

AN ORDINANCE AMENDING SECTION 5-1.302 OF ARTICLE 3 OF CHAPTER 1 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO ENFORCEMENT OF HEALTH AND SANITATION REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Section 5-1.302 of Article 3 of Chapter 1 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-1.302. CONFORMING TO STANDARDS. It shall be unlawful for any person or the agent or employee of any person to operate an eating and drinking establishment in the City unless it conforms to standards and requirements of the California Restaurant Act, Sections 28520-28696 of the Health and Safety Code of the State of California, and the rules and regulations of the State Department of Public Health.

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 6th day of February, 1979, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Pro Tempore Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

APPROVED:

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

Clyde H. Dunlap  
~~CLYDE H. DUNLAP, Mayor Pro Tempore~~  
CLYDE H. DUNLAP, Mayor Pro Tempore

(SEAL)

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

7

Ord. No. 1809-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 13th day of February, 1979, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin,  
Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

APPROVED

Lee H. Davies  
LEE H. DAVIES, Mayor

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 15, 1979

ORDINANCE NO. 1810 -C.S.

AN ORDINANCE AMENDING SECTION MAP 31-3-9 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (LAND BANK FINANCIAL  
SERVICES)

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

SECTION 1. ZONING CHANGE. Section 31-3-9 of the Zoning  
Map is hereby amended to reclassify the following-described property  
from Low Density Residential Zone, R-1 to  
Planned-Development Zone, P-D (210) :

A portion of the South half of Lot 9 of SPENCER COLONY, 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 3, described as follows:

BEGINNING at the Northeast corner of the said South half of Lot 9, at  
a point in the centerline of Franklin Street and running thence South  
89° 58' 30" West, 665.68 feet, more or less, to the Northwest corner of the  
said South half of Lot 9; thence South 0° 10' West, along the West line  
of said Lot and the centerline of the Modesto Irrigation District canal,  
97.05 feet to a point; thence North 89° 58' 30" East, 125 feet to a point;  
thence South 0° 10' West, 100 feet to a point; thence North 89° 59' East  
18.68 feet more or less, to the Northwest corner of Parcel No. 2, as  
described in the Deed to John P. Winchester, et al, recorded April 18,  
1969, in Volume 2270 of Official Records at Page 565, as Instrument No.  
13135; thence continue North 89° 59' East, along the North line of said  
Parcel No. 2, a distance of 171.00 feet to the Southwest corner of the  
lands heretofore conveyed to Mary A. Webb, et al, by Deed dated January 4,  
1943, and recorded January 7, 1943, in Volume 764 of Official Records,  
at Page 72; thence North 0° 10' East, along the West line of said premises  
conveyed to Webb, 140 feet to a point, which is 57.05 feet South of the  
North line of the South half of said Lot 9; thence North 89° 59' East,  
351 feet to the centerline of Franklin Street; thence North along said  
centerline, 57.05 feet to the point of beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D (210) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code:

1. A one-story, 21-unit elderly housing complex.
2. Off-street parking of not less than 13 spaces as shown on the development plan on file in the office of the Department of Planning and Community Development.

SECTION 3. ZONING MAP. Section Map 31-3-9 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 13th day of February, 19 79, by Councilmember Kullijian, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Lang, was upon roll call carried and ordered printed


and published by the following vote:

AYES: Councilmembers: Kullijian, Lang, Mensinger, Siefkin,  
Acting Mayor Dunlap


NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Davies

APPROVED:

  
~~CLYDE H. DUNLAP, Acting Mayor~~  
CLYDE H. DUNLAP, Acting Mayor

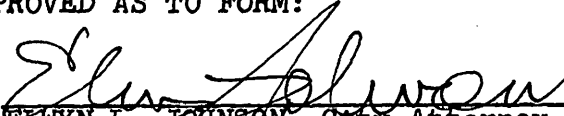
ATTEST:

  
NORRINE COYLE, City Clerk

(SEAL)

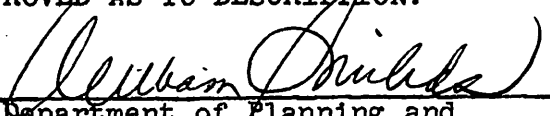
APPROVED AS TO FORM:

By

  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By

  
Department of Planning and  
Community Development

**Ordinance 1810 C.S.  
Exhibit A – Map**

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

Ord. No. 1810-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27th day of February, 1979, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

APPROVED

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

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 29, 1979

ORDINANCE NO. 1811 -C.S.

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

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

SECTION 1. ZONING CHANGE. Section 13-3-8 of the Zoning

Map is hereby amended to reclassify the following-described property

from Low Density Residential Zone, R-1, to

Planned-Development Zone, P-D (212) :

All that portion of the northwest one-quarter of Section 13, Township 3 South, Range 8 East, M.D.B. & M., described as follows:

The Northwest corner of Sisk Road and Brenner Way, commencing at the corner of Sisk Road and Brenner Way, thence North 43° 11' 14" West, 399.34 feet, to a point on the Northwest corner of said parcel; thence North 46° 31' East, 475.00 feet to the most Northerly corner thereof; thence North 43° 11' 14" West, 401.95 feet to a point in the northwestern line of Brenner Way (60.00') thence South 46° 31' West, 474.56 feet to the point of beginning. Including the northwesterly 30 feet of Brenner Way immediately adjacent to the south-easterly line of said described property.

Including also all that portion of Sisk Road situated between the Southwesterly line of the above described property and the centerline of said Sisk Road.

SECTION 2. USES. The following uses shall be permitted in said P-D (212)Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code:

- a. All uses as allowed in the H-1 Zone.
- b. Off-street parking areas in accordance with Article 18 of the Modesto Municipal Code.

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 13th day of February, 1979, by Councilmember Kullijian, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Lang, was upon roll call carried and ordered printed

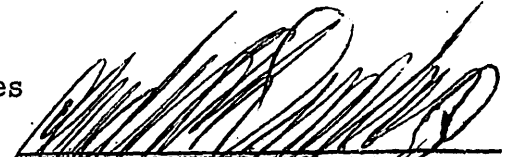
and published by the following vote:

AYES: Councilmembers: Kullijian, Lang, Mensinger, Acting Mayor Dunlap

NOES: Councilmembers: Siefkin

ABSENT: Councilmembers: Elliott, Mayor Davies

APPROVED:

  
~~CLYDE H. DUNLAP, Acting Mayor~~  
CLYDE H. DUNLAP, Acting Mayor

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By *William J. Nichols*  
Department of Planning and  
Community Development

**Ordinance 1811 C.S.  
Exhibit A – Map**

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

Ord. No. 1811-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27th day of February, 1979, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

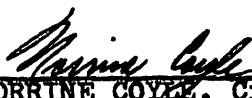
**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

APPROVED

  
LEE H. DAVIES, Mayor

ATTEST:

  
NORRINE COYLE, City Clerk

**EFFECTIVE DATE:** March 29, 1979

ORDINANCE NO. 1812 -C. S.

AN ORDINANCE AMENDING SECTION MAP 30-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (CAROLYN CRAWFORD)

WHEREAS, a verified application for an amendment to Section 30-3-9 of the Zoning Map was filed by Carolyn Crawford on November 21, 1978, to rezone from Low Density Residential Zone, R-1, to Medium-High Density Residential Zone, R-3, property located at the northwest corner of Maze Boulevard and Emerald Avenue, described as follows:

ALL that portion of Lot 19 of Maze Ranch Subdivision, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on March 19, 1909, in Volume 4 of Maps, Page 18, described as follows:

COMMENCING at the South quarter corner of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence North 89° 45' 30" West along the Southerly line of said Section 30, a distance of 20.00 feet to the Southeast corner of Lot 19 of said Maze Ranch Subdivision and being the true point of beginning of this description; thence continue North 89° 45' 30" West and being along the center line of Maze Boulevard a distance of 202.62 feet, thence North 0° 14' 30" East, a distance of 200.00 feet; thence South 89° 45' 30" East parallel with the Southerly line hereof, a distance of 200.02 feet to a point on the East line of said Lot 19 and being in the centerline of Emerald Avenue; thence South 0° 30' 15" East along last mentioned line, a distance of 200.00 feet to the true point of beginning.

EXCEPTING that portion of property lying within the Maze Boulevard right-of-way which is zoned R-A,

and

WHEREAS, after a public hearing held on December 19, 1978, it was found and determined by the Planning Commission that rezoning of the property to Medium-High Density Residential Zone, R-3, is not required by public necessity, convenience and general welfare for the reason that the property does not meet the R-3 Zone locational criterion as set forth in the Modesto Urban Area General Plan, and

WHEREAS, at said public hearing held on December 19, 1978, it was found and determined by the Planning Commission that rezoning of the subject property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, is required by public necessity, convenience and general welfare for the following reasons:

1. The subject property is located at the intersection of Maze Boulevard, a major street, and Emerald Avenue, a collector street.
2. The density provided for in the R-2 Zone is in conformance with the density pattern of the Modesto Urban Area General Plan,

and

WHEREAS, by Resolution No. 78-253 adopted on December 19, 1978, the Planning Commission denied the application of Carolyn Crawford to amend Section 30-3-9 of the Zoning Map to reclassify the above described property from Low Density Residential Zone, R-1, to Medium-High Density Residential Zone, R-3, and

WHEREAS, by said Planning Commission Resolution No. 78-253, adopted on December 19, 1978, the Planning Commission recommended to the Council that Section 30-3-9 of the Zoning Map be amended to reclassify the above described property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on February 13, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, this Council finds and determines that the rezoning as recommended by the Planning Commission is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource for the reasons set forth in Planning Commission Resolution No. 78-253, and quoted above.

SECTION 2. ZONING CHANGE. Section 30-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2:

ALL that portion of Lot 19 of Maze Ranch Subdivision, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on March 19, 1909, in Volume 4 of Maps, Page 18, described as follows:

COMMENCING at the South quarter corner of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence North 89° 45' 30" West along the Southerly line of said Section 30, a distance of 20.00 feet to the Southeast corner of Lot 19 of said Maze Ranch Subdivision and being the true point of beginning of this description; thence continue North 89° 45' 30" West and being along the center line of Maze Boulevard a distance of 202.62 feet, thence North 0° 14' 30" East, a distance of 200.00 feet; thence South 89° 45' 30" East parallel with the Southerly line hereof, a distance of 200.02 feet to a point on the East line of said Lot 19 and being in the centerline of Emerald Avenue; thence South 0° 30' 15" East along last mentioned line, a distance of 200.00 feet to the true point of beginning.

EXCEPTING that portion of property lying within the Maze Boulevard right-of-way which is zoned R-A.

SECTION 3. ZONING MAP. Section 30-3-9 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 13th day of February, 1979, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and ordered printed and published by the following vote:

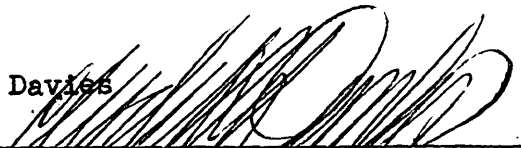
AYES: Councilmembers: Kullijian, Lang, Mensinger, Siefkin,  
Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Davies

APPROVED:

ATTEST:

  
~~FRANK DAVIES, Mayor~~  
CLYDE H. DUNLAP, Acting Mayor

By Norrine Coyle  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William D. ...  
Department of Planning and Community  
Development

Ordinance 1812 C.S.  
Exhibit A – Map

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

Ord. No. 1812-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27th day of February, 1979, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED

  
LEE H. DAVIES, Mayor

ATTEST:

  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 29, 1979

ORDINANCE NO. 1813-C.S.

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

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

SECTION 1. ZONING CHANGE. Section 20-3-9 of the Zoning  
Map is hereby amended to reclassify the following-described property  
from Low Density Residential Zone, R-1 to  
Planned-Development Zone, P-D (213) :

All that portion of Section 20, Township 3 South, Range 9 East, M.D.B. & M.,  
described as follows:

Lot 3 of Mission Grove Tract, in the City of Modesto, County of Stanislaus,  
State of California, according to the official map thereof, filed in the  
Office of the Recorder of Stanislaus County, California, on June 13, 1917,  
in Volume 8 of Maps, at page 50.

Including also the northerly 25 feet of Griswold Avenue immediately adjacent  
to said Lot 3.

Containing 1.06 acres.

SECTION 2. USES. The following uses shall be permitted in said P-D (213) 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:

Five condominium residential units and an existing single family house.

SECTION 3. ZONING MAP. Section Map 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 13th day of February, 1979, by Councilmember Kullijian, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and ordered printed

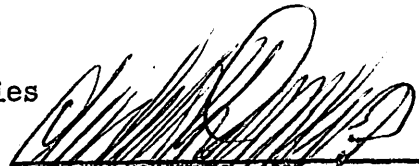
and published by the following vote:

AYES: Councilmembers: Kullijian, Lang, Mensinger, Siefkin,  
Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Davies

APPROVED:

  
~~CLYDE H. DUNLAP, Acting Mayor~~  
CLYDE H. DUNLAP, Acting Mayor

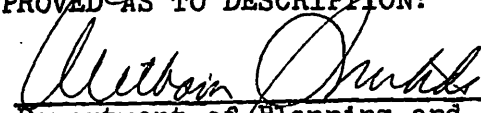
ATTEST:   
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By   
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By   
Department of Planning and  
Community Development

Ordinance 1813 C.S.  
Exhibit A – Map

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

Ord. No. 1813-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27th day of February, 1979, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED

Lee H. Davies  
LEE H. DAVIES, Mayor

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 29, 1979

AN ORDINANCE REPEALING SECTION 4-1, 201 OF ARTICLE 2 OF CHAPTER 1 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO PERMISSIBLE HOURS FOR BOWLING ALLEYS.

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

SECTION 1. REPEALS. Section 4-1, 201 of Article 2 of Chapter 1 of Title IV of the Modesto Municipal Code is 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 13th day of February, 1979, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and ordered printed and published by the following vote:

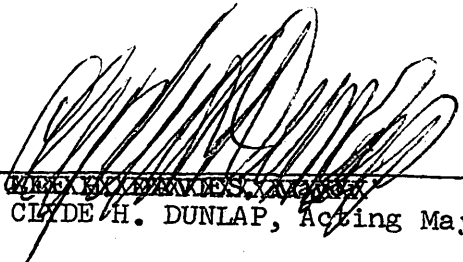
AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST:

APPROVED:

  
~~CLYDE H. DUNLAP, Mayor~~  
CLYDE H. DUNLAP, Acting Mayor

By   
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By   
ELWYN L. JOHNSON, City Attorney

Ord. No. 1814-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27th day of February, 19 79, Councilmember Dunlap moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED

Lee H. Davies  
LEE H. DAVIES, Mayor

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: March 29, 1979

AN ORDINANCE ADDING CHAPTER 10 ENTITLED "TOWING SERVICES" TO TITLE III OF THE MODESTO MUNICIPAL CODE.

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

SECTION 1. AMENDMENT OF CODE. Chapter 10 entitled "Towing Services" is hereby added to Title III of the Modesto Municipal Code to read as follows:

CHAPTER 10

TOWING SERVICES

SEC. 3-10.01. PURPOSE AND INTENT. The City Council finds that it is in the public interest that this chapter be enacted to prescribe basic regulations for the operations of those towing services in the City of Modesto participating in a rotation system for the removal of and towing away of motor vehicles which are illegally parked, which are involved in an accident, or which constitute an obstruction to traffic because of mechanical failure. It is the purpose of the Council in enacting these regulations to provide a fair and impartial means for the Modesto Police Department to distribute requests for towing services among qualified firms and to insure that such service is prompt, reasonably priced, and in the best interests of the public health, safety and welfare.

SEC. 3-10.02. DEFINITIONS. The following words and phrases used in this chapter shall have the following meanings:

(a) "Attendant" is an employee of an operator qualified by knowledge and experience to operate a tow car or tow truck.

(b) "Operator" means any person, firm, corporation or association engaged in the business of towing motor vehicles.

(c) "Rotation List" is a list maintained by the Modesto Police Department of operators from which the Police Department will make calls for towing services on a sequential basis.

(d) "Tow Car" or "Tow Truck" shall mean a motor vehicle as defined in Section 615 of the Vehicle Code of the State of California.

(e) "Towing Service" shall mean the business of operating tow cars and/or tow trucks in the City of Modesto for the purpose of towing, moving, or removing vehicles, other than abandoned vehicles, from, over, or on the public streets thereof.

SEC. 3-10.03. APPLICATION. Except as hereinafter provided, the provisions of this chapter shall be applicable to those towing service operators who are placed on the rotation list for towing service authorized by this chapter.

SEC. 3-10.04. UNLAWFUL RESPONSE. It shall be unlawful for any person, towing service operator or the agent, attendant or other employee of a towing service operator, whether or not on the rotation list, to respond to any police radio call for the purpose of removing from the public streets and towing away any vehicle subject to the provisions of this chapter unless specifically requested to do so by an officer or representative of the Modesto Police Department. The owner or operator of any vehicle may request any specific towing service operator be called to remove and tow away his/her vehicle.

SEC. 3-10.05. UNLAWFUL SOLICITATION. It shall be unlawful for any person, towing service operator, or the agent, attendant or other employee of a towing service operator, whether or not on the rotation list, to solicit any towing service work which is regulated by this chapter without first having been requested by the owner or operator of the vehicle or by an officer or representative of the Modesto Police Department to provide such towing service work.

SEC. 3-10.06. ROTATION LIST. Within sixty (60) days after the effective date of this chapter, the Chief of Police shall establish and thereafter maintain a rotation list of towing service operators, which list shall include at least four (4) operators. Such rotation list shall be compiled by the Chief of Police by lot from the towing service operators that meet the requirements of this chapter and who make application to be included on said list. Before compiling such rotation list, the Chief of Police shall give reasonable notice of his intention to do so to all towing service operators currently providing such services. Vacancies on the rotation list established pursuant to this chapter shall be filled by lot from the towing service operators that meet the requirements of this chapter and who make application therefor. Applications for vacancies on the rotation list may be made at any time after an announcement by the Chief of Police that a vacancy exists.

Each operator of a towing service placed on the rotation list shall sign an agreement to comply with all of the provisions of this chapter.

SEC. 3-10.07. APPLICATION BY TOWING SERVICE OPERATOR. Each operator of a towing service desiring assignment to the rotation list shall pay to the Director of Finance a processing fee in the amount of Ten and no/100ths Dollars (\$10.00) for each application. A copy of the receipt for fees shall be filed along with the application with the Chief of Police. Applications shall be filed on forms supplied by the Modesto Police Department, which applications shall contain the following information:

(a) The name, residence address and telephone number of the applicant. If the applicant is a partnership, the name, residence address and telephone number of each partner. If the applicant is a corporation, the name, residence address and telephone number of each director, each officer and the general manager;

(b) The applicant's date of birth, weight, height, color of eyes and hair. If the applicant is a partnership, the date of birth, weight, height, color of eyes and hair of each partner. If the applicant is a corporation, the date of birth, weight, height, color of eyes and hair of each director, each officer and the general manager;

(c) The name under which the towing service operates and the business address and telephone number of the towing service;

(d) The make, year model, color and license number of every tow truck that will be operated by the towing service;

(e) The name of each City, County and State, including the specific addresses therein, in which the applicant has been engaged in or has conducted a towing service, or has been employed as a towing service operator or attendant within the last five (5) years. If the applicant is a partnership, such information shall be provided for each partner. If the applicant is a corporation, such information shall be provided for each director, each officer and the general manager.

(f) A statement of all felonies and misdemeanors (including moving traffic violations and excluding parking violations) for which the applicant has been convicted within the five (5) years immediately preceding the date of the application. If the applicant is a partnership such information shall be provided for each partner. If the applicant is a corporation, such information shall be provided for each director, each officer and the general manager.

(g) Such other information as the Chief of Police may deem relevant and necessary to investigate and evaluate the qualifications of the applicant.

(h) All applications shall be signed by the applicant under penalty of perjury.

SEC. 3-10.08. INVESTIGATION OF APPLICATIONS BY TOWING SERVICE OPERATORS. The Chief of Police shall cause to be conducted an investigation of each application by a towing service operator and a report of such investigation shall be attached to the application.

SEC. 3-10.09. CONSIDERATION OF TOWING SERVICE OPERATORS' APPLICATIONS. The Chief of Police, upon consideration of an application by a towing service operator and the investigative reports and documents attached

thereto, shall approve or reject the application in accordance with the provisions of Section 3-10.10 of this chapter.

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

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

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

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

SEC. 3-10.11. MINIMUM EQUIPMENT STANDARDS. Each tow car or tow truck shall meet the following standards:

(a) Truck Chassis: Vehicles shall have at least a one-ton capacity with rear dual wheels or equivalent.

(b) Company Name: Vehicles shall be marked pursuant to Section 27907 of the California Vehicle Code.

(c) Lights: Vehicles shall at all times be equipped with the lighting equipment required by Sections 25253 and 24605 of the Vehicle Code of the State of California and may be equipped with such other lights as the operator may desire which are not forbidden by law.

(d) Winch: Each vehicle shall have a chassis-mounted, power-driven winch or winches equipped with safety dogs or equivalent braking devices and minimum cable lengths of one hundred (100') feet.

(e) Booms: Each vehicle shall have a single or double boom with a minimum capacity of four (4) tons.

(f) Required Equipment: Each vehicle shall have that equipment required by Section 27700 of the Vehicle Code of the State of California.

(g) Radio: Each vehicle shall have in good operating condition a two-way radio capable of communication with the parent company dispatcher.

(h) Additional Equipment: Each vehicle shall have a flashlight in operating condition, a dustpan, crow-bar, pry-bar, rope or strapping implement for securing steering wheels, hammer, screwdriver, wrenches, safety chain and other miscellaneous hand tools.

SEC. 3-10.12. ATTENDANT REQUIRED. Each tow car or tow truck shall be operated by an attendant with a valid current attendant's permit issued pursuant to Sections 3-10.13 through 3-10.21 of this chapter.

SEC. 3-10.13. DRIVERS LICENSE. No person shall drive or be permitted to drive upon the streets of the City of Modesto a tow car or tow truck regulated by this chapter unless said person shall have a current valid drivers license issued by the State of California.

SEC. 3-10.14. PERMIT FOR ATTENDANTS. No person shall operate or be permitted to operate a tow car or tow truck regulated by this chapter without first obtaining an attendant's permit to do so from the Chief of Police.

SEC. 3-10.15. APPLICATION FOR ATTENDANT'S PERMIT. An application for an attendant's permit shall be made upon blank forms furnished by the City and shall contain:

(a) The applicant's full name, present residence address, and any other residence address during the past year;

(b) Age, date of birth, weight, height, color of eyes and hair and driver's license number;

(c) A statement of all felonies and misdemeanors (including moving traffic violations and excluding parking violations for which the applicant has been convicted within the five (5) years immediately preceding application for the permit; and

(d) A statement of past experiences as a tow car or tow truck operator or attendant, including the name and address of each employment as a towing service operator or attendant within the five (5) years immediately preceding application for the permit.

(e) All applications shall be signed by the applicant under penalty of perjury.

SEC. 3-10.16. ATTENDANT'S APPLICATION FEE. Applicants for attendants' permits shall pay to the Director of Finance a processing fee of Three and no/100ths Dollars (\$3.00) for each application. A copy of the receipt for fees paid shall be filed along with the application with the Chief of Police.

SEC. 3-10.17. POLICE INVESTIGATION OF APPLICATION FOR ATTENDANT'S PERMIT: TRAFFIC AND POLICE RECORD. The Chief of Police shall cause to be conducted an investigation of each applicant for an attendant's permit, and a report of such investigation, including a copy of the traffic and police record of the applicant, if any, shall be attached to the application.

SEC. 3-10.18. CONSIDERATION OF ATTENDANT'S APPLICATION. The Chief of Police, upon consideration of an application for an attendant's permit, and the investigation reports and documents attached thereto, shall approve or reject the application in accordance with the provisions of Section 3-10.19 of this chapter.

SEC. 3-10.19. ISSUANCE OF ATTENDANT'S PERMIT. The Chief of Police shall issue an attendant's permit if the Chief of Police finds that the applicant:

- (a) Is of the age of eighteen (18) years or over;
- (b) Is able to speak, read and write the English language;
- (c) Has a safe driving record;
- (d) Has met all of the requirements of this chapter and all other applicable laws and regulations;
- (e) Has not been convicted within the five (5) years immediately preceding application for a permit of a crime involving honesty or veracity, violence, dangerous or deadly weapons, or more than once during the five (5) year period has been convicted of the use or possession of narcotics, or for operating a vehicle under the influence of intoxicating liquor.

SEC. 3-10.20. NATURE OF ATTENDANT'S PERMIT. The attendant's permit shall be in the form of a card which shall bear the signature, photograph, and fingerprints of the applicant. Such card shall be issued in duplicate, and one copy with the fingerprints, photograph and signature of the applicant shall be placed on file with the Chief of Police. The other card shall be carried on the person of the permittee at all times while operating a tow car or tow truck.

SEC. 3-10-21. REVOCATION OF ATTENDANT'S PERMIT. The Chief of Police may suspend or revoke any attendant's permit for the same reasons that the Chief of Police can deny a permit, as set forth in Section 3-10.19 of this chapter.

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

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

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

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

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

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

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

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

(a) Vehicle storage: Each towing service operator shall have a storage lot and/or building located within the City limits of the City of Modesto or within two (2) miles thereof which is adequate to store not less than ten (10) vehicles. Such storage lot or building shall be enclosed by a fence or wall which is of sufficient height and strength to be capable of protecting stored vehicles and their contents from pilfering or tampering. All gates or buildings shall be securely locked when not in use and storage lots shall be screened from public view.

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

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

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

## (2) Worker's Compensation.

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

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

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

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

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

SEC. 3-10.24. SCHEDULE OF FEES AND CHARGES. The maximum fees and charges which may be charged by towing service operators for service rendered pursuant to this chapter shall be established by resolutions of the City Council adopted from time to time. Such rates and charges shall be established after a review of rates and charges used in comparable communities and operating data supplied by towing service operators on the rotation list established pursuant to this chapter. Said rates and charges shall provide for extra fees in case of unusual circumstances. Towing service operators on the rotation list established pursuant to this chapter may periodically, but not more frequently than annually, request such schedule of rates and charges be reviewed for possible adjustment.

No rates, charges or other fees shall be charged for towing services provided pursuant to this chapter other than those authorized by the schedule of rates and charges established pursuant to this section. Each towing service operator shall keep full and complete records of all such fees and charges charged for towing service provided pursuant to the provisions of this chapter.

SEC. 3-10.25. RESPONSE TIME. Tow service operators shall respond to all calls for towing service within thirty (30) minutes or less. If a towing service operator is unable to respond within such time and notifies the Police Department of that fact at the time the call for service is received, the operator will be assigned an alternate turn.

SEC. 3-10.26. PROTECTION OF VEHICLES. Vehicles impounded by the Modesto Police Department shall be held by the operator until the vehicle is released in writing by the Modesto Police Department.

Contents of vehicles impounded shall not be removed without the prior written approval of the Modesto Police Department. Impounded vehicles shall be deemed to be in the custody of the Modesto Police Department until released in writing by the Modesto Police Department, and in the interim shall be stored for safekeeping by the operator. The Modesto Police Department may require such impounded vehicles to be stored inside a locked building. In such cases the next operator on the rotation list having such storage facilities available will be called, without loss of rotation turn to those passed over.

SEC. 3-10.27. DAMAGE APPRAISALS. All vehicles, except impounded vehicles, stored pursuant to the provisions of this chapter shall be made available for the purpose of estimating or appraising damages by the owner of the vehicle or his representative during normal business hours.

All vehicles shall be accessible at all times to the Modesto Police Department and other law enforcement personnel. The operator may be required to assist making vehicles accessible upon request of the Modesto Police Department.

SEC. 3-10.28. ROTATION TURNS. Requests for towing of vehicles, emergency road service, and other similar services will be considered to be a rotation turn except (1) when an operator or attendant requests no compensation for the services rendered; (2) when services of a specific operator are requested by a citizen; or (3) when towing abandoned vehicles.

SEC. 3-10.29. ROTATION DEVIATION. The Police Department may deviate from the normal rotation schedule if the operator next on rotation is, in the judgment of the department, incapable or not properly equipped for handling a specific task requiring special skills or equipment. If none of the operators on the rotation list have the necessary skills or equipment to handle a specific task, the Police Department may request service from any other person or company capable of handling the request. A deviation from the normal rotation for such reason shall not cause a loss of rotation turn by either the operator who was determined to be incapable or not properly equipped for handling the request or by another rotation operator who does respond. In the event that the Chief of Police or his authorized representative determines that there is an emergency, the provisions of this chapter shall not apply and the Modesto Police Department may obtain towing service from any source deemed appropriate.

SEC. 3-10.30. SUPPLEMENTAL REGULATIONS. The provisions of this chapter shall be deemed as supplemental to the provisions of Title VI relating to the business license tax and any other pertinent laws and ordinances 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 6th day of March, 1979, by Councilmember Dunlap, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:


  
\_\_\_\_\_  
LEE H. DAVIES, Mayor

ATTEST:

By   
\_\_\_\_\_  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By   
\_\_\_\_\_  
ELWYN L. JOHNSON, City Attorney

Ord. No. 1815-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED

Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: April 26, 1979

ORDINANCE NO. 1816 -C.S.

AN ORDINANCE AMENDING SECTION MAP 31-3-9 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. ( RICHARD PETERSON)

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

SECTION 1. ZONING CHANGE. Section 31-3-9 of the Zoning  
Map is hereby amended to reclassify the following-described property  
from Low Density Residential Zone, R-1, to  
Planned-Development Zone, P-D (214) :

All that certain real property situate in a portion of the  
Southwest Quarter of Section 31, Township 3 South, Range 9 East,  
Mount Diablo Base and Meridian, in the City of Modesto, County of  
Stanislaus, State of California, described as follows:

COMMENCING at the Northwest corner of the Northeast  
Quarter of said Southwest Quarter of Section 31, thence  
North 89°55' East along the North line of said Southwest  
Quarter of Section 31 and the centerline of California  
Avenue, a distance of 552.43 feet to the POINT OF BEGINNING  
of this description; thence continuing North 89°55' East,  
along said centerline of California Avenue, a distance of  
110.00 feet to the centerline of Panama Drive; thence  
South 0°09'05" East, along said centerline of Panama Drive,  
a distance of 1340.10 feet to the centerline of Houser Lane;  
thence South 89°46'38" West, along said centerline of  
Houser Lane, a distance of 316.94 feet; thence North 0°07'47" West  
220.00 feet; thence South 89°46'38" West 346.00 feet; thence  
North 0°07'47" West, along the West line of said Northeast  
Quarter of the Southwest Quarter of Section 31, a distance  
of 961.71 feet; thence North 89°55' East 552.49 feet; thence  
North 0°09'05" West 160.00 feet to the point of beginning.  
CONTAINING: 16.62 Acres

SECTION 2. USES. The following uses shall be permitted in said P-D (214) 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:

130 one and two-story zero lot line residences

SECTION 3. ZONING MAP. Section Map 31-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 19 79, by Councilmember Kullijian, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and ordered printed

and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:

*Peggy Mensinger*  
PEGGY MENSINGER, Mayor

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

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

APPROVED AS TO DESCRIPTION:

By

*William Shields*  
Department of Planning and  
Community Development

Ord. No. 1816-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 10th day of April, 1979, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Lang

APPROVED

  
PEGGY MENSINGER, Mayor

ATTEST:

  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: May 10, 1979

**Ordinance 1816 C.S.**  
**Exhibit A – Map**

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

ORDINANCE NO. 1817 -C.S.

AN ORDINANCE AMENDING SECTION MAP 31-3-9  
OF THE ZONING MAP OF THE CITY OF MODESTO, PREZONING  
CERTAIN PROPERTY LOCATED THEREON. (DAN BODILY)

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

SECTION 1. ZONING CHANGE. Section 31-3-9 of the  
Zoning Map is hereby amended to prezone the following-described  
property to Planned-Development Zone, P-PD(215):

All that certain real property situate in a portion of the  
Southwest Quarter of Section 31, Township 3 South, Range  
9 East, Mount Diablo Base and Meridian, in the County of  
Stanislaus, State of California, described as follows:

COMMENCING at the Northwest corner of the Northeast  
Quarter of the said Southwest Quarter of Section 31; thence  
South 0°09'09" East along the west line of said Northeast  
Quarter of the Southwest Quarter of Section 31, a distance  
of 269.98 feet to the POINT OF BEGINNING of this description;  
thence continuing South 0°09'09" East along said West line  
a distance of 513.37 feet; thence South 89°55' West along  
the South line of Parcel B as shown on map filed for record  
in Book 14 of Parcel Maps at Page 64, Stanislaus County Records,  
a distance of 526.25 feet to the Southwest corner of said  
Parcel B; thence North 0°51' West along the West line of said  
Parcel B, and the northerly extension thereof, a distance  
of 783.42 feet; thence North 89°55' East along the North line  
of said Southwest Quarter of Section 31 and the centerline of  
California Avenue, a distance of 312.08 feet; thence  
South 0°51' East along the west line of Parcel A as shown  
on said Parcel Map and the northerly extension thereof, a  
distance of 270.00 feet, to the Southwest corner of said  
Parcel A; thence North 89°55' East along the south line of  
said Parcel A, a distance of 220.42 feet to the point of  
beginning.

CONTAINING 8.17 Acres

SECTION 2. USES. The following uses shall be permitted in said P-PD(215) 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:

60 one and two-story zero lot line residences

SECTION 3. ZONING MAP. Section Map 31-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:

Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Altham Swicks  
Department of Planning and  
Community Development

Ord. No. 1817-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 10th day of April, 1979, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED

Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: May 10, 1979

**Ordinance 1817 C.S.  
Exhibit A – Map**

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

ORDINANCE NO. 1818 -C.S.

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

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

SECTION 1. ZONING CHANGE. Section 8-3-9 of the Zoning  
Map is hereby amended to reclassify the following-described property  
from Low Density Residential Zone, R-1, to  
Planned-Development Zone, P-D (216) :

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

COMMENCING at the southwest corner of the northwest quarter of  
Section 8, Township 3 South, Range 9 East, Mount Diablo Base and  
Meridian and running thence North, along the section line, 969.5 feet  
to the true point of beginning of the land hereby described; thence  
East, and parallel to the North line of said section 1902.04 feet to the  
west line of the lands now or formerly owned by Effie G. Rathburn;  
thence North 1° 45' West, along said line, 969.5 feet, more or less, to  
the South line of the lands now or formerly owned by Walter P. Wesson;  
thence West, along said South line, 1902.04 feet, more or less, to the  
section line, at a point thereon 700.3 feet South of the Northwest corner  
of the Northwest Quarter of Section 8; thence South along said line,  
969.5 feet, more or less, to the true point of beginning.

EXCEPTING therefrom all that portion of said property lying South  
of the North line of the land heretofore conveyed to the City and County  
of San Francisco, by deed dated August 3, 1923, and recorded in Volume  
31 of Official Records, at Page 204, Stanislaus County records.

SECTION 2. USES. The following uses shall be permitted in said P-D (216) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code:

- a. Three one-story triplexes, and one, one-story fourplex.
- b. Seventeen zero-lot line single family subdivision lots.

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

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

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto 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 March, 1979, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and ordered printed

and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:

*Peggy Mensinger*  
PEGGY MENSINGER, Mayor

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

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

APPROVED AS TO DESCRIPTION:

By

*Albert S. Mills*  
Department of Planning and  
Community Development

Ord. No. 1818-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 10th day of April, 1979, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED

*Peggy Mensinger*  
PEGGY MENSINGER, Mayor

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: May 10, 1979

**Ordinance 1818 C.S.**  
**Exhibit A – Map**

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

ORDINANCE NO. 1819 -C.S.

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

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by John H. Cearley

on January 17, 1979, to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the hereinafter described property, and

WHEREAS, after public hearing held on February 26, 1979, 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. 79-49, adopted on February 26, 1979, the Planning Commission recommended to the Council that the application of John H. Cearley

to amend Section 21-3-9 of the Zoning Map to reclassify the hereinafter described property from Low Density Residential Zone, R-1, to Medium Density 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 held on April 3, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource for the following reasons:

1. The subject parcel fronts on a major street and thus meets the criterion of the Prototype Neighborhood Zoning and Development Plan of the General Plan for R-2 density.
2. The R-2 zone will allow a more efficient utilization of land.

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

Map is hereby amended to reclassify the following described property

from Low Density Residential Zone, R-1,

to Medium Density Residential Zone, R-2 :

Lots 1, 2 and 3 in Block 1140 of Sunrise Homes, according to the official map thereof filed in the office of the County Recorder of Stanislaus County, California, on June 25, 1945, in Volume 14 of Maps, Page 36. Including the westerly 25 feet of Ford Avenue immediately adjacent to said Lots 1, 2, and 3. Also including all that portion of street right-of-way situated between the north line of the above described property and the centerline of East Orangeburg Avenue.

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 3rd day of April, 1979, by Councilmember Siefkin, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

APPROVED: Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William J. Smith  
Department of Planning and  
Community Development

**Ordinance 1819 C.S.  
Exhibit A – Map**

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

Ord. No. 1819-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 17th day of April, 1979, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Kullijian

APPROVED

*Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST:

*Norrine Coyze*  
NORRINE COYZE, City Clerk

EFFECTIVE DATE: May 17, 1979

ORDINANCE NO. 1820 -C.S.

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

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

SECTION 1. ZONING CHANGE. Section 20-3-9 of the Zoning

Map is hereby amended to reclassify the following-described property  
from Medium Density Residential Zone, R-2, and Professional Office Zone, P-O, to  
Planned-Development Zone, P-D (217) :

R-2 to P-D

All that portion of Lot 1 and 4 of the Mensinger Colony situated in  
Section 20, Township 3 South, Range 9 East, of the Mount Diablo Base  
and Meridian, according to the map of Mensinger Colony filed in  
Volume 4 of Maps, at Page 25 in the Stanislaus County Records  
described as follows:

Beginning at the Northwest corner of said Lot 1 also being the point of  
intersection of the centerline of Granger Avenue with the centerline of  
Florida Avenue and the true point of beginning; thence southerly along  
the West line of said Lot 1 also being the centerline of Florida Avenue  
275.7 feet to a point; thence Easterly along a line that is parallel  
with the centerline of Granger Avenue 233.9 feet to a point; thence  
northerly along a line that is parallel with said centerline of  
Florida Avenue 275.7 feet to the point of intersection with the cen-  
terline of Granger Avenue; thence Westerly 233.9 feet along the  
centerline of said Granger Avenue to the point of beginning.

P-O to P-D

All that portion of said Lots 1 and 4 of Mensinger Colony described  
as follows:

Beginning at the Northwest corner of said Lot 1 also being the point of  
intersection of the centerline of Granger Avenue with the centerline  
of Florida Avenue; thence Southerly along the west of said lot 1 being  
the centerline of Florida Avenue 275.7 feet to the true point of begin-  
ning; thence continuing Southerly along the West line of said Lot 1 and  
Lot 4 being the centerline of Florida Avenue 63.88 feet to a point;  
thence Easterly along a line parallel with the centerline of Granger  
Avenue 200.00 feet to a point; thence Northerly along a line parallel  
with the centerline of Florida Avenue 63.88 feet to a point; thence  
along a line that is parallel with the centerline of said Granger  
Avenue 200.00 feet to the point of beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D (217) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code:

- a. A 2-story medical-professional office building and a basement area to be used only for the storage of medical records.
- b. Off-street parking in accordance with the plan on file in the office of the Director of Planning and Community Development.

SECTION 3. ZONING MAP. Section Map 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 10th day of April, 19 79, by Councilmember Elliott, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Bright, was upon roll call carried and ordered printed

and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED:

*Peggy Mensinger*  
~~DEBORAH WOODS~~ Mayor  
PEGGY MENSINGER

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

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

APPROVED AS TO DESCRIPTION:

By

*William Oricks*  
Department of Planning and  
Community Development

Ordinance 1820 C.S.  
Exhibit A – Map

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

Ord. No. 1820-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 24th day of April, 1979, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: May 24, 1979

ORDINANCE NO. 1821 -C. S.

AN ORDINANCE AMENDING SECTION 9-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JIM LAMATIS)

WHEREAS, a verified application for an amendment to Section 9-4-9 of the Zoning Map was filed by Jim Lamatis on February 2, 1979, to rezone from Low Density Residential Zone, R-1, to Light Industrial Zone, M-1, property located on the south side of Olivero Road, west of the TSRR track, described as follows:

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

Being a portion of Lot 10 and Lot 11 as shown on the certain map entitled "South Modesto Acres" filed in Volume 11 of Maps, at page 27, Stanislaus County Records, being more particularly described as follows:

Beginning at the Southeast corner of said Lot 10; thence South 89°46' West along the Southerly line of said Lot 10 a distance of 331 feet to the Southwest corner of that certain parcel of land, described in the Deed to James Lamatis, et ux, filed on October 7, 1977, in Volume 2971 of Official Records, at page 584, Stanislaus County Records; thence North 0°30'30" West along the Westerly line of said parcel and its northerly prolongation thereof, a distance of 429.2 feet to the intersection with the center line of a 60 foot avenue (now known as Olivero Road) as shown on said map; thence North 89°46' East along said center line a distance of 281 feet to the intersection with the Easterly line of a 60 foot avenue (now known as Olivero Road) as shown on said map; thence South 0°30'30" East along said Easterly line and its Southerly prolongation thereof, a distance of 89 feet; thence North 89°46' East, 50 feet to the Easterly line of said Lot 10; thence South 0°30'30" East along said Easterly line a distance of 340.2 feet to the point of beginning.

Excepting therefrom the Southerly 30 feet of Olivero Road,

and

WHEREAS, a public hearing was held on said application before the Planning Commission at its meeting of March 19, 1979, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 79-79 determining that rezoning of the property as requested was not required by public necessity, convenience and general welfare for the reasons set forth in said Planning Commission Resolution 79-79, and denied the application of Jim Lamatis for an amendment to Section 9-4-9 of the Zoning Map to rezone the property described above from Low Density Residential Zone, R-1, to Light Industrial Zone, M-1, and

WHEREAS, an appeal to the decision of the Planning Commission was filed with the City Council of the City of Modesto by Mid Valley Engineering on behalf of Jim Lamatis, by a letter dated March 20, 1979, and

WHEREAS, on March 27, 1979, the City Council, by Resolution No. 79-247, set said appeal for a public hearing on April 24, 1979, and

WHEREAS, at said hearing on April 24, 1979, the Council, after hearing and considering evidence both oral and documentary, finds and determines that the appeal of Mid Valley Engineering filed on behalf of Jim Lamatis, to the decision of the Planning Commission for an amendment to Section 9-4-9 of the Zoning Map to rezone the above described property from Low Density Residential Zone, R-1, to Light Industrial Zone, M-1, should be granted for the following reasons:

1. The orientation of lots to an industrial access road, Jim Way, and the Tidewater Southern Railroad and the proximity of the lots to industrially zoned land to the south warrants M-1 zoning.
2. An 8-foot masonry wall as called for by the approved tentative map along the property's west property line and developer's willingness to extend it along the south side of Olivero Road assure some degree of compatibility.
3. New residential uses at this time do not appear to be a viable alternative.

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on April 24, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, this Council finds and determines that the appeal of Mid Valley Engineering, filed on behalf of Jim Lamatis, to the decision of the Planning Commission denying an amendment to Section 9-4-9 of the Zoning Map, to rezone the above described property from Low Density Residential Zone, R-1, to Light Industrial Zone, M-1, should be granted for the reasons set forth above, and the decision of the Planning Commission is hereby overruled.

SECTION 2. ZONING CHANGE. Section 9-4-9 of the Zoning Map is hereby amended to reclassify the above described property from Low Density Residential Zone, R-1, to Light Industrial Zone, M-1.

SECTION 3. ZONING MAP. Section 9-4-9 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 24th day of April, 1979, by Councilmember Elliott,

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

AYES: Councilmembers: Bright, Elliott, Lang, Muratore

NOES: Councilmembers: Mayor Mensinger

ABSENT: Councilmembers: Kullijian, Siefkin

APPROVED: \_\_\_\_\_  
PEGGY MENSINGER, Mayor

ATTEST:

By *Norrine Coyle*  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By *William S. Nichols MCH*  
Director of Planning and Community Development

Ord. No. 1821-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 15th day of May, 1979, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: Mayor Mensinger

**ABSENT:** Councilmembers: Bright

**APPROVED**

LEE H. DAVIES, Mayor

**ATTEST:**

NORRINE COYLE, City Clerk

**EFFECTIVE DATE:** June 14, 1979

Ordinance 1821 C.S.  
Exhibit A – Map

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

ORDINANCE NO. 1822-C.S.

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

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

SECTION 1. ZONING CHANGE. Section 24-3-9 of the Zoning

Map is hereby amended to reclassify the following-described property  
from Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2, to  
Planned-Development Zone, P-D (220):

All that certain real property situate in a portion of Lot 16, Idaho Colony in the Northeast quarter of Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

R-1 to P-D

All of the north 552.03 feet of the west ~~420.00~~ 235.0 feet of said Lot 16 of the Idaho Colony as per map filed April 27, 1909, in Volume 4 of Maps, at page 21, Stanislaus County Records.

R-2 to P-D

All of the north 552.03 feet of the east 420.00 feet of said Lot 16 of the Idaho Colony as per map filed April 27, 1909, in Volume 4 of Maps, at page 21, Stanislaus County Records.

SECTION 2. USES. The following uses shall be permitted in said P-D (220) 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:

36 zero lot line, one and two story single family houses and 40 apartment units with recreational facilities

SECTION 3. ZONING MAP. Section Map 24-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1979, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed

and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

APPROVED:

*Peggy Mensinger*  
~~NORRINE COYZE, City Clerk~~  
PEGGY MENSINGER, Mayor

ATTEST: *Norrine Cozze*  
NORRINE COYZE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By *William Smith*  
Department of Planning and  
Community Development

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED *Peggy Mensinger*  
~~XXXXXX~~ MAYOR  
PEGGY MENSINGER,

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 7, 1979

Ordinance 1822 C.S.  
Exhibit A – Map

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

ORDINANCE NO. 1823 -C. S.

AN ORDINANCE AMENDING ORDINANCE NO. 916-C. S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 16-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MODESTO RACQUET CLUB)"

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 916-C. S. Section 2 of Ordinance No. 916-C. S. entitled "An Ordinance Amending Section Map 16-3-9 of the Zoning Map of the City of Modesto, Reclassifying Certain Property Located Thereon. (Modesto Racquet Club)" relating to Planned Development Zone, P-D(45), is hereby amended to read as follows:

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 2. REPEALS. Ordinance No. 1080-C. S. adopted by the Council on February 22, 1971, and Ordinance No. 1728 adopted by the Council on June 5, 1978, are hereby repealed.

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

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto 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 April, 1979, by Councilmember Lang, who moved its introduction and passage to print which motion being duly seconded by Councilmember Bright, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

APPROVED:

Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST:

By

Norrine Coyle  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson  
ELWYN L. JOHNSON, City Attorney

Ord. No. 1823-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Lang

APPROVED

Peggy Mensinger  
~~Mayor~~ Mayor  
PEGGY MENSINGER,

ATTEST:

Norriine Coyne  
NORRINE COYNE, City Clerk

EFFECTIVE DATE: June 7, 1979

AN ORDINANCE AMENDING SECTIONS 3-2.1401 AND 3-2.1401.1 OF ARTICLE 14 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO SPEED LIMITS IN THE CITY OF MODESTO.

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

SECTION 1. AMENDMENT OF CODE. Sections 3-2.1401 and 3-2.1401.1 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 3-2.1401. CHANGE IN SPEED LIMITS SET BY STATE LAW. Pursuant to authority contained in the California Vehicle Code Sections 22357 and 22358, it is hereby determined upon the basis of an engineering and traffic survey that the prima facie speed limits hereinafter set forth would facilitate the orderly movement of vehicular traffic and would be reasonable and safe, except when passing school grounds, and it is hereby determined that a speed limit greater than those hereinafter set forth would be more than is reasonable or safe. It is hereby declared that the prima facie speed limits hereinafter set forth are established according to law.

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
ALICE STREET, between Sycamore Avenue and McHenry Avenue	25 miles per hour
BLUE GUM AVENUE, between North 9th Street and Prichard Avenue	40 miles per hour
CARPENTER ROAD, between Woodland Avenue and Maze Boulevard within the City limits	50 miles per hour
CARPENTER ROAD, between the Tuolumne River and Robertson Road	35 miles per hour
CENTER STREET, between Rosedale Avenue and Calaveras Avenue	25 miles per hour
CONANT AVENUE, between North 9th Street and Rumble Road	35 miles per hour
DEL VALE AVENUE, between Del Vista Avenue and Greenwood Drive	25 miles per hour

EMERALD AVENUE, between Maze Boulevard and Kansas Avenue within the City limits	25 miles per hour
ENSLÉN AVENUE, between Granger Avenue and Orangeburg Avenue	25 miles per hour
FAIRMONT AVENUE, between Virginia Avenue and McHenry Avenue	25 miles per hour
FRANKLIN STREET, between Maze Boulevard and Laurel Avenue	25 miles per hour
GRAPE AVENUE, between Pearl Street and Evergreen Avenue	25 miles per hour
GRISWOLD AVENUE, from Virginia Avenue to McHenry Avenue	25 miles per hour
HADDON AVENUE, between La Loma Avenue and Conejo Avenue	25 miles per hour
HATCH ROAD, within the City limits	35 miles per hour
JEFFERSON STREET, from Paradise Road to 8th Street	25 miles per hour
K STREET, between Washington Street and 9th Street	25 miles per hour
LA LOMA AVENUE, between Burney Street and Buena Vista	25 miles per hour
LAUREL AVENUE, between Emerald Avenue and Franklin Street, within the City limits	35 miles per hour
LEGION PARK ROAD, between Santa Cruz Avenue and Conejo Avenue	25 miles per hour
LEVELAND LANE, between College Avenue and TSRR tracks	25 miles per hour
LUCERN AVENUE, between Johnson Street and Coffee Road	25 miles per hour
MADISON STREET, between Paradise Avenue and Laurel Avenue	25 miles per hour
MORTON BOULEVARD, between 9th Street and Downey Avenue	25 miles per hour

NEECE DRIVE, between Tuolumne Boulevard and Sunset Avenue	25 miles per hour
ORANGEBURG AVENUE, between Martin Avenue and Prescott Road	25 miles per hour
PEARL STREET, between Carver Road and west end of Pearl Street	25 miles per hour
RIVER ROAD, between Herndon Avenue and 1,200 feet west of Herndon Avenue	35 miles per hour
ROBLE AVENUE, between Santa Ana Avenue and Rosina Avenue	25 miles per hour
SHERWOOD AVENUE, between Orangeburg Avenue and Briggsmore Avenue	25 miles per hour
STODDARD AVENUE, between McHenry Avenue and Virginia Avenue	25 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour
WRIGHT STREET, between Sycamore Avenue and McHenry Avenue	25 miles per hour
7TH STREET, between Sierra Drive and the Tuolumne River	25 miles per hour
9TH STREET, on the Tuolumne River Bridge	40 miles per hour
9TH STREET, between north end of the Tuolumne River Bridge and D Street	30 miles per hour
9TH STREET, between P Street and Tully Road	35 miles per hour
9TH STREET, between Tully Road and Shoemake Avenue	50 miles per hour

SEC. 3-2.1401.1 CHANGE IN SPEED LIMITS SET BY STATE LAW:  
FOR PURPOSE OF ENFORCEMENT USING RADAR OR OTHER ELECTRONIC  
DEVICE. By authority contained in California Vehicle Code  
Sections 22357 and 22358, upon the basis of engineering and  
traffic surveys conducted pursuant to Vehicle Code Sections  
627 and 40802, and Chapter 8 (dated January 1971) of the  
Traffic Manual of the Department of Public Works, Business  
and Transportation Agency, State of California, issued by  
the Division of Highways, it is hereby determined that the

prima facie speed limits hereinafter set forth would facilitate the orderly movement of vehicular traffic and would be reasonable and safe, except when passing school grounds, and it is hereby determined that a speed limit greater than those hereinafter set forth would be more than is reasonable or safe. It is hereby declared the prima facie speed limits hereinafter set forth are established according to said Traffic Manual Provisions at or near the 85th percentile as calculated by the engineering and traffic survey for each street on the date indicated.

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>	<u>DATE SURVEYED</u>
BLUE GUM AVENUE, between Poust and Carpenter Roads	45 miles per hour	April 13, 1979
BOWEN AVENUE, between Tully Road and McHenry Avenue	35 miles per hour	February 10, 1978
BRIGGSMORE AVENUE, westbound between Coffee Road and McHenry Avenue	45 miles per hour	February 2, 1978
BRIGGSMORE AVENUE, (eastbound) between McHenry Avenue and 1,000 feet west of Coffee Road	45 miles per hour	March 21, 1978
BRIGGSMORE AVENUE, (eastbound), between a point 1,000 feet west of Coffee Road and Coffee Road	40 miles per hour	April 20, 1979
BRIGGSMORE AVENUE, between Coffee Road and Rose Avenue	45 miles per hour	April 13, 1979
BRIGGSMORE AVENUE, between Rose Avenue and Oakdale Road	50 miles per hour	April 13, 1979
BRIGGSMORE AVENUE, between Oakdale Road and Claus Road	55 miles per hour	April 13, 1979
W. BRIGGSMORE AVENUE, (east and westbound) between McHenry Avenue and Tully Road	40 miles per hour	August 15, 1975
W. BRIGGSMORE AVENUE, between Tully Road and Prescott Road	45 miles per hour	August 16, 1975

BRIGHTON AVENUE, between Locke Road and Coffee Road	35 miles per hour	October 27, 1978
CARPENTER ROAD, between Paradise Road and Maze Boulevard	45 miles per hour	April 13, 1979
CARPENTER ROAD, between Woodland Avenue and Blue Gum Avenue	45 miles per hour	April 13, 1979
CARVER ROAD, between 9th Street and Roseburg Avenue	35 miles per hour	February 3, 1978
CARVER ROAD, between Roseburg Avenue and Brixton Lane within the City limits	35 miles per hour	February 10, 1978
CARVER ROAD, between Brixton Lane and M.I.D. Lateral No. 6 within the City limits	40 miles per hour	August 17, 1977
CELESTE DRIVE, between Coffee Road and Oakdale Road	30 miles per hour	October 5, 1978
COFFEE ROAD, between Scenic Drive and Briggsmore Avenue	35 miles per hour	November 8, 1974
COFFEE ROAD, between Briggsmore Avenue and Floyd Avenue	35 miles per hour	November 8, 1974
COFFEE ROAD, between Floyd Avenue and Rumble Road	35 miles per hour	April 13, 1979
COFFEE ROAD, between Rumble Road and Sylvan Avenue	40 miles per hour	April 13, 1979
COLLEGE AVENUE, between Princeton Avenue and Bowen Avenue	35 miles per hour	March 16, 1978
COLLEGE AVENUE, between W. Rumble Road and Bowen Avenue	35 miles per hour	May 27, 1976
DALE ROAD, between Standiford Avenue and Veneman Avenue	35 miles per hour	April 13, 1979
EICHER AVENUE, between Conant Avenue and Goldie Avenue	30 miles per hour	June 4, 1976

EL VISTA AVENUE, between Yosemite Boulevard and Scenic Drive	35 miles per hour	March 23, 1978
EMERALD AVENUE, between Maze Boulevard and California Avenue within the City Limits	35 miles per hour	October 26, 1978
ENCINA AVENUE, between Santa Barbara Avenue and Conejo Avenue	35 miles per hour	November 8, 1978
EVERGREEN AVENUE, between W. Orangeburg Avenue and Carver Road	35 miles per hour	May 6, 1976
FAIRMONT AVENUE, between Coffee Road and Sunrise Avenue	30 miles per hour	October 5, 1978
FLOYD AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	February 2, 1978
FLOYD AVENUE, between Coffee Road and Oakdale Road	35 miles per hour	October 5, 1978
FRANKLIN STREET, between California Avenue and Maze Boulevard	35 miles per hour	February 2, 1978
E. GRANGER AVENUE, between Sunrise Avenue and McHenry Avenue	30 miles per hour	October 17, 1978
W. GRANGER AVENUE, between McHenry Avenue and Tully Road	30 miles per hour	October 17, 1978
KANSAS AVENUE, between Emerald Avenue and Eighth Street	35 miles per hour	April 13, 1979
KEARNEY AVENUE, between Coldwell Avenue and Glenwood Drive	30 miles per hour	May 28, 1976
KELLER STREET, between Rumble Road and Sylvan Avenue	30 miles per hour	April 13, 1979
LAKEWOOD AVENUE, between Scenic Drive and Orangeburg Avenue	35 miles per hour	October 26, 1978

LA LOMA AVENUE, between Buena Vista and Yosemite Boulevard	30 miles per hour	March 23, 1978
LINCOLN AVENUE, between Yosemite Boulevard and 650' north of M.I.D. Lateral No. 2	35 miles per hour	August 7, 1975
MILLER AVENUE, between La Loma Avenue and El Vista Avenue	35 miles per hour	February 21, 1978
MITCHELL ROAD, between Finch Road and 1,326' south of Finch Road	50 miles per hour	February 21, 1978
MORRIS AVENUE, between McHenry Avenue and Coffee Road	30 miles per hour	February 21, 1978
MT. VERNON AVENUE, between Carver Road and Prescott Road	35 miles per hour	October 18, 1978
MT. VERNON AVENUE, between College Avenue and Carver Road	30 miles per hour	October 19, 1978
NEECE DRIVE, between Tuolumne Boulevard and Rouse Avenue	35 miles per hour	December 1, 1978
NEEDHAM STREET, between L and 9th Streets	35 miles per hour	November 15, 1978
NORWEGIAN AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	October 24, 1978
OAKDALE ROAD, between Scenic Drive and Briggsmore Avenue	35 miles per hour	May 27, 1976
OAKDALE ROAD, between Briggsmore Avenue and Floyd Avenue	45 miles per hour	April 13, 1979
E. ORANGEBURG AVENUE, between McHenry Avenue and Coffee Road within the City limits	40 miles per hour	October 20, 1978
E. ORANGEBURG AVENUE, between Oakdale Road and Pepper Tree Lane	35 miles per hour	July 24, 1975
E. ORANGEBURG AVENUE, between Pepper Tree Lane and Claus Road	40 miles per hour	October 26, 1978

E. ORANGEBURG AVENUE, between Coffee Road and Rose Avenue	35 miles per hour	July 1, 1977
W. ORANGEBURG AVENUE, between Carver Road and McHenry Avenue	35 miles per hour	March 16, 1978
PARADISE ROAD, between Vernon Avenue and Franklin Street	35 miles per hour	April 13, 1979
PRESCOTT ROAD, between Briggsmore Avenue and Rumble Road	35 miles per hour	October 9, 1974
RIVERSIDE DRIVE, between Edge- brook Drive and Yosemite Boulevard	35 miles per hour	May 28, 1976
ROSE AVENUE, between Scenic Drive and Briggsmore Avenue	35 miles per hour	February 17, 1978
ROSE AVENUE, between Briggsmore Avenue and Floyd Avenue	30 miles per hour	March 23, 1978
ROSEBURG AVENUE, between Sunrise Avenue and McHenry Avenue	35 miles per hour	October 24, 1978
W. ROSEBURG AVENUE, between McHenry Avenue and Tully Road	30 miles per hour	October 24, 1978
W. ROSEBURG AVENUE, between Tully Road and Carver Road	35 miles per hour	October 25, 1978
E. RUMBLE ROAD, between Coffee Road and McHenry Avenue within the City limits	35 miles per hour	October 21, 1978
W. RUMBLE ROAD, between Conant Avenue and Tully Road	30 miles per hour	October 21, 1978
W. RUMBLE ROAD, between Sisk Road and Conant Avenue	35 miles per hour	March 31, 1977
W. RUMBLE ROAD, between Tully Road and McHenry Avenue	35 miles per hour	May 27, 1976
SCENIC DRIVE, between Coffee Road and Oakdale Road	40 miles per hour	March 31, 1977
SCENIC DRIVE, between Oakdale Road and Lakewood Avenue	45 miles per hour	May 27, 1977

SIERRA DRIVE, between G and South 7th Streets	30 miles per hour	December 1, 1978
SISK ROAD, between Briggsmore Avenue and 600 <sup>th</sup> north of Brenner Way	50 miles per hour	July 1, 1977
SISK ROAD, between 600 <sup>th</sup> north of Brenner Way and Standiford Avenue	40 miles per hour	July 14, 1977
STANDIFORD AVENUE, between Dale Road and Veneman Avenue	50 miles per hour	July 14, 1977
STANDIFORD AVENUE, between Veneman Avenue and Carver Road	40 miles per hour	June 30, 1977
STANDIFORD AVENUE, between Carver Road and Tully Road	40 miles per hour	September 26, 1974
STANDIFORD AVENUE, between Tully Road and McHenry Avenue	40 miles per hour	July 31, 1978
SUNRISE AVENUE, between Lucern Avenue and Floyd Avenue	35 miles per hour	October 19, 1978
SURREY AVENUE, between Oakdale Road and Eastridge Drive	25 miles per hour	July 9, 1975
SUTTER AVENUE, between Paradise Avenue and Robertson Road	30 miles per hour	February 17, 1978
SYCAMORE AVENUE, between Griswold Avenue and Orangeburg Avenue	35 miles per hour	October 31, 1978
SYLVAN AVENUE, between McHenry Avenue and Oakdale Road within the City limits	45 miles per hour	October 18, 1978
TOKAY AVENUE, between McHenry Avenue and Bodega Lane	35 miles per hour	March 31, 1977
TULLY ROAD, between Coldwell Avenue and Standiford Avenue	35 miles per hour	March 22, 1978

TULLY ROAD, between Standiford Avenue and M.I.D. Lateral No. 6	45 miles per hour	October 21, 1978
TUOLUMNE BOULEVARD, between 7th Street and Paradise Road	35 miles per hour	February 17, 1978
VENEMAN AVENUE, between Dale Road and Standiford Avenue	40 miles per hour	January 11, 1978
VIRGINIA AVENUE, between Needham Street and Roseburg Avenue	35 miles per hour	October 20, 1978
WHITMORE AVENUE, between Morgan Road and Crows Landing Road within the City limits	45 miles per hour	November 9, 1977
WOODLAND AVENUE, between Morse Avenue and Shasta Avenue, within the City limits	45 miles per hour	April 13, 1979
WOODLAND AVENUE, between 9th Street and Carpenter Road within the City limits	35 miles per hour	December 6, 1977
WOODROW AVENUE, between McHenry Avenue and Tully Road	35 miles per hour	October 18, 1978
9TH STREET, between L Street and P Street	35 miles per hour	June 23, 1977

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 1979, by Councilmember Lang who moved its introduction and passage to print,

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

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

APPROVED: \_\_\_\_\_  
PEGGY MENSINGER, Mayor

ATTEST:

By *Norrine Coyle*  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 1824-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 15th day of May, 1979, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Bright

**APPROVED**

LEE H. DAVIES, Mayor

**ATTEST:** *Norrine Coyze*  
NORRINE COYZE, City Clerk

**EFFECTIVE DATE:** June 14, 1979

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

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

SECTION 1. ZONING CHANGE. Section 24-3-9 of the  
Zoning Map is hereby amended to prezone the following-described  
property to Planned-Development Zone, P-PD(218):

ALL that portion of Lots 16, 17 and 18 of Idaho Colony, as shown on the map  
filed in Book 4 of Maps at Page 21, Stanislaus County Records, lying in Section  
24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of  
Modesto, State of California, described as follows;

COMMENCING at the East quarter corner of said Section 24; thence North 0°47' West,  
along the East line of said Section 24 and the present center line of Claus Road,  
761.05 feet; thence South 89°21' West, along the South line of the North 8.0  
acres of said Lot 16 a distance of 390.00 feet to the POINT OF BEGINNING of  
this description; thence South 0°47' East, 705.91 feet; thence South 89°13'00"  
West, 150.00 feet; thence South 0°47'00" East, 1011.96 feet to the center line  
of Scenic Drive; thence South 88°48'00" West, along said center line, 632.06  
feet; thence North 0°47'00" West, along the West line of said Lot 18, a distance  
of 1388.33 feet to the North line of said Lot 18; thence North 81°17'00" East,  
along said North line 522.40 feet; thence North 0°48'30" West along the West  
line of said Lot 16 a distance of 262.64 feet to said South line of the North  
8.0 acres of Lot 16; thence North 89°21'00" East, along said South line 264.76  
feet to the point of beginning.

Containing: 23.852 acres

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

271 one and two-story townhouses and common recreational facilities.

SECTION 3. ZONING MAP. Section Map 24-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Elliott, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Kulljian, was upon roll call carried and ordered printed and published by the following vote:

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

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

APPROVED: Peggy Mensinger  
PEGGY MENSINGER, Mayor

(SEAL)

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

APPROVED AS TO DESCRIPTION:  
By William D. Maddox  
Department of Planning and  
Community Development

Ord. No. 1825-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 May, 1979, Councilmember Bright moved its final adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Mayor Mensinger

**APPROVED**

*Harry T. Kullijian*  
HARRY T. KULLIJIAN, Acting Mayor

**ATTEST:**

*Norrine Colle*  
NORRINE COLLE, City Clerk

**EFFECTIVE DATE:** June 21, 1979

Ordinance 1825 C.S.  
Exhibit A – Map

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

AN ORDINANCE AMENDING SECTION MAP 24-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO PREZONING CERTAIN PROPERTY LOCATED THEREON TO MEDIUM HIGH DENSITY RESIDENTIAL ZONE,R-3. (MODESTO DEVELOPMENT)

WHEREAS, a verified application for an amendment to Section 24-3-9 of the Zoning Map wa's filed by Modesto Development on December 19, 1978, to prezone to Planned Development Zone, P-PD, the following described property:

All that portion of Lots 16 and 17 of IDAHO COLONY, as shown on the map filed in Book 4 of Maps at Page 21, Stanislaus County Records, lying in Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, State of California described as follows:

COMMENCING at the East quarter corner of said Section 24; thence North 0° 47' West, along the East line of said Section 24, and the present center line of Claus Road, 561.05 feet to the POINT OF BEGINNING of this description; thence leaving said center line South 89° 21' West, 390.00 feet; thence North 0° 47' West, 200.00 feet to the South line of the North 8.0 acres of said Lot 16; thence North 89° 21' East along said South line, 390.00 feet to said East line of Section 24 and center line of Claus Road; thence South 0° 47' East, along said section line and center line of Claus Road 200.00 feet to the point of beginning.

Containing 1.79 Acres,

and

WHEREAS, a public hearing was held on said application before the Planning Commission at its meeting of February 20, 1979, and continued to March 19, 1979, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, at which hearing and continued hearing evidence both oral and documentary was received and considered, and

WHEREAS, thereafter, the Planning Commission adopted Resolution No. 79-70 determining that prezoning of the property as requested was not required by public necessity, convenience and general welfare for the reasons set forth in said Planning Commission Resolution No. 79-70, and denied the application of Modesto Development for an amendment to Section 24-3-9 of the Zoning Map to prezone

the property described above to Planned Development Zone, P-PD, and

WHEREAS, by said Planning Commission Resolution No. 79-70 adopted by the Planning Commission on March 19, 1979, the Planning Commission found and determined that an amendment to Section 24-3-9 of the Zoning Map to prezone the above described property to Medium High Density Residential Zone, R-3, was required by public necessity, convenience and general welfare for the following reason:

R-3, medium high density residential uses are in conformance with the Lakewood Neighborhood Zoning and Development Plan,

and

WHEREAS, by said Planning Commission Resolution No. 79-70 referred to above, the Planning Commission recommended to the Council an amendment to Section 24-3-9 of the Zoning Map to prezone the above described property to Medium High Density Residential Zone, R-3,

and

WHEREAS, the rezoning as recommended by the Planning Commission was set for a public hearing before the Council of the City of Modesto on May 8, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which time evidence both oral and documentary was taken and introduced,

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

SECTION 1. COUNCIL FINDINGS. This Council finds and determines that rezoning said property to Medium High Density Residential Zone, R-3, as recommended by the Planning Commission in said Resolution No. 79-70, is required by public necessity, convenience and general welfare for the reason set forth in Planning Commission Resolution No. 79-70 and quoted above.

by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED:

*Peggy Mensinger*  
PEGGY MENSINGER, Mayor

ATTEST:

*Norrine Coyne*  
NORRINE COYNE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

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

APPROVED AS TO DESCRIPTION:

By

*Alban Milda*  
Director of Planning and Community  
Development

**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 May, 1979, Councilmember Bright moved its final adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Mayor Mensinger

**APPROVED**

*Harry T. Kullijian*  
HARRY T. KULLIJIAN, Acting Mayor

**ATTEST:**

*Norrine Coyle*  
NORRINE COYLE, City Clerk

**EFFECTIVE DATE:** June 21, 1979

Ordinance 1826 C.S.  
Exhibit A – Map

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

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

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

SECTION 1. ZONING CHANGE. Section 24-3-9 of the  
 Zoning Map is hereby amended to prezone the following-described  
 property to Planned-Development Zone, P-PD(226):

ALL that portion of Lots 7, 16, and 17 of Idaho Colony, as shown on the  
 map filed in Book 4 of Maps at Page 21, Stanislaus County Records,  
 lying in Section 24, Township 3 South, Range 9 East, Mount Diablo  
 Base and Meridian, City of Modesto, State of California, described  
 as follows:

BEGINNING at the East quarter corner of said Section 24; thence  
 South 0°47' East, on the East line of said Section 24 and center line  
 of Claus Road, 838.65 feet to the intersection with the center line of  
 Scenic Drive; thence South 89°13'00" West, on said center line, 20.00  
 feet to the beginning of a curve concave to the South, having a radius of  
 145.10 feet and a central angle of 18°23'00"; thence Southwesterly on  
 the arc of said curve a distance of 46.56 feet; thence South 70°50' West,  
 245.91 feet to the beginning of a curve, concave to the Northwest, having  
 a radius of 350.00 feet and a central angle of 17°57'30"; thence  
 Southwesterly on the arc of said curve a distance of 109.70 feet; thence  
 North 1°12'30" West, 5.00 feet; thence South 88°48' West along said  
 center line, 137.80 feet; thence leaving said center line North 0°47'  
 West, 1011.96 feet; thence North 89°13'00" East, 150.00 feet; thence  
 North 0°47' West, 505.91 feet; thence North 89°21' East; 390.00 feet  
 to said East line of Section 24 and the center line of Claus Road; thence  
 South 0°47' East, along said Section line and center line of Claus Road  
 561.05 feet to the point of beginning.

Containing 16.487 acres.

SECTION 2. USES. The following uses shall be permitted in said P-PD( 226 ) 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:

- a. A neighborhood shopping center with land uses as permitted in the C-1 Zone, except that the restaurant shown on the plot plan may serve liquor incidental to the serving of food. Gross leasable area of the shopping center shall not exceed 100,000 square feet.
- b. A professional office complex with land uses as permitted in the P-O Zone, gross leasable area of the office complex shall not exceed 35,000 square feet.
- c. Off-street parking areas as shown on the plan on file in the office of the Director of Planning and Community Development.

SECTION 3. ZONING MAP. Section Map 24-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Kullijian, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore

NOES: Councilmembers: Siefkin, Mayor Mensinger

ABSENT: Councilmembers: Lang

APPROVED: Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William P. Mills  
Department of Planning and  
Community Development

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 May, 1979, Councilmember Bright moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED *Harry T. Kullijian*  
HARRY T. KULLIJIAN, Acting Mayor

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 21, 1979

Ordinance 1827 C.S.  
Exhibit A – Map

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

AN ORDINANCE AMENDING SECTION MAP 8-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (HERRON AND SARINA)

WHEREAS, a verified application for an amendment to Section 8-4-9 of the Zoning Map was filed by Gene Herron and Al Sarina

on February 21, 19 79, to reclassify from Low Density Residential Zone, R-1, to Highway Frontage Zone, H-1, the hereinafter described property, and

WHEREAS, after public hearing held on March 19, 19 79, 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. 79-74-A, adopted on March 19, 1979, the Planning Commission recommended to the Council that the application of Gene Herron and Al Sarina

to amend Section 8-4-9 of the Zoning Map to reclassify the hereinafter described property from Low Density Residential Zone, R-1, to Highway Frontage Zone, H-1, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on May 8, 19<sup>79</sup>, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, this Council finds and determines that the requested rezoning is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource for the following reasons:

1. Crows Landing Road is developing as a commercial/industrial street.
2. An H-1 Use Permit will be required to develop the property, and conditions of approval on the use permit will help to foster compatibility with adjacent residential property.

SECTION 2. ZONING CHANGE. Section 8-4-9 of the Zoning

Map is hereby amended to reclassify the following described property

from Low Density Residential Zone, R-1,

to Highway Frontage Zone, H-1 :

A portion of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, more particularly described as follows:

Beginning at a point along the East line of said Section 8, distant thereon North 0°02'00" East, 1465.00 feet from the Southeast corner of said Section 8, said point also being a point along the centerline of Crows Landing Road; thence North 89°20'00" West along a line parallel with and distant 150.00 feet Northerly, measured at right angles, from the North line of the South one half of the Southeast one quarter of said Section 8, a distance of 431.00 feet; thence North 0°02'00" East 410.00 feet to the intersection with the South line of that certain parcel of land conveyed to the Industrial Fire Protection District by Deed recorded in Volume 3031 of Official Records at Page 646, Stanislaus County Records; thence South 89°20'00" East along said South line, a distance of 138.85 feet to the Southeast corner of said lands; thence North 0°02'00" East along the East line of said lands, and along the East line of Parcel 1 as shown on that certain map recorded in Volume 4 of Parcel Maps at page 99, Stanislaus County Records and along the East line of Parcel 1, as shown on that certain map recorded in Volume 4 of Parcel Maps at Page 50, Stanislaus County Records, a distance of 161.37 feet; thence South 89°14'00" East, 292.62 feet to the intersection with the East line of said Section 8 and the centerline of Crows Landing Road; thence South 0°02'00" West along said East line of said Section 8, and along said centerline, a distance of 571.64 feet to the point of beginning.

Containing 5.1 Acres of land more or less

SECTION 3. ZONING MAP. Section 8-4-9 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 8th day of May, 1979, by Councilmember Siefkin, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED: Regina Mensinger  
REGINA MENSINGER, Mayor

ATTEST: Norrine Coyte  
NORRINE COYTE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William J. Kull  
Department of Planning and  
Community Development

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 May, 1979, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the ordinance adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED Harry T. Kullijian  
HARRY T. KULLIJIAN, Acting Mayor

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 21, 1979

Ordinance 1828 C.S.  
Exhibit A – Map

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

AN ORDINANCE AMENDING SECTION MAP 8-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (HERRON AND SARINA)

WHEREAS, a verified application for an amendment to Section 8-4-9 of the Zoning Map was filed by Gene Herron and Al Sarina on February 21, 1979, to rezone from Low Density Residential Zone, R-1, to Medium High Density Residential Zone, R-3, property located on Algen Avenue west of Crows Landing Road, described as follows:

A portion of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, more particularly described as follows:

COMMENCING at a point along the East line of said Section 8 distant thereon North 0°02'00" East, 1465.00 feet from the Southeast corner of said Section 8, said point also being a point along the center line of Crows Landing Road; thence North 89°20'00" West along a line parallel with and distant 150.00 feet Northerly, measured at right angles, from the North line of the South one half of the Southeast one quarter of said Section 8, a distance of 660.00 feet to the intersection with the Southerly prolongation of the Westerly line of that certain parcel of land conveyed to the Industrial Fire Protection District by Deed recorded in Volume 3031 of Official Records at Page 646, Stanislaus County Records, and the point of beginning; thence North 0°02'00" East along same Southerly prolonged line, a distance of 410.00 feet to the Southwest corner of said Lands of the Industrial Fire Protection District; thence South 89°20'00" East along the South line of said lands, a distance of 229.00 feet; thence South 0°02'00" East, a distance of 410.00 feet to the intersection with above mentioned parallel line; thence North 89°20'00" West along said parallel line, a distance of 229.00 feet to the point of beginning.

Containing 2.2 acres of land more or less.

WHEREAS, after a public hearing held on March 19, 1979, it was found and determined by the Planning Commission that rezoning of the property to Medium High Density Residential Zone, R-3, is not required by public necessity, convenience and general welfare for the reason that the Modesto Urban Area General Plan calls for R-3 densities on major streets and the proposed R-3 is over 400 feet west of Crows Landing Road, and

WHEREAS, at said public hearing held on March 19, 1979, it was found and determined by the Planning Commission that rezoning of the subject property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, is required by public necessity, convenience and general welfare for the following reason:

An R-2 density would generally conform to the medium density locational criteria contained in the General Plan neighborhood prototype,

and

WHEREAS, by Resolution No. 79-74-B adopted on March 19, 1979, the Planning Commission denied the application of Gene Herron and Al Sarina to amend Section 8-4-9 of the Zoning Map to reclassify the above described property from Low Density Residential Zone, R-1, to Medium High Density Residential Zone, R-3, and

WHEREAS, by said Planning Commission Resolution No. 79-74-B adopted on March 19, 1979, the Planning Commission recommended to the Council that Section 8-4-9 of the Zoning Map be amended to reclassify the above described property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on May 8, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, this Council finds and determines that the rezoning as recommended by the Planning Commission is in accordance with the general plan and will serve the public health, safety and general welfare and provide the economic and social advantages resulting from orderly, planned use of land resource for the reason set forth in Planning Commission Resolution No. 79-74-B, and quoted above.

SECTION 2. ZONING CHANGE. Section 8-4-9 of the Zoning Map is hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2:

A portion of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, more particularly described as follows:

COMMENCING at a point along the East line of said Section 8 distant thereon North 0°02'00" East, 1465.00 feet from the Southeast corner of said Section 8, said point also being a point along the center line of Crows Landing Road; thence North 89°20'00" West along a line parallel with and distant 150.00 feet Northerly, measured at right angles, from the North line of the South one half of the Southeast one quarter of said Section 8, a distance of 660.00 feet to the intersection with the Southerly prolongation of the Westerly line of that certain parcel of land conveyed to the Industrial Fire Protection District by Deed recorded in Volume 3031 of Official Records at Page 646, Stanislaus County Records, and the point of beginning; thence North 0°02'00" East along same Southerly prolonged line, a distance of 410.00 feet to the Southwest corner of said Lands of the Industrial Fire Protection District; thence South 89°20'00" East along the South line of said lands, a distance of 229.00 feet; thence South 0°02'00" East, a distance of 410.00 feet to the intersection with above mentioned parallel line; thence North 89°20'00" West along said parallel line, a distance of 229.00 feet to the point of beginning.

Containing 2.2 acres of land more or less.

SECTION 3. ZONING MAP. Section 8-4-9 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 8th day of May, 1979, by Councilmember Siefkin, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED: Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST:

By Norrine Coyle  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William S. Nichols  
Department of Planning and Community Development

Ord. No. 1829-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 May, 1979, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the ordinance adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED

*Harry T. Kullijian*  
HARRY T. KULLIJIAN, Acting Mayor

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 21, 1979

Ordinance 1829 C.S.  
Exhibit A – Map

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