permitted
P-PD(57)
in said/~~XXXXXXX~~ 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 Muni-
cipal Code:

Construction of nine (9) duplexes or a maximum of eighteen
(18) dwelling units be authorized in said Planned Development Zone,
as shown on the Development Plan and subject to compliance with
Section 10-2.2704 of the Municipal Code prior to the issuance of
a building permit.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 19 68, by Councilman Mitchell, 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, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

BY Samuel C. Fry
Planning Department

**Ordinance 946 C.S.
Exhibit A – Map**

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of January, 1969, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 5, 1969

SECTION 2. USES. The following uses shall be permitted in said ~~PD~~ ^{P-PD(58)} 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:

Construction of eight (8) duplexes or a maximum of sixteen (16) dwelling units be authorized as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 1968, by Councilman Mitchell, 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, Robinson, Shastid, Simon, Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

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

APPROVED AS TO DESCRIPTION:
By Russell C. Fay
Planning Department

**Ordinance 947 C.S.
Exhibit A – Map**

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

Ord. No. 947-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of January, 1969, Councilman Mitchell moved its final adoption, which motion being duly seconded by Councilman Simon, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 5, 1969

AN ORDINANCE AMENDING SECTION MAP 13-3-8
OF THE ZONING MAP OF THE CITY OF MODESTO, PREZONING
CERTAIN PROPERTY LOCATED THEREON. (JAMES FUDENNA)

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

SECTION 1. ZONING CHANGE. Section 13-3-8 of the Zoning Map is hereby amended to prezone the following-described property to Planned-Development Zone, P-PD(59):

That portion of the Northeast quarter of the Southeast quarter of Section 13, Township 3 South, Range 9 East, M.D.B. & M. described as follows:

Commencing at the East quarter corner of said Section 13; thence south $89^{\circ} 36' 30''$ West along the East and West quarter section lines a distance of 20 feet to a point on the West line of a 40-foot County Road (Prescott Road) and being the true point of beginning of this description; thence continuing South $89^{\circ} 36' 30''$ West 613.08 feet to the Northwest corner; thence South 132.50 feet; thence East 17.57 feet; thence South 263.50 feet to the Southwest corner; thence North $89^{\circ} 36' 30''$ East 250.00 feet; thence North $0^{\circ} 23' 30''$ East 192 feet; thence North $89^{\circ} 36' 30''$ East 345.51 feet to a point on the west line of Prescott Road; thence northerly along the west line of Prescott Road 204.00 feet to the true point of beginning.

Contains 3.944 acres.

SECTION 2. USES. The following uses shall be permitted in said P-PD(59) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code. Said uses are as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit:

1. One hundred (100) multiple-family residential units;
2. One duplex, one fourplex;
3. One swimming pool, one one-story recreation building; and
4. A minimum of one hundred fifty-nine (159) off-street parking spaces.

SECTION 3. ZONING MAP. Section Map 13-3-8 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of January, 1969, 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, Shastid, Simon, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Robinson, Smith

APPROVED:

Lee H. Davies
LEE H. DAVIES, Mayor

ATTEST:

W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By

Paul A. Fry
Planning Department

**Ordinance 948 C.S.
Exhibit A – Map**

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

Ord. No. 948-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 20th day of January, 1969, Councilman Robinson, moved its final adoption, which motion being duly seconded by Councilman Smith, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Mitchell, Robinson, Shastid, Smith,
Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Hughes, Simon

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: February 19, 1969

AN ORDINANCE AMENDING SECTION MAP 26-3-9
 OF THE ZONING MAP OF THE CITY OF MODESTO, PREZONING
 CERTAIN PROPERTY LOCATED THEREON. (WILBUR GRANT)

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

SECTION 1. ZONING CHANGE. Section 26-3-9 of the Zoning Map is hereby amended to prezone the following-described property to Planned-Development Zone, P-PD(60):

All that portion of the southeast quarter of the southwest quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian as follows:

Commencing at the intersection of the centerline of Miller Avenue, a 60.00 foot wide public street, and the east boundary of the Los Altos Tract, as shown on the map filed in Volume 17 of Maps at Page 45, Stanislaus County Records; thence South $89^{\circ} 56' 20''$ East along the easterly prolongation of said centerline of Miller Avenue a distance of 109.01 feet to the true point of beginning of this description; thence North $0^{\circ} 34' 20''$ West parallel to and 109.00 feet distant easterly at right angles from the aforementioned east boundary of the Los Altos Tract a distance of 617.80 feet to the intersection with the south line of said east half of the south half of the northeast quarter of the southwest quarter of Section 26; thence South $89^{\circ} 56' 20''$ East along said south line a distance of 547.72 feet to the centerline of Riverside Drive, a 40.00 foot wide public street; thence South $0^{\circ} 33' 20''$ East parallel to and 20.00 feet distant easterly from the north-south quarter section line of the aforementioned Section 26 a distance of 617.80 feet to the centerline intersection with the aforementioned easterly prolongation of the centerline of Miller Avenue; thence North $89^{\circ} 56' 20''$ West along said easterly prolongations of the centerline of Miller Avenue a distance of 547.59 feet to the point of beginning.

Containing: 7.85 acres.

SECTION 2. USES. The following uses shall be permitted in said P-PD(60) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code. Said uses are as shown on the Development Plan and subject to compliance with Section 10-2.2704 of the Municipal Code prior to the issuance of a building permit:

1. Two (2), thirty (30) unit apartment structures;
2. Two (2), thirty-eight (38) unit apartment structures;
3. Four (4), fourplex structures;
4. Three (3), triplex structures; and
5. Eight (8), duplex structures.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of January, 1969, by Councilman Smith, 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, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST: W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Jim All. Fey
Planning Department

**Ordinance 949 C.S.
Exhibit A – Map**

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

Ord. No. 949-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of February, 1969, Councilman Shastid, moved its final adoption, which motion being duly seconded by Councilman Robinson, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon,
Smith, Mayor Davies
NOES: Councilmen: None
ABSENT: Councilmen: None

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

ATTEST: *W. T. Chynoweth*
W. T. CHYNOWETH, City Clerk

EFFECTIVE DATE: March 5, 1969

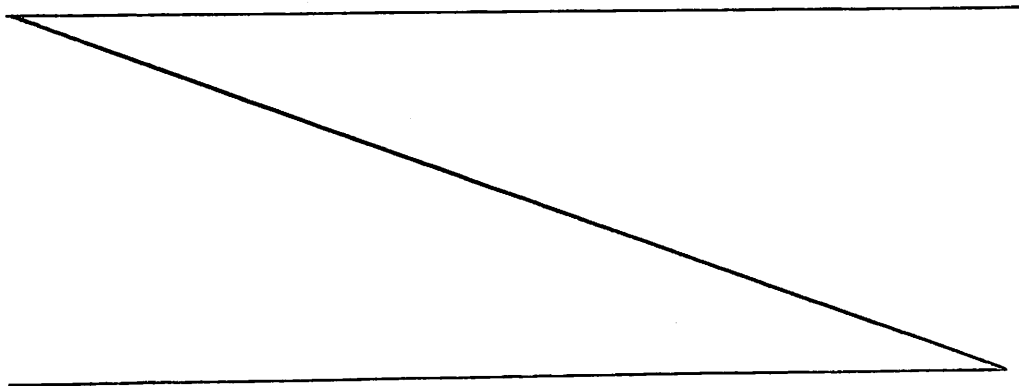
AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN
 TERRITORY KNOWN AS THE STRATHMORE ADDITION
 TO THE CITY OF MODESTO.

WHEREAS, certain proceedings have been instituted under the Annexation Act of 1913, as amended, and other laws pertaining to annexation for the purpose of submitting to the qualified electors residing in certain territory hereinafter described, and generally designated as Strathmore Addition, the question whether or not said territory shall be annexed to, incorporated in, and made a part of said City of Modesto, and whether or not the property in said territory shall, after such annexation, be subjected to taxation equally with the property within the City of Modesto to pay the bonded indebtedness of the City of Modesto for acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election, and

WHEREAS, the City Council finds that each and every and all of the requirements of law pertaining to said annexation proceedings and the election in said territory have been fully complied with,

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

SECTION 1. That annexation of the following described territory lying and being in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and particularly described as follows, to wit,



STRATHMORE ADDITION

All that real property in the State of California, County of Stanislaus, Sections 22 and 27, 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 DOWNEY HIGH SCHOOL AND JOHN MUIR SCHOOL ADDITION (33), as per description filed July 27, 1950, as Instrument 16443, Stanislaus County Records, said point being at the intersection of the center line of Brighton Avenue and the Easterly extension of the Southern line of a 20 foot alley in Block 1031;

Thence along the Eastern line of the Downey High School and John Muir School Addition (33) and the existing City Limits, North $0^{\circ}36'$ West, 330.00 feet, to the Southwestern corner of the WYLIE NO. 3 ADDITION (165), as per description filed August 10, 1964, as Instrument 31071, Stanislaus County Records;

Thence along the Southern line of said Wylie No. 3 Addition (165) and the existing City Limits the following bearings and distances: South $89^{\circ}58'13''$ East, 204.00 feet; thence North $0^{\circ}30'30''$ West, 330.07 feet; thence South $89^{\circ}58'13''$ East, 885.34 feet; thence South $0^{\circ}37'$ East, 2.00 feet; thence South $89^{\circ}58'13''$ East, 228.71 feet; thence along the center line of Rose Avenue, North $0^{\circ}37'$ West, 330.84 feet; thence North $89^{\circ}51'45''$ West, 20.00 feet, to the Southeastern corner of the WYLIE ADDITION (132), as per description filed July 23, 1962, as Instrument 27724, Stanislaus County Records;

Thence along the Eastern line of the Wylie Addition (132) and the existing City Limits, North $0^{\circ}37'$ West, 659.39 feet, to a Southwestern corner of the ROSE AVENUE SCHOOL ADDITION (176), as per description filed March 3, 1965, as Instrument 12390, Stanislaus County Records;

Thence along the Southern and Western line of said Rose Avenue School Addition (176) and the existing City Limits the following bearings and distances: North $89^{\circ}59'$ East, 1336.14 feet; thence South $0^{\circ}40'30''$ East, 963.80 feet; thence South $89^{\circ}59'50''$ East, 607.77 feet; thence South $0^{\circ}38'50''$ East, 991.22 feet, to a point on the center line of Scenic Drive;

Thence leaving the existing City Limits and along the center line of Scenic Drive, South $80^{\circ}15'$ West, 632.75 feet, and South $73^{\circ}47'$ West, 2720.67 feet, to its intersection with the center line of Brighton Avenue; thence along said center line of Brighton Avenue, North $0^{\circ}33'23''$ West, 1173.39 feet, to the point of beginning, containing 131.000 Acres, more or less.

be, and the same is hereby approved.

SECTION 2. That the said territory hereinabove described be, and the same is hereby annexed to, incorporated in, and made a part of the said City of Modesto, to be effective on February 14, 1969.

SECTION 3. The Clerk of the City of Modesto is hereby authorized and directed to make and certify, under the seal of the City of Modesto, and transmit to the Secretary of State of the State of California, a copy of the record of the canvass of the returns of said election in such new territory, and a copy of this ordinance, giving the date of its passage in accordance with the statutes providing therefor.

SECTION 4. That the said territory hereinabove described shall, after such annexation, be subjected to taxation equally with the property within the City of Modesto to pay the bonded indebtedness of the City of Modesto for acquisition, construction or completion of municipal improvements outstanding or authorized at the date of the first publication of the notice of the election to be held to determine whether or not said property shall be annexed to the City.

SECTION 5. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect and be in full force and operation as of the date hereof.

SECTION 6. This ordinance shall be published in full in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of January, 19 69, by Councilman Robinson, who moved its introduction and adoption, which motion being duly seconded by Councilman Shastid, was upon roll call

carried and the ordinance ordered printed and published by the

following vote:

AYES: Councilmen: Hughes, Mitchell, Robinson, Shastid, Simon, Smith, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: None

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

ATTEST:

By W. T. Chynoweth
W. T. CHYNOWETH, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Paul Jones
Public Works Department
6-1-24-69