

AN ORDINANCE AMENDING SECTION MAP 8-4-9 OF
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (STANISLAUS COUNTY
HOUSING AUTHORITY)

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

SECTION 1. ZONING CHANGE. Section 8-4-9 of the Zoning
Map is hereby amended to reclassify the following described property
from Medium Density Residential Zone, R-2, to
Planned-Development Zone, P-D (327) :

R-2 to P-D

All that certain real property situate in a portion of the Northwest
Quarter of Section 8, Township 4 South, Range 9 East, Mount Diablo Base
and Meridian, in the City of Modesto, State of California, described as
follows:

Lots 22 and 23 of Rio Grande Colony, as per map filed July 5, 1912, in
Volume 6 of Maps, page 47, Stanislaus County Records.

Including also the south one-half of the original 40.00 foot wide Hatch
Road right-of-way immediately adjacent to the above described property

SECTION 2. USES. The following uses shall be permitted in said P-D(327) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code.

One and two story apartments as shown on the approved development plans.

SECTION 3. ZONING MAP. Section Map 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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of August, 19⁸², by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed

and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Patterson

APPROVED:

Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

By

Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By

Michael C. Herrero
Department of Planning and
Community Development

Ordinance 2140a C.S.
Exhibit A – Map

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

Ord. No. Ord. No. 2140 A-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 August, 1982, Councilmember Patterson moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

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

EFFECTIVE DATE: September 23, 1982

AN ORDINANCE AMENDING SECTION MAP 7-4-9 OF
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (STANISLAUS COUNTY
HOUSING AUTHORITY).

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

SECTION 1. ZONING CHANGE. Section 7-4-9 of the Zoning

Map is hereby amended to reclassify the following described property

from Medium Density Residential Zone, R-2, to

Planned-Development Zone, P-D 328 :

All that certain real property situate in a portion of the Southeast Quarter of the Northeast Quarter of Section 7, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel A as shown on the map recorded in Book 32 of Parcel Maps, at page 68, Stanislaus County Records.

Including also all of the Southerly one-half of Hatch Road immediately adjacent to the above described property.

SECTION 2. USES. The following uses shall be permitted in said P-D(328) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code.

One and two story apartments as shown on the approved development plans.

SECTION 3. ZONING MAP. Section Map 7-4-9 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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of August, 19⁸², by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed

**Ordinance 2141 C.S.
Exhibit A – Map**

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

Ord. No. 2141-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 August, 1982, Councilmember Patterson moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

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

EFFECTIVE DATE: September 23, 1982

AN ORDINANCE AMENDING SECTION 4-7.201 OF ARTICLE 2 OF CHAPTER 7 OF TITLE IV OF THE MODESTO MUNICIPAL CODE AND REPEALING SECTIONS 4-7.202 AND 4-7.203 RELATING TO CURFEW.

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

SECTION 1. AMENDMENT OF CODE. Section 4-7.201 of Article 2 of Chapter 7 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-7.201. CURFEW AGE LIMIT AND HOURS. It shall be unlawful for any minor under the age of eighteen (18) years to loiter, idle, wander, or roam on a public street or in or about any public place in the City between the hours of 11 o'clock P.M. and 5 o'clock A.M. of the day immediately following; provided, however, that the provisions of this section shall not apply to minors who are emancipated pursuant to the provisions of the California Civil Code, or when the minor is accompanied by a parent, guardian or other adult person having legal control or charge of such minor, or when the minor is on an emergency errand or returning directly home from a meeting, employment, entertainment or other recreational activity.

SECTION 2. REPEALS. Sections 4-7.202 and 4-7.203 of Article 2 of Chapter 7 of Title IV of the Modesto Municipal Code 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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

Ord. No. 2142-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 August, 1982, Councilmember Patterson moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Bright, Elliott; Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES: Councilmembers: None
ABSENT: Councilmembers: None

APPROVED


MAYOR PEGGY MENSINGER

ATTEST:


Judy C. Hall, Acting City Clerk

EFFECTIVE DATE: September 23, 1982

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MODESTO DECLARING THE NEED FOR A REDEVELOPMENT AGENCY TO FUNCTION IN THE CITY OF MODESTO AND DECLARING THE CITY COUNCIL TO BE THE REDEVELOPMENT AGENCY FOR THE CITY OF MODESTO

WHEREAS, the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) in Section 33100 creates in the City of Modesto a public body, corporate and politic, known as the redevelopment agency, for the purpose of exercising the powers granted by the Community Redevelopment Law; and

WHEREAS, Section 33101 of the Community Redevelopment Law provides that said redevelopment agency shall not transact any business or exercise any powers unless by ordinance, the City Council of the City of Modesto declares that there is a need for such a public body to function; and

WHEREAS, Section 33200 of the Community Redevelopment Law provides that as an alternative to the appointment of five (5) members of the redevelopment agency, the City Council may declare itself to be said agency, in which case all rights, powers, duties, privileges and immunities of the redevelopment agency shall be vested in the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MODESTO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. It is hereby found, determined and declared that there is a need for a redevelopment agency to function in the City of Modesto in accordance with the provisions of the Community Redevelopment Law.

Section 2. Said redevelopment agency is hereby established pursuant to Section 33101 of the Community Redevelopment Law, to be known as the Redevelopment Agency of the City of Modesto. Said redevelopment agency is hereto authorized to transact business and exercise its powers under provisions of the Community Redevelopment Law.

Section 3. Pursuant to the provisions of Section 33200 of the Community Redevelopment Law, this City Council hereby declares itself to be the Redevelopment Agency of the City of Modesto.

Section 4. The City Council hereby finds and determines that the designation of the City Council as the Redevelopment Agency of the City of Modesto will serve the public interest and promote the public health, safety and welfare in an effective manner in that this public body is best able to serve the needs of the community to implement the purposes of the Community Redevelopment Law.

Section 5. The City Clerk is hereby directed to cause a certified copy of this ordinance to be filed in the office of the Secretary of State.

Section 6. 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 7. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of September, 1982, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon

roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: Muratore

ABSENT: Councilmembers: None

APPROVED:

Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

By *Norrine Coyle*
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 2143-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 21st day of September, 1982, 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, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: Muratore

ABSENT: Councilmembers: None

APPROVED

Reggy Mensinger
MAYOR REGGY MENSINGER

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: October 21, 1982

ORDINANCE NO. 2144 -C.S.

AN ORDINANCE AMENDING SECTION MAPS 2-3-8 AND 3-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MARTIN)

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

SECTION 1. ZONING CHANGE. Sections 2-3-8 and 3-3-8 of the Zoning Map are hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D(330):

All that portion of Sections 2 and 3, Township 3 South, Range 8 East Mount Diablo Base and Meridian described as follows:

Beginning at the intersection of the centerline of Pelandale Avenue with the west line of said Section 2; thence on said centerline North 89°57'00" East 698.52 feet; thence parallel with the centerline of proposed Gagos Drive, South 0°15'35" West 850.00 feet; thence South 79°45'25" West 446.23 feet; thence South 66°00'00" West to the centerline of original 60 foot wide Sisk Road; thence northerly on said centerline of Sisk Road along a curve concave to the northeast having a radius of 3000.00 feet to the beginning of a curve concave to the northeast having a radius of 800.00 feet and a central angle of 35°18'25" and from which point the radius point of said curve bears North 71°43'14" East; thence northerly on the arc of said curve 492.98 feet to the point of reverse curvature with a curve concave to the northwest having a radius of 600.00 feet and a central angle of 25°44'44" and from which point the radius point of said curve bears North 73°00'06" West; thence northerly on the arc of said curve 269.61 feet to the centerline of Pelandale Avenue; thence on said centerline South 89°58'42" East 175.77 feet to the point of beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(330) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code.

A maximum of 243,000 sq. ft. of H-1 Zone uses and approximately 6 acres at the intersection of Pelandale and Sisk reserved for a motel or other lodging facility.

following vote:

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

NOES: Councilmembers: Muratore, Siefkin

ABSENT: Councilmembers: None

APPROVED: *Peggy Mensinger*
PEGGY MENSINGER, Mayor

ATTEST:

By *Norrine Coyle*
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By *William Priddy*
Department of Planning and
Community Development

Ordinance 2144 C.S.
Exhibit A – Map

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

Ord. No. 2144-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of October, 1982, Councilmember Elliott 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: Bright, Elliott, Lang, Patterson, Mayor Mensinger

NOES: Councilmembers: Muratore, Siefkin

ABSENT: Councilmembers: None

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE:

November 4, 1982

AN ORDINANCE AMENDING SECTION MAPS 2-3-8, 3-3-8 AND 11-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MARTIN, GAGOS)

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

SECTION 1. ZONING CHANGE. Sections 2-3-8, 3-3-8 and 11-3-8 of the Zoning Map are hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(331):

All that portion of Sections 2, 3, and 11, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the intersection of the centerline of Pelandale Avenue with the west line of said Section 2; thence on said centerline North 89°57'00" East 698.52 feet; thence parallel with the centerline of proposed Gagos Drive, South 0°15'35" West 850.00 feet; thence South 79°45'25" West 446.23 feet to the true point of beginning of this description; thence South 28°21'20" East 264.07 feet to the beginning of a non-tangent curve concave to the northeast having a radius of 2646.00 feet and a central angle of 02°31'48" and from which point the radius point of said curve bears North 58°13'32" East; thence southeasterly on the arc of said curve 116.84 feet; thence South 34°18'16" East 141.26 feet to the centerline of proposed Akeby Drive, said point being on a curve concave to the southeast having a radius of 500.00 feet and a central angle of 8°42'29" and from which point the radius point of said curve bears South 24°37'50" East; thence southwesterly on the arc of said curve 75.99 feet to the end of said curve; thence on said centerline South 56°39'41" West 280.65 feet to the existing centerline of 60.00 foot wide Sisk Road; thence on said centerline North 33°19'46" West 129.50 feet to the beginning of a non-tangent curve concave to the northeast having a radius of 3000.00 feet and a central angle of 2°31'48" and from which point the radius point of said curve bears North 55°41'44" East; thence northwesterly on the arc of said curve 132.47 feet; thence continue on said centerline North 28°21'20" West 240.31 feet to the beginning of a non-tangent curve concave to the northeast having a radius of 3000.00 feet and a central angle of approximately 2° and from which point the radius point of said curve bears North 63°59'42" East; thence northerly on the arc of said curve approximately 115 feet; thence leaving said centerline in a northeasterly direction approximately 342 feet to the point of beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(331) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code.

All permitted and conditional uses in the P-0 Zone. In addition up to fifty (50) percent of the total permitted square footage may be occupied by restaurants and C-1 and C-2 Zone uses which are office oriented such as office supplies/furniture, secretarial services, printing services, and branch financial institutions.

SECTION 3. ZONING MAP. Section Maps 2-3-8, 3-3-8 and 11-3-8 of the Zoning Map of the City of Modesto are amended to appear as set forth on the maps 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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of September, 1982, 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, Lang, Muratore, Patterson, Siefkin,
Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:

Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

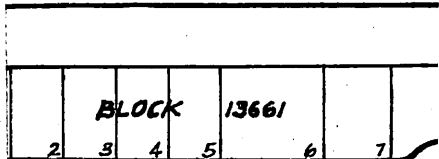
(SEAL)

APPROVED AS TO FORM:

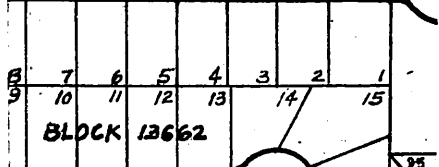
By *Elwyn L. Johnson*
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

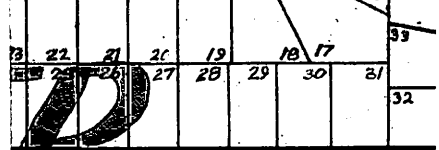
By *William Smith*
Department of Planning and
Community Development



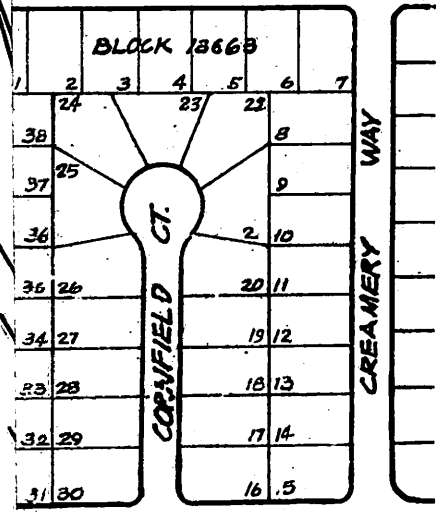
WINDMILL DRIVE



PUMPHOUSE CT.



SMOKEHOUSE AVE



2-3-9

Ord. No. 2145-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of October, 1982, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED

Eggy Mensinger
MAYOR EGGY MENSINGER

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: November 4, 1982

AN ORDINANCE AMENDING SECTION MAP 11-3-8 OF
 THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
 CERTAIN PROPERTY LOCATED THEREON. (GAGOS)

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

SECTION 1. ZONING CHANGE. Section 11-3-8 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 (332) ;

All that portion of Section 11, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the north quarter corner of said Section 11; thence on the north line of said Section 11 South $89^{\circ}51'52''$ West 1903.91 feet to the beginning of a curve concave to the south having a radius of 500.00 feet and a central angle of $24^{\circ}29'42''$; thence westerly on the arc of said curve 213.76 feet to the point of beginning of this description; thence South $32^{\circ}41'41''$ east 214.01 feet to the beginning of a curve concave to the northeast having a radius of 2646.00 feet and a central angle of $9^{\circ}20'24''$ and from which point the radius of said curve bears North $56^{\circ}40'28''$ East; thence southeasterly on the arc of said curve 431.33 feet; thence South $42^{\circ}39'45''$ East 1236.17 feet; thence North $89^{\circ}26'28''$ West 485.79 feet to the present centerline of Sisk Road; thence on said centerline North $42^{\circ}39'45''$ West 903.48 feet to the beginning of a curve concave to the northeast having a radius of 3000.00 feet and a central angle of $9^{\circ}28'58''$ and from which point the radius of said curve bears North $47^{\circ}20'04''$ East; thence northwesterly on the arc of said curve 496.52 feet; thence North $33^{\circ}19'38''$ West 212.21 feet to the centerline of proposed Akeby Drive; thence on said centerline North $56^{\circ}39'41''$ East 280.65 feet to the beginning of a curve concave to the south having a radius of 500.00 feet and a central angle of $8^{\circ}42'29''$; thence easterly on the arc of said curve 75.99 feet to the point of beginning, and

SECTION 2. USES. The following uses shall be permitted in said P-D(332) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code.

All permitted and conditional uses in the P-O Zone. In addition up to fifty (50) percent of the total permitted square footage may be occupied by restaurants and C-1 and C-2 Zone uses which are office oriented such as office supplies/furniture, secretarial services, printing services, and branch financial institutions.

SECTION 3. ZONING MAP. Section Map 11-3-8 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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of September, 1982, 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, Lang, Muratore, Patterson, Siefkin,
Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:

Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William David
Department of Planning and
Community Development

Ordinance 2146 C.S.
Exhibit A – Map

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

Ord. No. 2146-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of October, 1982, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the ordinance adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: November 4, 1982

AN ORDINANCE AMENDING SECTION MAP 11-3-8 OF
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (MARTIN, MARTIN, GAGOS,
STEENWYK, HENNINGS AND MANDELKOW)

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

SECTION 1. ZONING CHANGE. Section 11-3-8 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 (333) :

All that portion of Section 11, Township 3 South, Range 8 East, Mount
Diablo Base and Meridian, described as follows:

Beginning at the intersection of the south line of that certain parcel
shown on the map recorded in Book 14 of Surveys, Page 73, Stanislaus
County Records, with the centerline of Dale Road also being the east
line of Section 11; thence on said south line South 89°52'48" West
2010.56 feet; thence North 0°07'59" East 499.33 feet to the centerline
of proposed Vintage Drive, said point being on a curve concave to the
southwest having a radius of 830.00 feet and a central angle of 8°44'40"
and from which point the radius point of said curve bears South 27°22'13"
West; thence southeasterly on the arc of said curve 126.67 feet to the
point of reverse curvature with a curve concave to the northeast having
a radius of 830.00 feet and a central angle of 36°21'41" and from which
point the radius point of said curve bears North 36°06'53" East; thence
easterly on the arc of said curve 526.74 feet; thence North 89°45'12"
East 158.85 feet to the beginning of a curve concave to the northwest having
a radius of 700.00 feet and a central angle of 42°19'46"; thence
northeasterly on the arc of said curve 517.15 feet to the point of
reverse curvature with a curve concave to the southeast having a radius
of 700.00 feet and a central angle of 42°19'46" and from which point the
radius point of said curve bears South 42°34'34" East; thence northeasterly
on the arc of said curve 517.15 feet; thence North 89°45'12" East 310.46
feet to the centerline of Dale Road also being the east line of Section 11,
thence on said east line 0°07'59" West 640.14 feet to the point of beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(333) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code.

All permitted and conditional uses in the P-0 Zone.

SECTION 3. ZONING MAP. Section Map 11-3-8 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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of September, 1982, 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, Patterson

NOES: Councilmembers: Muratore, Siefkin, Mayor Mensinger

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 Smith*
Department of Planning and
Community Development

Ordinance 2147 C.S.
Exhibit A – Map

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

Ord. No. 2147-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of October, 1982, Councilmember Elliott moved its final adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: Bright, Elliott; Lang, Patterson

NOES: Councilmembers: Muratore, Siefkin, Mayor Mensinger

ABSENT: Councilmembers: None

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: November 4, 1982

ORDINANCE NO. 2148 -C.S.

AN ORDINANCE AMENDING SECTION MAPS 2-3-8 AND 11-3-8 OF
THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN
PROPERTY LOCATED THEREON. (MARTIN)

WHEREAS, a verified application for an amendment to Sections 2-3-8 and 11-3-8 of the Zoning Map was filed by Martin, Martin, Gagos, Steenwyk, Hennings, and Mandelkow on July 1, and August 14, 1981, to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D, the hereinafter described property, and

WHEREAS, after public hearing held on August 2 and August 16, 1982, it was found and determined by the Planning Commission that rezoning of the property to straight residential zones instead of a P-D Zone is preferable due to the speculative nature of the site design at this time, and

WHEREAS, by Resolution No. 82-132, adopted on August 16, 1982, the Planning Commission recommended to the Council that the application of Martin, Martin, Gagos, Steenwyk, Hennings, and Mandelkow to amend Sections 2-3-8 and 11-3-8 of the Zoning Map to reclassify the hereinafter described property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and Medium-High Density Residential Zone, R-3, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on September 28, 1982, 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 overall residential density is within that permitted by the Pelandale Neighborhood Zoning and Development Plan.
2. Site plan review of specific developments to insure compatibility will occur in the future either through P-D rezoning, plot plan review, or subdivision map review.

SECTION 2. ZONING CHANGE. Section 2-3-8 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:

R-1 to R-2

All that portion of Section 2, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the intersection of the centerline of Pelandale Avenue and the West line of said Section 2; thence on the centerline of Pelandale Avenue, North 89°57'00" East 698.52 feet to the point of beginning of this description; thence continue on the centerline of said Pelandale Avenue, North 89°57'00" East 965.09 feet, thence South 0°15'35" West 330.00 feet; thence North 89°57' East 317.98 feet; thence North 0°17'08" East 330.01 feet to the centerline of Pelandale Avenue; thence North 89°57' East on the centerline of Pelandale Avenue, 660.58 feet to the north-south quarter section line of said section 2; thence South 0°17'57" West on said quarter section line 50.00 feet to the northwest corner of Country Classic No. 2 as shown on the map filed in Book 27 of Maps at page 64, Stanislaus County Records, thence continuing South 0°17'57" West on said quarter section line and west line of said Country Classics No. 2, a distance of 380.00 feet, thence parallel with and 430.00 feet south of the centerline of Pelandale Avenue, South 89°57'00" West 978.42 feet to the centerline of proposed Gagos Drive; thence on said centerline, South 0°15'35" West 5.00 feet; thence parallel with and 435.00 feet south of the centerline of Pelandale Avenue, South 89°57'00" West 965.08 feet; thence parallel with the proposed Gagos Drive, North 0°15'35" East 435.00 feet to the point of beginning.

Section 11-3-8 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:

R-1 to R-2

All that portion of Section 11, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the north quarter corner of said Section 11, thence South 0°15'32" West 364.33 feet to the centerline of proposed Ekins Drive and the point of beginning of this description; thence continue South 0°15'32" West 959.77 feet; thence North 89°45'12" East 2643.91 feet to the centerline of Dale Road; thence on said centerline South 0°07'59" West 135.00 feet to the centerline of proposed Vintage Drive; thence South 89°45'12"

West 310.46 feet to the beginning of a curve concave to the south having a radius of 700.00 feet and a central angle of 42°19'46"; thence southwesterly on the arc of said curve 517.15 feet to the point of reverse curvature with a curve concave to the north having a radius of 700.00 feet and a central angle of 42°19'46" and from which point the radius point of said curve bears North 42°34'34" West; thence southwesterly on the arc of said curve 517.15 feet; thence South 89°45'12" West 158.85 feet to the beginning of a curve concave to the north having a radius of 830.00 feet and a central angle of 36°21'41"; thence westerly on the arc of said curve 526.74 feet to the point of reverse curvature with a curve concave to the south having a radius of 830.00 feet and a central angle of 8°44'40" and from which point the radius point of said curve bears South 36°06'53" West; thence northwesterly on the arc of said curve 126.67 feet; thence leaving the centerline of said Vintage Drive South 0°07'59" West 499.33 feet; thence South 89°52'48" West 130.11 feet; thence North 89°25'41" West 499.89 feet; thence North 0°08'26" East 589.99 feet to the north line of P-D(166); thence along said line of P-D(166) North 89°26'27" West to the centerline of proposed Gagos Drive; thence on said centerline North 9°56'32" West to the beginning of a curve concave to the southwest having a radius of 700.00 feet and a central angle of 42°59'05"; thence northwesterly on the arc of said curve 525.16 feet to the point of reverse curvature with a curve concave to the northeast having a radius of 700.00 and a central angle of 43°54'33" and from which point the radius point of said curve bears North 37°04'23" East; thence northerly on the arc of said curve 536.45 feet to the centerline of proposed Ekins Drive, said point being on a curve concave to the south having a radius of 900.00 feet and a central angle of 7°06'32" and from which point the radius point bears South 7°14'40" East; thence easterly on the arc of said curve 111.67 feet; thence North 89°51'52" East 857.33 feet to the point of beginning.

Sections 2-3-8 and 11-3-8 of the Zoning Map are hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Medium-High Density Residential Zone, R-3:

R-1 to R-3

All that portion of Sections 2 and 11, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the intersection of the west line of Section 2 with the centerline of Pelandale Avenue; thence on said centerline North 89°57'00" East 698.52 feet; thence parallel with the centerline of proposed Gagos Drive, South 0°15'35" West 850.00 feet to the point of beginning said point being the beginning of a curve concave to the east having a radius of 1000.00 feet and a central angle of 28°41'35"; thence southerly on the arc of said curve 500.79 feet to the centerline of proposed Akeby Drive; thence on said centerline North 89°51'52" East 35.12 feet; thence South 33°19'32" East 73.07 feet to the beginning of a curve concave to the northeast having a radius of 2346.00 feet and a central angle of 9°20'24"; thence southeasterly on the arc of said curve 382.43 feet; thence South 42°39'56" East 213.68 feet to the centerline of proposed Ekins Drive, said point being on a curve concave to the southeast having a radius of 900.00 feet and a central angle of 27°07'15" and from which point the radius point of said curve bears South 34°21'55" East; thence easterly on the arc of said curve 426.23 feet to the intersection with the centerline of proposed Gagos Drive said point being on a curve to the northeast having a radius of 700.00 feet and a central angle of 43°54'33" and from which point the radius point of said curve bears North 80°58'56" East; thence southeasterly on the arc of said curve 536.45 feet to the point of reverse curvature with a curve concave to the southwest having a radius of 700.00 feet and a central angle of 42°59'05"; thence southerly on the arc of said curve 525.16 feet; thence South 9°56'32" East to the north line of P-D(166); thence North 89°26'28" West along the North line of P-D(166) 498.29 feet; thence North 42°39'45" West 1236.17 feet to the beginning of a curve concave to the northeast having a radius of 2646.00 feet and a central angle of 9°20'24" and from which point the radius point of said curve bears North 47°20'04" East; thence northwesterly on the arc of said curve 431.33 feet; thence North 32°41'41" West 214.01 feet; thence North 34°18'16" West 141.26 feet to the beginning of a curve concave to the northeast having a radius of 2646.00 feet and a central angle of 2°31'48" and from which point the radius point of said curve bears North 55°41'44" East; thence northwesterly on the arc of said curve 116.84 feet; thence North 28°21'20" West 264.07 feet; thence North 79°45'25" East 446.23 feet to the point of beginning.

SECTION 3. ZONING MAP. Sections 2-3-8 and 11-3-8 of the Zoning Map of the City of Modesto are amended to appear as set forth on the maps attached hereto, which are 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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of September, 1982, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED: Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Arnold
Department of Planning and
Community Development

Ordinance 2148 C.S.
Exhibit A – Map

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

Ord. No. 2148-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of October, 1982, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the ordinance adopted by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: November 4, 1982

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

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

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

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

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>	<u>DATE SURVEYED</u>
BLUE GUM AVENUE, between Poust and Carpenter Roads	40 miles per hour	July 11, 1980
BOWEN AVENUE, between Tully Road and McHenry Avenue	35 miles per hour	February 10, 1978
BRIGGSMORE AVENUE, westbound between Coffee Road and McHenry Avenue	45 miles per hour	February 2, 1978
BRIGGSMORE AVENUE, (east bound) between McHenry Avenue and 1,000 feet west of Coffee Road	45 miles per hour	March 21, 1978

BRIGGSMORE AVENUE, (eastbound), between a point 1,000 feet west of Coffee Road and Coffee Road	40 miles per hour	April 20, 1979
BRIGGSMORE AVENUE, between Coffee Road and Rose Avenue	45 miles per hour	April 13, 1979
BRIGGSMORE AVENUE, between Rose Avenue and Oakdale Road	50 miles per hour	April 13, 1979
BRIGGSMORE AVENUE, between Oakdale Road and Claus Road	55 miles per hour	April 13, 1979
BRIGGSMORE AVENUE, (east and westbound) between McHenry Avenue and Tully Road	45 miles per hour	April 28, 1980
BRIGGSMORE AVENUE, between Tully Road and Prescott Road	45 miles per hour	April 28, 1980
BRIGHTON AVENUE, between Locke Road and Coffee Road	35 miles per hour	October 27, 1978
CARPENTER ROAD, between Paradise Road and Maze Boulevard	45 miles per hour	April 13, 1979
CARPENTER ROAD, between Woodland Avenue and Blue Gum Avenue	45 miles per hour	April 13, 1979
CARVER ROAD, between 9th Street and Roseburg Avenue	35 miles per hour	February 3, 1978
CARVER ROAD, between Roseburg Avenue and Brixton Lane within the City limits	35 miles per hour	February 10, 1978
CARVER ROAD, between Brixton Lane and M.I.D. Lateral No. 6 within the City limits	40 miles per hour	December 10, 1981
CELESTE DRIVE, between Coffee Road and Oakdale Road	30 miles per hour	October 5, 1978

COFFEE ROAD, between Scenic Drive and Briggsmore Avenue	40 miles per hour	July 18, 1979
COFFEE ROAD, between Briggsmore Avenue and Floyd Avenue	40 miles per hour	July 18, 1979
COFFEE ROAD, between Floyd Avenue and Sylvan Avenue	40 miles per hour	April 13, 1979
COFFEE ROAD, between Sylvan Avenue and Mable Avenue	40 miles per hour	June 6, 1981
COLLEGE AVENUE, between Princeton Avenue and Bowen Avenue	35 miles per hour	March 16, 1978
COLLEGE AVENUE, between Rumble Road and Bowen Avenue	35 miles per hour	January 19, 1981
CROWS LANDING ROAD, School Avenue to Blankenburg Avenue, within the City of Modesto	35 miles per hour	November 2, 1978
DALE ROAD, between Standiford Avenue and Veneman Avenue	35 miles per hour	April 13, 1979
EICHER AVENUE, between Conant Avenue and Goldie Avenue	30 miles per hour	March 11, 1981
EL VISTA AVENUE, between Yosemite Boulevard and Scenic Drive	35 miles per hour	March 23, 1978
EMERALD AVENUE, between Maze Boulevard and California Avenue within the City limits	35 miles per hour	October 26, 1978
ENCINA AVENUE, between Santa Barbara Avenue and Conejo Avenue	35 miles per hour	November 8, 1978
EVERGREEN AVENUE, between Orangeburg Avenue and Carver Road	35 miles per hour	January 19, 1981
FAIRMONT AVENUE, between Coffee Road and Sunrise Avenue	30 miles per hour	October 5, 1978

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

MITCHELL ROAD, between Finch Road and 1,326' south of Finch Road	50 miles per hour	February 21, 1978
MORRIS AVENUE, between McHenry Avenue and Coffee Road	30 miles per hour	February 21, 1978
MT. VERNON AVENUE, between Carver Road and Prescott Road	35 miles per hour	October 18, 1978
MT. VERNON AVENUE, between College Avenue and Carver Road	30 miles per hour	October 19, 1978
NEECE DRIVE, between Tuolumne Boulevard and Rouse Avenue	35 miles per hour	December 1, 1978
NEEDHAM STREET, between L and 9th Streets	35 miles per hour	November 15, 1978
NORWEGIAN AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	October 24, 1978
OAKDALE ROAD, between Scenic Drive and Briggsmore Avenue	40 miles per hour	July 18, 1979
OAKDALE ROAD, between Briggsmore Avenue and Floyd Avenue	45 miles per hour	April 13, 1979
ORANGEBURG AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	July 21, 1980
ORANGEBURG AVENUE, between Oakdale Road and Lakewood Avenue	35 miles per hour	March 17, 1980
ORANGEBURG AVENUE, between Lakewood Avenue and Claus Road	35 miles per hour	March 17, 1980
ORANGEBURG AVENUE, between Coffee Road and Rose Avenue	35 miles per hour	December 9, 1981
ORANGEBURG AVENUE, between Rose Avenue and Oakdale Road	35 miles per hour	August 30, 1979

ORANGEBURG AVENUE, between Briggsmore Avenue and Martin Avenue	30 miles per hour	July 11, 1980
ORANGEBURG AVENUE, between Martin Avenue and McHenry Avenue	35 miles per hour	July 11, 1980
PARADISE ROAD, between Vernon Avenue and Franklin Street	35 miles per hour	April 13, 1979
PRESCOTT ROAD, between Briggsmore Avenue and Rumble Road	40 miles per hour	July 18, 1979
PRINCETON AVENUE, between College Avenue and Tully Road	25 miles per hour	July 15, 1980
RIVERSIDE DRIVE, between Edge- brook Drive and Yosemite Boulevard	35 miles per hour	January 19, 1981
ROSE AVENUE, between Scenic Drive and Briggsmore Avenue	35 miles per hour	February 17, 1978
ROSE AVENUE, between Briggsmore Avenue and Floyd Avenue	30 miles per hour	March 23, 1978
ROSEBURG AVENUE, between Sunrise Avenue and McHenry Avenue	35 miles per hour	October 24, 1978
ROSEBURG AVENUE, between McHenry Avenue and Tully Road	30 miles per hour	October 24, 1978
ROSEBURG AVENUE, between Tully Road and Carver Road	35 miles per hour	October 25, 1978
ROUSE AVENUE, between Neece Drive and Colorado Avenue within the City Limits	35 miles per hour	September 16, 1982
RUMBLE ROAD, between Coffee Road and McHenry Avenue within the City limits	35 miles per hour	October 21, 1978
RUMBLE ROAD, between Conant Avenue and Tully Road	30 miles per hour	October 21, 1978

RUMBLE ROAD, between Sisk Road and Conant Avenue	40 miles per hour	December 9, 1981
RUMBLE ROAD, between Tully Road and McHenry Avenue	35 miles per hour	January 19, 1981
SCENIC DRIVE, between Coffee Road and Oakdale Road	40 miles per hour	December 9, 1981
SCENIC DRIVE, Lillian Drive to Claus Road, within the City of Modesto	40 miles per hour	March 9, 1978
SCENIC DRIVE, between Oakdale Road and Lakewood Avenue	45 miles per hour	December 9, 1981
SIERRA DRIVE, between G and South 7th Streets	30 miles per hour	December 1, 1978
SISK ROAD, between Briggsmore Avenue and Brenner Way	50 miles per hour	December 9, 1981
SISK ROAD, between Brenner Way and Standiford Avenue	40 miles per hour	December 9, 1981
SISK ROAD, between Standiford Avenue and 600' north of Vintage Drive	40 miles per hour	March 6, 1981
STANDIFORD AVENUE, between Dale Road and Prescott Road	45 miles per hour	December 10, 1981
STANDIFORD AVENUE, between Prescott Road and Carver Road	40 miles per hour	December 10, 1981
STANDIFORD AVENUE, between Carver Road and Tully Road	45 miles per hour	July 19, 1979
STANDIFORD AVENUE, between Tully Road and McHenry Avenue	40 miles per hour	October 20, 1980
SUNRISE AVENUE, between Lucern Avenue and Floyd Avenue	35 miles per hour	October 19, 1978
SURREY AVENUE, between Oakdale Road and Eastridge Drive	25 miles per hour	May 30, 1980

SUTTER AVENUE, between Paradise Avenue and Robertson Road	30 miles per hour	February 17, 1978
SYCAMORE AVENUE, between Griswold Avenue and Orangeburg Avenue	35 miles per hour	October 31, 1978
SYLVAN AVENUE, between McHenry Avenue and Oakdale Road within the City limits	45 miles per hour	October 18, 1978
TOKAY AVENUE, between McHenry Avenue and Bodega Lane	35 miles per hour	January 27, 1982
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	December 10, 1981
WOODLAND AVENUE, between Morse Avenue and Shasta Avenue, within the City limits	45 miles per hour	April 13, 1979
WOODLAND AVENUE, between Shasta Avenue and Carpenter Road within the City limits	45 miles per hour	February 5, 1980
WOODLAND AVENUE, between 9th Street and Carpenter Road within the City limits	35 miles per hour	December 10, 1981

WOODROW AVENUE, between McHenry Avenue and Tully Road	35 miles per hour	October 18, 1978
WYLIE DRIVE, between Rose Avenue and Oakdale Road	35 miles per hour	August 31, 1979
9TH STREET, between L Street and P Street	35 miles per hour	December 9, 1981

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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of September, 1982, by Councilmember Patterson who moved its introduction and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and order printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:

Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

By Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 2149-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of October, 1982, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: November 4, 1982

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

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

SECTION 1. ZONING CHANGE. Section 19-3-9 of the Zoning
Map is hereby amended to reclassify the following described property
from Professional Office Zone, P-O, to
Planned-Development Zone, P-D (334) :

All that certain real property situate in a portion of the Northwest Quarter of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the Northwest corner of Parcel 2 as shown on that certain map filed in Book 27 of Parcel Maps, at Page 64, Stanislaus County Records; thence North $89^{\circ} 17'$ East, 165.30 feet to a point on the West right-of-way line of Martin Avenue; thence continuing North $89^{\circ} 17'$ East, 60.00 feet to the East right-of-way line of Martin Avenue; thence South $0^{\circ} 43'$ East along said East line of Martin Avenue a distance of 273.56 feet; thence South $89^{\circ} 17'$ West, 60.00 feet to a point on the West right-of-way line of Martin Avenue; thence continuing South $89^{\circ} 17'$ West, 165.30 feet to the Southwest corner of said Parcel 2; thence North $0^{\circ} 43'$ West, 273.56 feet to the Point of Beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(334) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code.

mini warehouses.

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

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

SECTION 5. PUBLICATION. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of October, 1982, 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, Lang, Patterson, Siefkin,
Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

APPROVED:

Leon Mensinger
LEON 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 *Michael C. Herrero*
Department of Planning and
Community Development

Ordinance 2150 C.S.
Exhibit A – Map

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

Ord. No. 2150-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 12th day of October, 1982, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: November 11, 1982

ORDINANCE NO. 2151 -C.S.

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1983, AND PROVIDING FOR CERTAIN TRANSFERS OF FUNDS.

WHEREAS, pursuant to the Charter of the City of Modesto, a proposed budget for the 1982-83 fiscal year was submitted to the City Council by the City Manager, and the City Council made revisions to said proposed budget, and

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

WHEREAS, copies of the proposed budget were made available for inspection by the public at the office of the City Clerk, and

WHEREAS, the City Council determined that because of uncertainties in estimated General Fund revenues, it would adopt an Interim Budget for fiscal year 1982-83 until a more accurate determination could be made of estimated General Fund revenues and their effect on the proposed budget, and

WHEREAS, an Interim Budget for the City of Modesto for the fiscal year ending June 30, 1983 was adopted on June 22, 1982 by Ordinance No. 2136-C.S., and

WHEREAS, the Council has now determined the estimated General Fund revenues for fiscal year 1982-83 and made appropriate revisions in said proposed budget,

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

SECTION 1. That the "City of Modesto Preliminary Budget 1982-83", presented by the City Manager to the City Council at its meeting held May 4, 1982, and as thereafter amended by the City Council, a copy of which budget, as amended, is on file in the office of the City Clerk, is hereby adopted as the budget for the City of Modesto for the fiscal year ending June 30, 1983, and the several

amounts stated therein as proposed expenditures are hereby appropriated for the various objects therein described.

SECTION 2. That funds of the City of Modesto encumbered on June 30, 1982, are hereby appropriated for the purposes for which they are encumbered and shall be a part of the budget for the fiscal year 1982-1983 adopted hereby.

SECTION 3. That Capital Projects carried over from fiscal year 1981-1982 are hereby re-appropriated as a part of the budget for the fiscal year 1982-1983 adopted hereby. The amount of said appropriations will equal the Reserve for Appropriated Carryover Projects established in the General Ledger Accounts of the City of Modesto for all funds as of June 30, 1982.

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

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

SECTION 6. That the Budget adopted hereby supersedes and replaces the Interim Budget adopted on June 22, 1982 by Ordinance No. 2136-C.S.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect upon adoption.

SECTION 8. Copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its adoption and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of October, 1982, by Councilmember Lang, who moved its adoption 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, Patterson, Siefkin, Mayor Mensinger
- NOES: Councilmembers: None
- ABSENT: Councilmembers: None

APPROVED: Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

By Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

AN ORDINANCE AMENDING SECTIONS 4-1.1004, 4-1.1005, 4-1.1008, 4-1.1013, AND 4-1.1019 OF ARTICLE 10 OF CHAPTER 1 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO BINGO GAMES.)

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

SECTION 1. AMENDMENT OF CODE. Sections 4-1.1004, 4-1.1005, 4-1.1008, 4-1.1013 and 4-1.1019 of Article 10 of Chapter 1 of Title IV of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 4-1.1004. APPLICATION FOR PERMIT. Applications for a permit to conduct bingo games pursuant to this article shall be submitted to the Chief of Police on forms to be provided. The City Council may by resolutions adopted from time to time fix an annual permit fee which shall accompany the application. The permit issued shall be for a term of one (1) year from the date of issuance, subject to renewal and payment of the annual permit fees. Said permit fees shall be subject to the limitations set forth in Section 326.5 (7) of the Penal Code of the State of California.

SEC. 4-1.1005. CONTENTS OF APPLICATION. Said application for a permit shall contain the following:

- (a) The name and mailing address of the applicant organization.
- (b) Proof that the applicant is an eligible organization under Section 4-1.1003, including a letter or other evidence from the State Franchise Tax Board showing that the applicant is exempted from the payment of the bank and corporation tax by a pertinent section of the Revenue and Taxation Code. If the applicant is a mobile home park association or senior citizen's organization, other proof shall be provided as required by the Chief of Police.
- (c) A list of the duly elected officers of the organization certified by the secretary thereof.

(d) The signatures of at least two (2) officers, including the presiding officer of the organization.

(e) The location, including the street number, of the specific property, within the City of Modesto owned or leased by the applicant, or property whose use is donated to the applicant, on which property bingo games will be conducted, together with the occupancy capacity of the room in which bingo will be played and the number of off-street parking places.

(f) A statement certified by the secretary of the organization that the applicant has received and has reviewed copies of this article, the authorized rules of play for bingo games and Section 326.5 of the Penal Code, and has been advised that the license to conduct bingo games may be revoked by the Chief of Police upon violation of any such provisions.

(g) The location where all records, account books and ledgers pertaining to the operation of bingo games by said organization will be kept; the location of the bank account in which the bingo receipts will be placed; and an authorization for the City to inspect and audit said records, books and accounts.

(h) Such other information as the Chief of Police may require.

SEC. 4-1.1008. BINGO GAMES CONDUCTED ONLY ON PERMITTEE'S PROPERTY. A permit to conduct bingo games shall be issued only for use on property owned or leased by the permittee, or on property loaned to the permittee, and only if such property is used continuously by such permittee for an office or for the performance of the purposes for which it is organized. In the event the described property ceases to be so used for any period of time, the permit shall have no further force or effect. Nothing in this section shall be construed to require that the property owned or leased by, or whose use is donated to, the permittee be used or leased exclusively by or donated exclusively to such permittee. No permit shall be issued unless there is at least one (1) off-street parking space for each four (4) persons set forth in the occupancy capacity of the premises pursuant to section 4-1.1015 hereof. A new permit must be obtained for a change of address by an eligible organization, upon application under this article.

SEC. 4-1.1013. MEMBERS OPERATING AND STAFFING GAMES. A bingo game shall be operated and staffed only by members of the permittee. Such members shall not receive a profit, wage or salary from any bingo game. Only the permittee shall operate a bingo game or participate in the promotion, supervision or any other phase of a bingo game. This section does not preclude the employment of security personnel licensed by the State of California who are not members of the permittee at such bingo games by the permittee. Said security personnel may be paid from the revenues of bingo games as provided for in Section 4-1.1019 hereof.

SEC. 4-1.1019. PROFITS AND PROCEEDS TO BE KEPT IN SPECIAL FUND OR ACCOUNT. (a) With respect to organizations exempt from payment of the bank and corporation tax by Section 23701d of the Revenue and Taxation Code of the State of California, all profits derived from a bingo game shall be kept in a special fund or account and shall not be commingled with any other fund or account. Such profits shall be used only for charitable purposes.

(b) With respect to other organizations authorized to conduct bingo games pursuant to this article, all proceeds derived from a bingo game shall be kept in a special fund or account and shall not be commingled with any other fund or account. Proceeds are the receipts of bingo games conducted by an organization not within subsection (a). Such proceeds shall be used only for charitable purposes, except as follows:

(1) Such proceeds may be used for prizes.

(2) A portion of such proceeds, not to exceed twenty (20%) percent of the proceeds before the deduction for prizes, or One Thousand and no/100ths (\$1,000.00) Dollars per month, whichever is less, may be used for rental of property, overhead, including the purchase of bingo equipment, administrative expenses, security equipment, and security personnel.

(3) Such proceeds may be used to pay license fees.

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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a ^{adjourned} regular meeting of the Council of the City of Modesto held on the 21st day of October, 1982,

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, Ellitt, Lang, Patterson, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore, Siefkin

APPROVED: Peggy Mensinger
PEGGY MENSINGER Mayor

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 2152-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 2nd day of November, 1982, 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,
Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: December 2, 1982

AN ORDINANCE AMENDING SECTION 5-6.10 OF CHAPTER 6 OF TITLE V OF THE MODESTO MUNICIPAL CODE PERTAINING TO PARTICIPATION IN COST OF EXISTING SEWERS.

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

SECTION 1. AMENDMENT OF CODE. Section 5-6.10 of Chapter 6 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-6.10. PARTICIPATION IN COST OF EXISTING SEWERS. No property shall be permitted to connect to the City sewage system without participating in the cost of the sewer laterals which serve the area where the property is located.

Any property connecting to the City sewage system that has not already participated in the cost of a sewer lateral and which is to be served by an existing sewer shall either make reimbursement through the City of the property's proportionate share of private funds expended on the existing sewer line in accordance with any agreements on file with the Director or shall pay to the City a fee of an amount per square foot of property area, as established by the Council from time to time by resolution, whichever is the greater sum. In the case of irregular shaped or large parcels, the property area shall be as determined by the Director, who shall base his determination on the area of property which will be benefited by the connection to the City sewage system.

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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of October, 1982, by Councilmember Elliott, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED: Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

By Judy C. Hall
~~XX~~
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 2nd day of November, 1982, 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, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: Patterson

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: December 2, 1982

ORDINANCE NO. 2154 -C.S.

AN ORDINANCE AMENDING SECTION MAP 24-3-8 OF THE ZONING MAP TO REPEAL P-D(263) AND REZONE TO R-1, PROPERTY LOCATED AT THE SOUTHEAST CORNER OF BLUE GUM AND MORSE AVENUES. (RULE ENTERPRISES)

WHEREAS, the City Council, by Ordinance 1940-C.S., which was adopted on April 22, 1980, and which became effective on June 5, 1980, amended Section Map 24-3-8 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(263), to allow a patio home development at the southeast corner of Blue Gum and Morse Avenues, and

WHEREAS, the Council, by Ordinance No. 2034-C.S., effective May 21, 1981, amended P-D(263) to allow a combination patio home subdivision and two-story apartment complex, and

WHEREAS, the Council, by Resolution No. 80-369 adopted on April 22, 1980, approved the development schedule for P-D(263) which specified that the entire construction program be accomplished in one phase, construction to begin on or before June 1, 1982, and completion to be not later than June 1, 1983, and

WHEREAS, the Council, by Resolution No. 81-280 adopted on April 14, 1981, amended the original development schedule for P-D(263) to specify a two phase construction with Phase 1 construction to begin on or before September 1, 1982, and completion to be not later than September 1, 1984, and

WHEREAS, Section 10-2.2709(c) of the Modesto Municipal Code provides that if the owner or owners of property in P-D Zones have failed to meet the approved development schedule, the Planning Commission shall initiate proceedings to repeal the P-D Zone and rezone the property to the zone classification it held immediately prior to being zoned P-D, and

WHEREAS, the owner of P-D(263) failed to meet the approved development schedule, and

WHEREAS, the Planning Commission, by Resolution No. 82-143, adopted on September 7, 1982, initiated proceedings to repeal P-D(263) and rezone the property to Low Density Residential Zone, R-1, setting September 20, 1982 as the date for public hearing, and

WHEREAS, after a public hearing held on September 20, 1982, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that the repeal of Planned Development Zone, P-D(263) and rezoning the property back to Low Density Residential Zone, R-1, is required by public necessity, convenience and general welfare for the following reasons:

1. P-D(263) has expired and has reverted to its former owner who does not intend to develop under the P-D(263) zone.
2. At such time as a new development is sought, rezoning to P-D or other suitable zoning procedure is available to the owner.

and

WHEREAS, by Resolution No. 82-149, adopted September 20, 1982, the Planning Commission recommended to the City Council that Section Map 24-3-8 of the Zoning Map be amended to repeal P-D(263) and rezone the property hereinafter described to Low Density Residential Zone, R-1, and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers, City Hall, 801 11th Street, in the City of Modesto, at 7:30 p.m. on October 26, 1982, 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. After a public hearing, this Council finds and determines that the recommended rezoning of Planned Development Zone, P-D(263), back to Low Density Residential Zone, R-1, is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 82-149, and quoted above.

SECTION 2. ZONING CHANGE. Section 24-3-8 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(263), to Low Density Residential Zone, R-1:

ALL that certain real property situate in a portion of Section 24, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, and lying within the County of Stanislaus, State of California, described as follows:

BEGINNING at the West quarter corner of said Section 24 as shown on that certain map filed in Volume 14 of Surveys at Page 85, Stanislaus County Records, said corner also being the center line intersection of Morse Avenue and Blue Gum Avenue, as shown on said map; thence North $88^{\circ}30'17''$ East along said center line of Blue Gum Avenue, a distance of 675.76 feet to the intersection with the Northerly prolongation of the Westerly line of that certain parcel of land entitled "College West No. 2" as shown on the map filed in Volume 27 of Maps at Page 4, Stanislaus County Records; thence South $1^{\circ}04'07''$ East along said Northerly prolonged line and along said Westerly line of "College West No. 2", a distance of 1324.39 feet to the Southwest corner of said "College West No. 2"; thence South $88^{\circ}33'13''$ West along the Westerly prolongation of the Southerly line of said "College West No. 2" a distance of 676.33 feet to the intersection with the center line of said Morse Avenue; thence North $1^{\circ}02'33''$ West along said center line, a distance of 202.00 feet; thence North $88^{\circ}57'27''$ East, 395.00 feet; thence North $1^{\circ}02'33''$ West, 412.00 feet; thence South $88^{\circ}57'27''$ West, 395.00 feet to the intersection with said center line of Morse Avenue; thence North $1^{\circ}02'33''$ West along said center line a distance of 709.44 feet to the point of beginning,

SECTION 3. ZONING MAP. Section 24-3-8 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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of October, 1982, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:

Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By Michael C. Herrero
Department of Planning and
Community Development

Ordinance 2154 C.S.
Exhibit A – Map

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

Ord. No. 2154-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 2nd day of November, 1982, 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, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Morrine Coyle*
MORRINE COYLE, City Clerk

EFFECTIVE DATE: December 2, 1982

ORDINANCE NO. 2155 -C.S.

AN ORDINANCE AMENDING SECTION 24-3-9 OF THE ZONING MAP REZONING A PORTION OF P-D(274) TO R-2, PROPERTY LOCATED AT THE SOUTHEAST CORNER OF EAST ORANGEBURG AVENUE AND LAKEWOOD AVENUE (HORN).

WHEREAS, the Modesto City Council, by Ordinance No. 1985-C.S., which was adopted on October 14, 1980, amended Section Map 24-3-9 reclassifying from Medium-Density Residential Zone, R-2, to Planned Development Zone, P-D(274), property located at the southeast corner of East Orangeburg Avenue and Lakewood Avenue, and

WHEREAS, the Modesto City Council, by Resolution No. 80-1020 adopted October 7, 1980, approved a development plan for Planned Development Zone, P-D(274), and

WHEREAS, a verified application for an amendment to Section 24-3-9 of the Zoning Map was filed by James and Donna Horn on August 16, 1982, to reclassify a portion of Planned Development Zone, P-D(274), to Medium Density Residential Zone, R-2, and

WHEREAS, by Resolution No. 82-148, adopted on September 20, 1982, the Planning Commission recommended to the Council that the application to amend Section 24-3-9 of the Zoning Map to reclassify a portion of Planned Development Zone, P-D(274), to Medium Density Residential Zone, R-2, be approved for the following reasons:

1. The property is located on a major street and shown as potential R-2 density on the Lakewood Neighborhood Zoning and Development Plan.
2. The property was zoned R-2 prior to its rezoning to P-D.

and

WHEREAS, said application was set for public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on October 26, 1982 at 7:30 p.m., and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to Section 24-3-9 of the Zoning Map to rezone a portion of P-D(274) to R-2, should be approved,

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

SECTION 1. COUNCIL FINDINGS. The Council of the City of Modesto 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 reasons set forth in Planning Commission Resolution No. 82-148 and quoted above.

SECTION 2. ZONING CHANGE. Section 24-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(274), to Medium Density Residential Zone, R-2:

Portion of P-D(274) to R-2

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

Beginning at the Southeast corner of Lot 18, Block 1644, as shown on that certain map entitled "Lakewood Gardens No. 2", filed in Volume 25 of Maps, at Page 74, Stanislaus County Records; thence South 89°01'15" West 300.00 feet to the Southwest corner of said Lot 18, said point also being on the East right-of-way line of Lakewood Avenue; thence continuing South 89°01'15" West, 50.00 feet to the centerline of Lakewood Avenue; thence North 0°58'45" West along the centerline of Lakewood Avenue a distance of 579.31 feet to the centerline intersection of Lakewood Avenue and East Orangeburg Avenue; thence North 89°21'00" East, 350 feet more or less to the intersection

of the centerline of East Orangeburg Avenue with the northerly prolongation of the East property line of said Lot 18; thence South 0°58'45" East, 30 feet more or less to the Northeast corner of said Lot 18, said point also being on the south right-of-way line of East Orangeburg Avenue; thence continuing South 0°58'45" East 547.30 feet to the point of beginning:

SECTION 3. ZONING MAP. Section 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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in the Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction, and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of October, 1982,

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

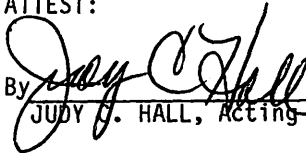
AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED: 
Peggy Mensinger, Mayor

ATTEST:

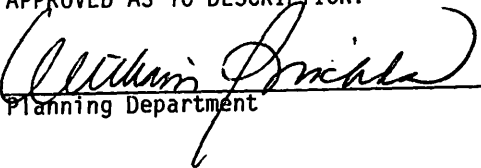
By 
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:


Planning Department

Ordinance 2155 C.S.
Exhibit A – Map

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

Ord. No. 2155-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 2nd day of November, 1982, 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, Mayor Mensinger
NOES: Councilmembers: None
ABSENT: Councilmembers: Patterson

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: December 2, 1982

AN ORDINANCE AMENDING SECTIONS 4-4.503 AND 4-4.601 OF CHAPTER 4 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO SUBDIVISION REGULATIONS.

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

SECTION 1. AMENDMENT OF CODE. Sections 4-4.503 and 4-4.601 of Chapter 4 of Title IV of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 4-4.503. FILING PARCEL MAPS.

(a) Filing Within Twenty-Four (24) Months of Tentative Approval.

The subdivider or his agent may file a parcel map with the City Engineer for his examination and certification within twenty-four (24) months after the approval or conditional approval of the tentative map. Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map the Planning Commission may extend the time for filing a parcel map for a period or periods not exceeding three (3) years, if it determines that conditions affecting the parcel map have not substantially changed. In any case where a parcel map has not been recorded within twenty-four (24) months or such extended period of time as may be granted by the Planning Commission, approval of a new tentative parcel map shall be required.

If a subdivider's application for an extension of time for filing a parcel map is denied by the Planning Commission the subdivider may appeal to the City Council within 15 days after the Planning Commission has denied the time extension. The City Council shall hear such appeal in accordance with the provisions of Section 4-4.404(f) of this chapter.

A parcel map shall be prepared by a registered civil engineer or licensed land surveyer and shall substantially conform to the tentative parcel map and conditions thereto as approved by the Planning Commission.

(b) Fees. A tracing of the parcel map shall be filed with the City Engineer. In addition, the subdivider shall deposit with the City the Recorder's fee for recording the parcel map.

(c) Form of Parcel Map. The parcel map shall conform to the provisions of Section 4-4.602 for final maps where applicable. The map shall show the definite location of the parcel or parcels and particularly their relation to surrounding surveys. The location of any remainder of the original parcel shall be shown, but need not be shown as a matter of survey, but only by reference to the existing record boundaries if such remainder has a gross area of five (5) acres or more.

The parcel map may be compiled from record data when sufficient survey information exists on filed maps to locate and retrace the exterior boundary lines of the parcel map and when the location of at least one of these boundary lines can be established from an existing monument line. In any case, the parcel map may be based upon a field survey made in conformance with the Land Surveyor's Act.

(d) Consent by Owner. The parcel map shall contain a certificate, which shall be signed and acknowledged by all parties having any record title interest in the real property being subdivided, consenting to the preparation and recording of the parcel map. Such signatures shall be in accordance with the provisions of Section 4-4.603(a)(1) of this chapter pertaining to final Maps.

(e) Dedications. If dedications of streets, alleys, walkways, easements, public utility easements, or other public ways, or access rights are required by the Planning Commission as conditions of approval of a parcel map, such dedications shall either be shown on and offered by a certificate on the parcel map or made by separate instrument as determined by the City Engineer. Such certificate or instrument shall be signed by those parties having any record title interest in the real property being subdivided in accordance with the provisions of Section 4-4.603(a)(1) of this Chapter pertaining to final maps.

(f) Certification by City Engineer. Upon receipt of the parcel map, together with the recording fees, and any required improvement security, the City Engineer shall examine the same to determine whether said map is technically correct and substantially conforms with the tentative parcel map and with all changes and requirements imposed as conditions of approval by the Planning Commission. The City Engineer shall also refer the parcel map to the Secretary of the Planning Commission for examination and determination if all of the lots and parcels created by said map conform with the requirements and the zoning regulations of the City of Modesto. If the City Engineer shall determine that the parcel map fully conforms with all of the requirements set forth herein, he shall so certify on said map.

(g) Acceptance of Dedications. Offers of dedication as set forth in subsection (e) of this section shall be reviewed by the City Engineer for compliance with the conditions of approval imposed by the Planning Commission. If all offers of dedication are in accordance with the requirements of the Planning Commission, the City Engineer shall recommend the acceptance of such dedications by the authorized official of the City.

(h) Recordation of Parcel Map. Upon certification by the City Engineer, the parcel map shall be transmitted to the City Clerk, who shall cause said map to be recorded in the office of the County Recorder.

SEC. 4-4.601. FILING.

(a) Filing Within Twenty-Four (24) Months of Tentative Approval. The subdivider or his agent may file a final map within twenty-four (24) months after the approval or conditional approval of the tentative map. Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map the Planning Commission may extend the time for filing a final map for a period or periods not exceeding three (3) years if it determines that conditions affecting the subdivision have not substantially changed. In any case where a final map has not been filed within twenty-four (24) months or such extended period of time as may be granted by the Planning Commission, approval of a new tentative map shall be required.

If a subdivider's application for an extension of time for filing a final map is denied by the Planning Commission, the subdivider may appeal to the City Council within 15 days after the Planning Commission has denied the time extension. The City Council shall hear such appeal in accordance with the provisions of Section 4-4.404(f) of this chapter.

(b) Fees. A tracing of the final map shall be filed with the City Engineer. The subdivider shall deposit with the City the County Recorder's fee for recording the final map and shall pay to the City the fees for checking the map. Subdivider shall also pay at that time all other fees required by law to be paid in connection with the approval of a subdivision.

(c) Filing of Traverse Sheets. At the time of the filing of final map with the City Engineer, the subdivider shall also file therewith traverse sheets showing traverse closures and the computation of all distances, angles, and course shown on the final map. The traverse of the boundaries of the tract and of lots and blocks shall close within a limit of error of one (1) in ten thousand (10,000).

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

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

SECTION 3. PUBLICATION. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of October, 1982, by Councilmember Bright, 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, Patterson, Siefkin,
Mayor Mensinger


NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:


PEGGY MENSINGER, Mayor

ATTEST:

By 
JUDY C. HALL; Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
ELWYN L. JOHNSON, City Attorney

Ord. No. 2156-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 2nd day of November, 1982, 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, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

Morrine Coyle
MORRINE COYLE, City Clerk

EFFECTIVE DATE: December 2, 1982

AN ORDINANCE AMENDING SECTION 4-1.1001 OF ARTICLE 10 OF CHAPTER 1 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO BINGO GAMES.

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

SECTION 1. AMENDMENT OF CODE. Section 4-1.1001 of Article 10 of Chapter 1 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-1.1001. BINGO GAMES PERMITTED FOR CHARITABLE PURPOSES. Notwithstanding the provisions of Article 7 of this chapter, the City of Modesto, pursuant to Section 19, Article IV of the California Constitution and Section 326.5 of the California Penal Code, does hereby authorize and provide for the conduct of bingo games by nonprofit organizations for charitable purposes in accordance with the provisions of this article. As used in this article, "bingo" means a game of chance in which prizes are awarded on the basis of designated numbers or symbols on a card which conform to numbers or symbols selected at random. The game of bingo shall include cards having numbers or symbols which are concealed and preprinted in a manner providing for distribution of prizes. The winning cards shall not be known prior to the game by any person participating in the playing or operation of the bingo game.

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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto, held on the 2nd day of November, 1982, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Bright, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson

NOES: Councilmembers: Elliott, Siefkin, Mayor Mensinger

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

Ord. No. 2157-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of November, 1982, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: December 9, 1982

AN ORDINANCE ADDING ARTICLE 2 TO CHAPTER 1 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO THE CLEANUP OF HAZARDOUS MATERIALS.

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

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

ARTICLE 2. HAZARDOUS MATERIALS

SEC. 3-1.201. DEPOSITS OF HAZARDOUS MATERIALS; CLEANUP OR ABATEMENT; LIABILITY FOR COSTS. (a) The Fire Department is authorized to cleanup or abate the effects of any hazardous material deposited upon or into property or facilities of the City; and any person or persons who intentionally or negligently caused such deposit shall be liable for the payment of all costs incurred by the Fire Department as a result of such cleanup or abatement activity. The remedy provided by this section shall be in addition to any other remedies provided by law.

(b) For purposes of this section "hazardous materials" shall be defined as any substances or materials in a quantity or form which, in the determination of the Fire Chief or his authorized representative, poses an unreasonable and imminent risk to the life, health or safety of persons or property or to the ecological balance of the environment, and shall include, but not be limited to, such substances as explosives, radioactive materials, petroleum or petroleum products or gases, poisons, etiologic (biologic) agents, flammables and corrosives.

(c) For purposes of this section, costs incurred by the Fire Department shall include, but shall not necessarily be limited to, the following: actual labor costs of City personnel, including worker's compensation benefits, fringe benefits, administrative overhead; cost of equipment operation, cost of materials obtained directly by the City; and cost of any contract labor and materials.

(d) The authority to recover costs under this section shall not include actual fire suppression services which are normally or usually provided by the Fire Department.

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. At least two (2) days prior to its final

adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto, held on the 2nd day of November, 1982, by Councilmember Bright, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Patterson

APPROVED: *Peggy Mensinger*
PEGGY MENSINGER, Mayor

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of November, 1982, Councilmember Patterson 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: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
NOES: Councilmembers: None
ABSENT: Councilmembers: None

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

Morrine Coyles
MORRINE COYLES, City Clerk

EFFECTIVE DATE: December 9, 1982

AN ORDINANCE AMENDING SUBSECTIONS (a) AND (e) OF SECTION 2 OF ORDINANCE NO. 1448-C.S. ENTITLED "AN ORDINANCE GRANTING TO ORANGE LINE SANITATION COMPANY, INC., A CALIFORNIA CORPORATION, A LICENSE FOR THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO" TO EXTEND SAID LICENSE AND CLARIFYING HOW RATES AND CHARGES ARE ESTABLISHED.

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

SECTION 1. Subsection (a) of Section 2 of Ordinance No. 1448-C.S. entitled "An Ordinance Granting to Orange Line Sanitation Company, Inc., a California Corporation, a License for the Collection of Garbage in the City of Modesto" is hereby amended to read as follows:

"(a) Said license shall be for a term commencing on June 4, 1975 and ending June 30, 1983, unless terminated at an earlier date under the provisions of this license. Nothing herein shall be deemed or construed to impair or affect in any way the right of the City to acquire the equipment and assume the operations of the Licensee at any time during the term of this license by purchase of the Licensee's equipment at a fair and just market value, which shall not include any amount for the license itself or for any of the rights or privileges granted by this license."

SECTION 2. Subsection (e) of Section 2 of Ordinance No. 1448-C.S. entitled "An Ordinance Granting to Orange Line Sanitation Company, Inc., a California Corporation, a License for the Collection of Garbage in the City of Modesto" is hereby amended to read as follows:

"(e) Rates and charges to be charged by the Licensee for the collection of garbage shall be established by the Council by resolution. Service charges and costs of operation of the Licensee will be reviewed annually by the City and, if deemed necessary by the City Council, rate adjustments made to be effective on or after January 1 of each year.

The City reserves the right to require adjustments in operations of the Licensee due to changing community needs, and/or developments in the field of garbage collection and disposal. Rate adjustments, if necessary, will be considered in such cases."

City of Modesto is hereby repealed.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days from and after its final passage and adoption; provided, however, that the license extension hereby granted shall not become effective unless and until Licensee files with the City Clerk written acceptance thereof and an agreement to be bound by and comply with all of the requirements thereof, in a form satisfactory to the City Attorney, and delivers to the City Clerk the bond and insurance policies required to be furnished, pursuant to the provisions of Ordinance No. 1448-C.S. and of Chapter 5 of Title V of the Modesto Municipal Code.

SECTION 5. PUBLICATION. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction, and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of November, 1982, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Patterson, was upon

roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:

Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

By *Norrine Coyle*
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16th day of November, 1982, Councilmember Muratore 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: Bright, Elliott, Lang, Muratore, Patterson, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: None

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: December 16, 1982

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

WHEREAS, the City Council, by Ordinance No. 2104-C.S., introduced on December 15, 1981, finally adopted on January 5, 1982, and which became effective on February 4, 1982, amended Section 30-3-9 of the Zoning Map of the City of Modesto to reclassify property located west of Emerald Avenue, north of Elm Avenue, immediately south of the State's 132 right-of-way from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(321), to allow a 27-unit, one-story condominium project on a 3.5 acre site, and

WHEREAS, a verified application for an amendment to Section 30-3-9 of the Zoning Map was filed by Lyons Brothers on September 7, 1982, to reclassify the hereinafter described portion of Planned Development Zone, P-D(321), to Low Density Residential Zone, R-1, and

WHEREAS, said application was set for a public hearing before the Planning Commission on October 4, 1982, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said public hearing, which was held by the Planning Commission on October 4, 1982, and continued to October 25, 1982, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 82-166, found and determined that the rezoning of the property as requested is required by public necessity, convenience, and general welfare for the following reasons:

1. The rezoning to R-1 will cause the zone line to coincide with property lines created by a parcel map approved by the Planning Commission.

2. The revised site plan nicely accommodates the deletion of land from P-D(321) by simple adjustments of one row of townhouses which already have staggered setbacks.

and

WHEREAS, the Planning Commission by its Resolution No. 82-166 recommended to the City Council that the application of Lyons Brothers to amend Section 30-3-9 of the Zoning Map to reclassify the hereinafter described portion of Planned Development Zone, P-D(321), to Low Density Residential Zone, R-1, be approved, and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on December 7, 1982, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the application of Lyons Brothers to amend Section 30-3-9 of the Zoning Map to reclassify the hereinafter described portion of Planned Development Zone, P-D(321), to Low Density Residential Zone, R-1, is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 82-166 and quoted above.

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

SECTION 1. ZONING CHANGE. Section 30-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(321), to Low Density Residential Zone, R-1:

All that certain real property situate in a portion of Lot 7 of the Maze Ranch Subdivision, as shown on the map filed in Volume 4 of Maps, at Page 18, lying in the Southwest Quarter of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, more particularly described as follows:

COMMENCING at the northwest corner of Parcel 1, as shown on the map filed in Book 21 of Parcel Maps, at Page 56, Stanislaus County Records thence South 89°46'48" East along the North line of said Parcel 1, 80.88 feet to the Point of Beginning of this Description; thence North 0°30'00" West, 66.40 feet; thence North 89°30'00" East, 10.00 feet; thence South 0°30'00" East 239.87 feet, to a point on the south line of Parcel 2 as shown on said parcel map, thence North 89°46'48" West along said south line of Parcel 2, 5.00 feet; thence North 0°30'00" West 173.47 to the north line of parcel 1, thence North 89°46'48" West 5.00 feet, to the point of beginning of this description.

SECTION 2. 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 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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of December, 1982, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:

Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

By Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William D. McVida
Department of Planning and
Community Development

Ordinance 2160 C.S.
Exhibit A – Map

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

Ord. No. 2160-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 14th day of December, 1982, 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, Patterson, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: None

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 13, 1983

AN ORDINANCE AMENDING SECTIONS 3-10.01, 3-10.02, 3-10.06, 3-10.07, 3-10.11, AND 3-10.28 OF CHAPTER 10 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO TOWING SERVICES.

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

SECTION 1. AMENDMENT OF CODE. Sections 3-10.01, 3-10.02, 3-10.06 3-10.07, 3-10.11 and 3-10.28 of Chapter 10 of Title III of the Modesto Municipal Code are hereby amended to read as follows:

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 abandoned, 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 ensure 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 from, over or on the public streets thereof.

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 and consist of the towing service operators that meet the requirements of this chapter and who make application to be included on said list.

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 as established from time to time by resolution of the City Council 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.

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

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 communication system approved by the Chief of Police, capable of communicating with the parent company dispatcher.

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

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 when an operator or attendant requests no compensation for the services rendered or when services of a specific operator are requested by a citizen.

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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of December, 1982, by Councilmember Siefkin, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST:

APPROVED: Peggy Mensinger
PEGGY MENSINGER, Mayor

By Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 2161-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 14th day of December, 1982, 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, Patterson, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: None

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 13, 1983

AN ORDINANCE AMENDING SECTION 5-6.13.1 OF CHAPTER 6 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO SEWAGE COLLECTION AND DISPOSAL.

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

SECTION 1. AMENDMENT OF CODE. Section 5-6.13.1 of Chapter 6 of

Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-6.13.1. COMPLIANCE BY INDUSTRIAL USERS WITH FEDERAL AND STATE STANDARDS. (a) All industrial users shall comply with the strictest of any applicable federal or state pretreatment standards or regulations, including but not limited to those adopted pursuant to the Clean Water Act, Pub.L. 95-217, as amended, and the National Pollutant Discharge Elimination System.

(b) Any industrial user not complying with the standards or regulations as required by subsection (a) hereof may be required by the Director to develop and implement a compliance schedule for the installation of such technology as may be necessary to meet said standards and regulations or the regulations promulgated under subsection (d) hereof.

(c) The Director may require the submission of such notices or self-monitoring reports from industrial users as he may consider necessary to assure compliance with said standards and regulations.

(d) The Director is hereby authorized to and shall establish such regulations as are necessary to ensure compliance by industrial users with applicable Federal, State and local pretreatment standards or regulations, and shall regulate industrial waste loading as necessary through industrial waste permits issued annually to comply with interim and long-term National Pollutant Discharge Elimination System permit conditions. The Director is hereby authorized to and shall revise industrial waste loading allocations annually and/or modify treatment plant operations to meet National Pollutant Discharge Elimination System permit conditions, as necessary.

(e) The Director or representative is hereby authorized to enter onto any premises of an industrial user to assure compliance with this section and said standards and regulations.

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. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of December, 1982, by Councilmember Siefkin, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:

Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

By Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 14th day of December, 1982, 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, Patterson, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 13, 1983

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

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

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

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

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>	<u>DATE SURVEYED</u>
BLUE GUM AVENUE, between Poust and Carpenter Roads	40 miles per hour	July 11, 1980
BOWEN AVENUE, between Tully Road and McHenry Avenue	35 miles per hour	November 15, 1982
BRIGGSMORE AVENUE, (westbound) between Coffee Road and McHenry Avenue	45 miles per hour	November 15, 1982
BRIGGSMORE AVENUE, (east-bound) between McHenry Avenue and 1,000 feet west of Coffee Road	40 miles per hour	November 13, 1982

BRIGGSMORE AVENUE, (eastbound), between a point 1,000 feet west of Coffee Road and Coffee Road	40 miles per hour	April 20, 1979
BRIGGSMORE AVENUE, between Coffee Road and Rose Avenue	45 miles per hour	April 13, 1979
BRIGGSMORE AVENUE, between Rose Avenue and Oakdale Road	50 miles per hour	April 13, 1979
BRIGGSMORE AVENUE, between Oakdale Road and Claus Road	55 miles per hour	April 13, 1979
BRIGGSMORE AVENUE, (east and westbound) between McHenry Avenue and Tully Road	45 miles per hour	April 28, 1980
BRIGGSMORE AVENUE, between Tully Road and Prescott Road	45 miles per hour	April 28, 1980
BRIGHTON AVENUE, between Locke Road and Coffee Road	35 miles per hour	October 27, 1978
CARPENTER ROAD, between Paradise Road and Maze Boulevard	45 miles per hour	April 13, 1979
CARPENTER ROAD, between Woodland Avenue and Blue Gum Avenue	45 miles per hour	April 13, 1979
CARVER ROAD, between 9th Street and Roseburg Avenue	35 miles per hour	November 13, 1982
CARVER ROAD, between Roseburg Avenue and Brixton Lane within the City limits	35 miles per hour	November 15, 1982
CARVER ROAD, between Brixton Lane and M.I.D. Lateral No. 6 within the City limits	40 miles per hour	December 10, 1981
CELESTE DRIVE, between Coffee Road and Oakdale Road	30 miles per hour	October 5, 1978
COFFEE ROAD, between Scenic Drive and Briggsmore Avenue	40 miles per hour	July 18, 1979

COFFEE ROAD, between Briggsmore Avenue and Floyd Avenue	40 miles per hour	July 18, 1979
COFFEE ROAD, between Floyd Avenue and Sylvan Avenue	40 miles per hour	April 13, 1979
COFFEE ROAD, between Sylvan Avenue and Mable Avenue	40 miles per hour	June 6, 1981
COLLEGE AVENUE, between Princeton Avenue and Bowen Avenue	35 miles per hour	November 20, 1982
COLLEGE AVENUE, between Rumble Road and Bowen Avenue	35 miles per hour	January 19, 1981
CROWS LANDING ROAD, School Avenue to Blankenburg Avenue, within the City of Modesto	35 miles per hour	November 2, 1978
DALE ROAD, between Standiford Avenue and Veneman Avenue	35 miles per hour	April 13, 1979
EICHER AVENUE, between Conant Avenue and Goldie Avenue	30 miles per hour	March 11, 1981
EL VISTA AVENUE, between Yosemite Boulevard and Scenic Drive	40 miles per hour	November 16, 1982
EMERALD AVENUE, between Maze Boulevard and California Avenue within the City limits	35 miles per hour	October 26, 1978
ENCINA AVENUE, between Santa Barbara Avenue and Conejo Avenue	35 miles per hour	November 8, 1978
EVERGREEN AVENUE, between Orangeburg Avenue and Carver Road	35 miles per hour	January 19, 1981
FAIRMONT AVENUE, between Coffee Road and Sunrise Avenue	30 miles per hour	October 5, 1978
FLOYD AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	November 15, 1982

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	November 20, 1982
GRANGER AVENUE, between Sunrise Avenue and McHenry Avenue	30 miles per hour	October 17, 1978
GRANGER AVENUE, between McHenry Avenue and Tully Road	30 miles per hour	October 17, 1978
KANSAS AVENUE, between Carpenter Road and Emerald Avenue within the City limits	40 miles per hour	July 9, 1981
KANSAS AVENUE, between Emerald Avenue and Eighth Street	35 miles per hour	April 13, 1979
KEARNEY AVENUE, between Coldwell Avenue and Glenwood Drive	30 miles per hour	January 19, 1981
KELLER STREET, between Rumble Road and Sylvan Avenue	30 miles per hour	April 13, 1979
LAKEWOOD AVENUE, between Scenic Drive and Orangeburg Avenue	35 miles per hour	October 26, 1978
LA LOMA AVENUE, between Buena Vista and Yosemite Boulevard	30 miles per hour	March 23, 1978
LINCOLN AVENUE, between Yosemite Boulevard and 650' north of M.I.D. Lateral No..2	35 miles per hour	June 3, 1980
MABLE AVENUE, between Coffee Road and Oakdale Road	40 miles per hour	February 24, 1981
MILLER AVENUE, between La Loma Avenue and El Vista Avenue	35 miles per hour	November 16, 1982
MITCHELL ROAD, between Finch Road and the southerly City limits	50 miles per hour	November 20, 1982

MORRIS AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	November 16, 1982
MT. VERNON AVENUE, between Carver Road and Prescott Road	35 miles per hour	October 18, 1978
MT. VERNON AVENUE, between College Avenue and Carver Road	30 miles per hour	October 19, 1978
NEECE DRIVE, between Tuolumne Boulevard and Rouse Avenue	35 miles per hour	December 1, 1978
NEEDHAM STREET, between L and 9th Streets	35 miles per hour	November 15, 1978
NORWEGIAN AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	October 24, 1978
OAKDALE ROAD, between Scenic Drive and Briggsmore Avenue	40 miles per hour	July 18, 1979
OAKDALE ROAD, between Briggsmore Avenue and Floyd Avenue	45 miles per hour	April 13, 1979
ORANGEBURG AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	July 21, 1980
ORANGEBURG AVENUE, between Oakdale Road and Lakewood Avenue	35 miles per hour	March 17, 1980
ORANGEBURG AVENUE, between Lakewood Avenue and Claus Road	35 miles per hour	March 17, 1980
ORANGEBURG AVENUE, between Coffee Road and Rose Avenue	35 miles per hour	December 9, 1981
ORANGEBURG AVENUE, between Rose Avenue and Oakdale Road	35 miles per hour	August 30, 1979
ORANGEBURG AVENUE, between Briggsmore Avenue and Martin Avenue	30 miles per hour	July 11, 1980
ORANGEBURG AVENUE, between Martin Avenue and McHenry Avenue	35 miles per hour	July 11, 1980

PARADISE ROAD, between Vernon Avenue and Franklin Street	35 miles per hour	April 13, 1979
PRESCOTT ROAD, between Briggsmore Avenue and Rumble Road	40 miles per hour	July 18, 1979
PRINCETON AVENUE, between College Avenue and Tully Road	25 miles per hour	July 15, 1980
RIVERSIDE DRIVE, between Edgebrook Drive and Yosemite Boulevard	35 miles per hour	January 19, 1981
ROSE AVENUE, between Scenic Drive and Briggsmore Avenue	35 miles per hour	November 3, 1982
ROSE AVENUE, between Briggsmore Avenue and Floyd Avenue	35 miles per hour	November 16, 1982
ROSEBURG AVENUE, between Sunrise Avenue and McHenry Avenue	35 miles per hour	October 24, 1978
ROSEBURG AVENUE, between McHenry Avenue and Tully Road	30 miles per hour	October 24, 1978
ROSEBURG AVENUE, between Tully Road and Carver Road	35 miles per hour	October 25, 1978
ROSELAWN AVENUE, between Colorado Avenue and Rouse Avenue	30 miles per hour	March 19, 1982
ROUSE AVENUE, between Neece Drive and Colorado Avenue within the City Limits	35 miles per hour	September 16, 1982
RUMBLE ROAD, between Coffee Road and McHenry Avenue within the City limits	35 miles per hour	October 21, 1978
RUMBLE ROAD, between Conant Avenue and Tully Road	30 miles per hour	October 21, 1978
RUMBLE ROAD, between Sisk Road and Conant Avenue	40 miles per hour	December 9, 1981

RUMBLE ROAD, between Tully Road and McHenry Avenue	35 miles per hour	January 19, 1981
SCENIC DRIVE, between Coffee Road and Oakdale Road	40 miles per hour	December 9, 1981
SCENIC DRIVE, Lillian Drive to Claus Road, within the City limits	40 miles per hour	November 3, 1982
SCENIC DRIVE, between Oakdale Road and Lakewood Avenue	45 miles per hour	December 9, 1981
SIERRA DRIVE, between G and South 7th Streets	30 miles per hour	December 1, 1978
SISK ROAD, between Briggsmore Avenue and Brenner Way	50 miles per hour	December 9, 1981
SISK ROAD, between Brenner Way and Standiford Avenue	40 miles per hour	December 9, 1981
SISK ROAD, between Standiford Avenue and 600' north of Vintage Drive	40 miles per hour	March 6, 1981
STANDIFORD AVENUE, between Dale Road and Prescott Road	45 miles per hour	December 10, 1981
STANDIFORD AVENUE, between Prescott Road and Carver Road	40 miles per hour	December 10, 1981
STANDIFORD AVENUE, between Carver Road and Tully Road	45 miles per hour	July 19, 1979
STANDIFORD AVENUE, between Tully Road and McHenry Avenue	40 miles per hour	October 20, 1980
SUNRISE AVENUE, between Lucern Avenue and Floyd Avenue	35 miles per hour	October 19, 1978
SURREY AVENUE, between Oakdale Road and Eastridge Drive	25 miles per hour	May 30, 1980

SUTTER AVENUE, between Paradise Road and Robertson Road	30 miles per hour	November 1, 1982
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	January 27, 1982
TULLY ROAD, between Coldwell Avenue and Standiford Avenue	35 miles per hour	November 20, 1982
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	November 1, 1982
VENEMAN AVENUE, between Dale Road and MID Lateral No. 7	35 miles per hour	November 13, 1982
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	December 10, 1981
WOODLAND AVENUE, between Morse Avenue and Shasta Avenue, within the City limits	45 miles per hour	April 13, 1979
WOODLAND AVENUE, between Shasta Avenue and Carpenter Road within the City limits	45 miles per hour	February 5, 1980
WOODLAND AVENUE, between 9th Street and Carpenter Road within the City limits	35 miles per hour	December 10, 1981

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 14th day of December, 1982, 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, Patterson, Siefkin, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: None

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 13, 1983