

ORDINANCE NO. 2335 -C.S.

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

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

SECTION 1. ZONING CHANGE. Section 28-3-9 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(376):

All that portion of Lot 44 of the Broughton Colony Tract, according to the map thereof, filed in the Office of the County Recorder of Stanislaus County, California, on March 17, 1904 in Volume 1 of Maps, page 78, bounded and particularly described as follows:

Beginning at a point which bears South 88°45' West a distance of 45.00 feet from a point on the section line, which is 885.06 feet south of the corner common to Section 21, 22, 27, and 28 in Township 3 South, Range 9 East, M.D.B. & M.; thence South 88°45' West, 263.00 feet; thence South 0°30' West, 198 feet; thence North 74°0' East, 273.40 feet; thence North 126.46 feet to the place of beginning.

Including also the west 45.00 feet of 90-foot wide Coffee Road immediately adjacent to the above described property.

SECTION 2. USES. The following uses shall be permitted in said P-D(376) 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:

Twenty-seven (27) apartment units.

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

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

SECTION 5. PUBLICATION. 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 21st day of May, 1985, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and ordered printed and published

by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside,  
Acting Mayor Patterson

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED: Richard Patterson  
~~XX~~  
RICHARD PATTERSON, Acting 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 W.S. Nichols 90  
Department of Planning and  
Community Development

Ordinance 2335 C.S.  
Exhibit A – Map

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

Ord. No. 2335-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 28th day of May, 1985, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 27, 1985

ORDINANCE NO. 2336 -C.S.

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

WHEREAS, a verified application for an amendment to Section 2-3-8 of the Zoning Map was filed by Resource Development on March 11, 1985, to reclassify from Medium Density Residential Zone, R-2, to Low Density Residential Zone, R-1, the hereinafter described property, and

WHEREAS, after public hearing held on April 15, 1985, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 85-79, adopted on April 15, 1985, the Planning Commission recommended to the Council that the application of Resource Development to amend Section 2-3-8 of the Zoning Map to reclassify the hereinafter described property from Medium Density Residential Zone, R-2, to Low Density Residential Zone, R-1, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on May 21, 1985, 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 rezoning would allow less intensive uses than presently allowed.
2. R-1 Zone uses would be compatible with adjacent and nearby uses.

SECTION 2. ZONING CHANGE. Section 2-3-8 of the Zoning Map is hereby amended to reclassify the following described property from Medium Density Residential Zone, R-2, to Low Density Residential Zone, R-1:

R-2 to R-1

All that certain real property situate in a portion of the South half of Section 2, Township 3 South, Range 8 East, Mount Diablo Base and Meridian and lying in the City of Modesto and the State of California, more particularly described as follows:

Commencing at the centerline intersection of Dale Road and Pelandale Avenue, said point being the quarter-quarter corner of said Section 2, as shown on the Official Map filed in Book 14 of Surveys at Page 87, Stanislaus County Records; thence South 89°56'00" West, along the quarter-quarter section line of said Section 2 and centerline of said Pelandale Avenue, 2,641.34 feet to the point of beginning of this description; thence South 0°17'57" East, 430.00 feet; thence South 89°57'00" West, 660.58 feet; thence North 0°17'08" East, 430.00 feet to a point on the said quarter-quarter section line and centerline of Pelandale Avenue; thence North 89°57'00" East along the quarter-quarter section line of said Section 2 and the centerline of said Pelandale Avenue, 660.58 feet to the point of beginning of this description.

SECTION 3. ZONING MAP. Section 2-3-8 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 21st day of May, 1985, by Councilmember Whiteside, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside, Acting Mayor Patterson

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED: Richard Patterson  
~~PEGGY MENSINGER, Mayor~~  
RICHARD PATTERSON, Acting 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 WS Nichols  
Department of Planning and Community Development 910

Ordinance 2336 C.S.  
Exhibit A – Map

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

Ord. No. 2336-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 28th day of May, 1985, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger  
**NOES:** Councilmembers: None  
**ABSENT:** Councilmembers: None

APPROVED *Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 27, 1985

ORDINANCE NO. 2337 -C.S.

AN ORDINANCE AMENDING SECTION MAP 24-3-8 OF THE ZONING MAP TO REPEAL A PORTION OF P-D(167) AND REZONE TO R-1, PROPERTY LOCATED ON THE NORTH SIDE OF WOODLAND AVENUE, EAST OF ROSEMORE AVENUE. (COMMISSION INITIATED)

WHEREAS, the City Council, by Ordinance No. 1636-C.S., which was adopted on August 29, 1977, and which became effective on October 6, 1977, amended Section Map 24-3-8 of the Zoning Map to reclassify to Planned Development Zone, P-D(167), to allow a duplex on 9 lots located on the north side of Woodland Avenue, east from Rosemore Avenue, as requested by Paul Zagaris, and

WHEREAS, the Council, by Resolution No. 77-819, adopted on August 8, 1977, approved the development schedule for P-D(167) which specified that the entire construction program be accomplished in one phase, with construction to begin on or before June 1, 1978, and completion to be on or before June 1, 1979, and

WHEREAS, on June 6, 1978, by Resolution No. 78-93, the Planning Commission granted a two year time extension for P-D(167) with construction to begin on June 1, 1980, and completion to be not later than June 1, 1981, and

WHEREAS, on June 2, 1980, by Resolution 80-125, the Planning Commission granted a one and a half year time extension to P-D(167), with construction to begin on or before December 1, 1981, and completion to be not later than December 1, 1982, and

WHEREAS, on December 7, 1981, by Resolution No. 81-253, the Planning Commission granted a one year time extension to P-D(167) with construction having begun and completion to be not later than December 1, 1983, and

WHEREAS, construction was not completed by the required date and on June 4, 1984, following a public hearing to consider modification or repeal of P-D(167) the Planning Commission, by Resolution No. 84-106, granted a one-year extension of time until December 1, 1984, for completion of construction, and

WHEREAS, a portion of P-D(167) was not developed within the extended time limits of the revised development schedule, 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 Planning Commission, by Resolution No. 85-46, adopted on March 18, 1985, initiated proceedings to review and extend the development schedule or to repeal a portion of P-D(167) and rezone the property to Low Density Residential Zone, R-1, and set April 1, 1985 as the date for public hearing, and

WHEREAS, said public hearing was held by the Planning Commission on April 1, 1985, in the City Council Chambers, City Hall, 801 11th Street, Modesto, at which hearing evidence both oral and documentary was received and considered, and thereafter the Planning Commission, by Resolution 85-64, found and determined that the repeal of a portion of Planned Development Zone, P-D(167) 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. A portion of P-D(167) did not develop within the extended time limits of the revised development schedule.

2. Section 10-2.2709(c) of the Municipal Code calls for repeal or modification of expired P-D zones.
3. The applicant has expressed that he no longer intends to develop a portion of P-D(167).

and

WHEREAS, by Resolution No. 85-64, adopted April 1, 1985, the Planning Commission recommended to the Council that Section Map 24-3-8 of the Zoning Map be amended to repeal a portion of P-D(167) 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 4:00 p.m. on May 21, 1985, 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 a portion of Planned Development Zone, P-D(167), 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. 85-64, 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(167), to Low Density Residential Zone, R-1:

All that portion of Section 24, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Lots 12, 13, 14, 15, and 16, of Block 5123 of Westridge No. 1 Subdivision recorded on March 30, 1977, in Volume 26 of Maps at Page 77, Stanislaus County Records.

Including also the Easterly 30 feet of Rosemore Avenue and the Northerly 30 feet of Woodland Avenue immediately adjacent to the above described property.

and

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 21st day of May, 1985, by Councilmember Bright, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Whiteside,

Ordinance 2337 C.S.  
Exhibit A – Map

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

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

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside,  
Acting Mayor Patterson

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED: Richard Patterson  
XXXXXXXXXXXXXXXXXXXXXXXXXXXX  
RICHARD PATTERSON, Acting 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 WS Michals JW  
Department of Planning and  
Community Development

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 28th day of May, 1985, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger
- NOES: Councilmembers:** None
- ABSENT: Councilmembers:** None

**APPROVED** *Peggy Mensinger*  
MAYOR PEGGY MENSINGER

**ATTEST:** *Morrine Coyle*  
MORRINE COYLE, City Clerk

**EFFECTIVE DATE:** June 27, 1985

ORDINANCE NO. 2338 -C.S.

AN ORDINANCE AMENDING SECTION MAP 7-3-9 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 Map 7-3-9 of the Zoning Map is hereby amended to reclassify a portion of the following described property from Planned Development Zone, P-D(349), to Planned Development Zone, P-D(378):

All that certain real property situate in a portion of the Northwest quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian lying in the City of Modesto, State of California, described as follows:

Being Lot "2", Book 13362 of "Standiford Square" Subdivision, as shown on the map filed in Volume 30 of Maps, at page 26, Stanislaus County Records, more particularly described as follows:

Commencing at the Northwest corner of said Lot "2", said corner lying on the East right-of-way line of Prescott Road; thence North 89°17'45" East, 308.00 feet; thence South 0°42'15" East, 14.00 feet; thence North 89°17'45" East, 368.00 feet to a point on the West right-of-way line of San Clemente Avenue; thence South 01°40'39" West, 99.99 feet; thence South 0°42'30" East, 113.42 feet to the beginning of a tangent curve, concave to the Northwest having a radius of 15.00 feet and a central angle of 91°46'55"; thence Southwesterly along the arc of said curve, 24.03 feet to a point on the North right-of-way line of Standiford Avenue; thence North 88°55'35" West, 44.46 feet to the beginning of a tangent curve, concave to the Northwest having a radius of 4,950.00 feet and a central angle of 5°18'48"; thence Northwesterly along the arc of said curve, 459.04 feet; thence North 83°36'47" West, 142.39 feet to the beginning of a tangent curve, concave to the Northeasterly, having a radius of 15.00 feet and a central angle of 82°54'32"; thence Northwesterly along the arc of said curve, 21.71 feet to a point on the East right-of-way line of said Prescott Road; thence North 0°42'15" West, 173.00 feet to the point of beginning of this description.

Including also all of the western one-half of 60.00 foot wide San Clemente Avenue, eastern one-half of 100.00 foot wide Prescott Road, and northern portion of Standiford Avenue located between the above described property and the east-west quarter section line of said Section 7 and all being immediately adjacent to the above described property.

and

SECTION 2. USES. The following uses shall be permitted in said P-D(378) 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.

1. Mini-warehouse storage complex.
2. Financial Institutions.

SECTION 3. ZONING MAP. Section Map 7-3-9 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 28th day of May, 1985, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, 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 Whiteside  
Department of Planning and  
Community Development

Ordinance 2338 C.S.  
Exhibit A – Map

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

Ord. No. 2338-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 4th day of June, 1985, Councilmember Sutton moved its final adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger  
**NOES:** Councilmembers: None  
**ABSENT:** Councilmembers: None

APPROVED

*Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST:

*Morrine Coyle*  
MORRINE COYLE, City Clerk

EFFECTIVE DATE:

July 4, 1985

AN ORDINANCE AMENDING SECTION MAP 14-3-9 OF THE ZONING MAP TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, TO MEDIUM DENSITY RESIDENTIAL ZONE, R-2, AND PLANNED DEVELOPMENT ZONE, P-D(377), PROPERTY LOCATED ON THE SOUTH SIDE OF FLOYD AVENUE, EAST OF LINCOLN OAK DRIVE (STEINPRESS DEVELOPMENT)

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

SECTION 1. ZONING CHANGE. Section 14-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and Planned Development Zone, P-D(377):

Being a portion of the Northeast quarter of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, more particularly described as follows:

R-1 to R-2

Commencing at the Northwest corner of Lot 4 of Hilkey Subdivision as shown in Volume 26 of Maps at page 43, Stanislaus County Records; thence South 0°25'24" East along the West line of said Lot 4 a distance of 385.00 feet to the true point of beginning; thence continuing South 0°25'24" East along the west line of said Lot 4 a distance of 90.00 feet; thence South 89°33'14" East along a line 475 feet South of and parallel with the North line of said Lot 4 a distance of 363 feet; thence South 0°25'24" East a distance of 5.00 feet; thence South 89°33'14" East along a line 480.00 feet south of and parallel with the North line of said Lot 4 130.27 feet more or less to a point on the East line of said Lot 4; thence North 0°25'17" West along the East line of said Lot 4 a distance of 95.00 feet; thence North 89°33'14" West along a line 385.00 feet South of and parallel with the North line of said Lot 4 a distance of 493.27 feet more or less to the point of beginning.

Contains 1.0 acres more or less.

R-1 to P-D

Beginning at the Northwest corner of Lot 4 of the Hilkey Subdivision as shown in Volume 26 of Maps, at page 43, Stanislaus County Records; thence South 0°25'24" East along the West line of said Lot 4 a distance of 385.00 feet; thence South 89°33'14" East along a line 385.00 feet South of and parallel with the North line of said Lot 4, a distance of 493.27 feet more or less to a point on the East line of said Lot 4; thence North 0°25'17" West, along the East line

of said Lot 4 a distance of 385.00 feet to the Northeast corner of said Lot 4; thence continuing North 0°25'17" West a distance of 30.00 feet to the centerline of Floyd Avenue; thence North 89°33'14" West along the centerline of said Floyd Avenue a distance of 493.29 feet; thence South 0°25'24" West a distance of 30.00 feet to the point of beginning.

Containing 5.4 acres more or less.

SECTION 2. USES. The following uses shall be permitted in said P-D(377) 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:

Multiple-family dwelling units and related facilities.

SECTION 3. ZONING MAP. Section Map 14-3-9 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 28th day of May, 1985, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Lang, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, 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 J. ...  
Department of Planning and  
Community Development



Ordinance 2339 C.S.  
Exhibit A – Map

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

Ord. No. 2339-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 4th day of June, 1985, Councilmember Sutton moved its final adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the ordinance adopted by the following vote:

- AYES: Councilmembers:** Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger
- NOES: Councilmembers:** None
- ABSENT: Councilmembers:** None

**APPROVED** Peggy Mensinger  
MAYOR PEGGY MENSINGER

**ATTEST:** Norrine Coyle  
NORRINE COYLE, City Clerk

**EFFECTIVE DATE:** July 4, 1985

ORDINANCE NO. 2340 -C.S.

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

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

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

SEC. 3-2.1401. CHANGE IN SPEED LIMITS SET BY STATE LAW.

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

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
ALICE STREET, between Sycamore Avenue and McHenry Avenue	25 miles per hour
BLUE GUM AVENUE, between Carpenter Road and Culpepper Avenue	25 miles per hour
CARPENTER ROAD, between the Tuolumne River and Robertson Road	35 miles per hour
CENTER STREET, between Rosedale Avenue and Calaveras Avenue	25 miles per hour
CONANT AVENUE, between Sisk Road and Rumble Road	35 miles per hour
CORALWOOD ROAD, between McHenry Avenue and Dragoo Park Drive	35 miles per hour

CROWS LANDING, between 7th Street and Blankenburg Avenue; those portions within the City	35 miles per hour
CROWS LANDING, between School Avenue and Imperial Avenue; those portions within the City	35 miles per hour
CROWS LANDING, between Imperial Avenue and Whitmore; those portions within the City	45 miles per hour
DEL VALE AVENUE, between Del Vista Avenue and Glenwood Drive	25 miles per hour
EMERALD AVENUE, between Maze Boulevard and Kansas Avenue within the City limits	25 miles per hour
ENSLEN AVENUE, between Granger Avenue and Orangeburg Avenue	25 miles per hour
FAIRMONT AVENUE, between Virginia Avenue and McHenry Avenue	25 miles per hour
FRANKLIN STREET, between Maze Boulevard and Laurel Avenue	25 miles per hour
GRAPE AVENUE, between Pearl Street and Evergreen Avenue	25 miles per hour
GRISWOLD AVENUE, between Virginia Avenue and McHenry Avenue	25 miles per hour
HADDON AVENUE, between La Loma Avenue and Conejo Avenue	25 miles per hour
HATCH ROAD, within the City limits	35 miles per hour
JEFFERSON STREET, between Paradise Road and 8th Street	25 miles per hour
K STREET, between Washington Street and 9th Street	25 miles per hour
LA LOMA AVENUE, between Burney Street and Buena Vista	25 miles per hour

LAUREL AVENUE, between Emerald Avenue and Franklin Street, within the City limits	35 miles per hour
LEGION PARK ROAD, between Santa Cruz Avenue and Tioga Drive	25 miles per hour
LEVELAND LANE, between College Avenue and TSRR tracks	25 miles per hour
LINCOLN OAK DRIVE, between Merle Avenue and Floyd Avenue	25 miles per hour
LUCERN AVENUE, between Johnson Street and Coffee Road	25 miles per hour
MADISON STREET, between Paradise Avenue and Laurel Avenue	25 miles per hour
MORTON BOULEVARD, between 9th Street and Downey Avenue	25 miles per hour
NEECE DRIVE, between Rouse Avenue and Sunset Avenue	25 miles per hour
PARKER ROAD, between Claus Road and the Atchinson, Topeka and Santa Fe Railroad Tracks within the City Limits	50 miles per hour
PEARL STREET, between Carver Road and Dougfir Drive	25 miles per hour
RIVER ROAD, between Herndon Avenue and 1,200 feet west of Herndon Avenue	35 miles per hour
ROBLE AVENUE, between Santa Ana Avenue and Rosina Avenue	25 miles per hour
SHERWOOD AVENUE, between Orangeburg Avenue and Briggsmore Avenue	25 miles per hour
SNYDER AVENUE, between Blue Bird Drive and Dale Road	25 miles per hour

STODDARD AVENUE, between McHenry Avenue and Virginia Avenue	25 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour
WRIGHT STREET, between Sycamore Avenue and McHenry Avenue	25 miles per hour
7TH STREET, between Sierra Drive and the Tuolumne River	25 miles per hour
9TH STREET, between Carpenter Road and 400' north of Tully Road	50 miles per hour
9TH STREET, between 400' north of Tully Road and P Street	35 miles per hour
9TH STREET, between D Street and north end of the Tuolumne River Bridge	30 miles per hour
9TH STREET, on the Tuolumne River Bridge	40 miles per hour

SEC. 3-2.1401.1. CHANGE IN SPEED LIMITS SET BY STATE LAW:  
FOR PURPOSE OF ENFORCEMENT USING RADAR OR OTHER ELECTRONIC DEVICE.

By authority of, and upon the basis of engineering and traffic surveys conducted pursuant to Vehicle Code and the Traffic Manual of the Department of Transportation, it is determined that the prima facie speed limits which follow would facilitate the orderly movement of vehicular traffic and would be reasonable and safe.

<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	December 5, 1984
BOWEN AVENUE, between Tully Road and McHenry Avenue	35 miles per hour	November 15, 1982
BRIGGSMORE AVENUE, between Prescott Road and Tully Road	45 miles per hour	January 27, 1984

BRIGGSMORE AVENUE, (east and westbound) between Tully Road and McHenry Avenue	45 miles per hour	January 27, 1984
BRIGGSMORE AVENUE, (westbound) between Coffee Road and McHenry Avenue	45 miles per hour	January 27, 1984
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	January 26, 1984
BRIGGSMORE AVENUE, between Coffee Road and Rose Avenue	45 miles per hour	January 26, 1984
BRIGGSMORE AVENUE, between Rose Avenue and Oakdale Road	45 miles per hour	January 26, 1984
BRIGGSMORE AVENUE, between Oakdale Road and Claus Road	50 miles per hour	January 26, 1984
BRIGHTON AVENUE, between Coffee Road and Locke Road	30 miles per hour	June 15, 1983
CARPENTER ROAD, between Blue Gum Avenue and Woodland Avenue within the City limits	45 miles per hour	February 8, 1984
CARPENTER ROAD, between Woodland Avenue and Maze Boulevard within the City limits	45 miles per hour	June 14, 1984
CARPENTER ROAD, between Maze Boulevard and Paradise Road within the City limits	45 miles per hour	January 26, 1984

CARVER ROAD, between M.I.D. Lateral No. 6 and Brixton Lane within the City limits	40 miles per hour	December 10, 1981
CARVER ROAD, between Brixton Lane and Roseburg Avenue	35 miles per hour	November 15, 1982
CARVER ROAD, between Roseburg Avenue and 9th Street	35 miles per hour	November 13, 1982
CELESTE DRIVE, between Coffee Road and Oakdale Road	30 miles per hour	June 14, 1983
CLAUS ROAD, between M.I.D. Lateral No. 3 and 200' south of Scenic Drive	45 miles per hour	February 3, 1984
COFFEE ROAD, between Mable Avenue and Sylvan Avenue within the City limits	40 miles per hour	June 6, 1981
COFFEE ROAD, between Sylvan Avenue and Floyd Avenue within the City limits	35 miles per hour	January 26, 1984
COFFEE ROAD, between Floyd Avenue and Briggsmore Avenue	35 miles per hour	January 26, 1984
COFFEE ROAD, between Briggsmore Avenue and Scenic Drive	35 miles per hour	January 26, 1984
COLLEGE AVENUE, between Rumble Road and Bowen Avenue	30 miles per hour	March 8, 1984
COLLEGE AVENUE, between Bowen Avenue and Princeton Avenue	35 miles per hour	November 20, 1982
CROWS LANDING ROAD, Blankenburg Avenue to School Avenue, within the City limits	35 miles per hour	June 22, 1983
DALE ROAD, between Pelandale Avenue and Snyder Avenue	50 miles per hour	May 29, 1984
DALE ROAD, between Snyder Avenue and Veneman Avenue	45 miles per hour	May 29, 1984

DALE ROAD, between Veneman Avenue and Standiford Avenue	35 miles per hour	January 26, 1984
EASTRIDGE DRIVE, between Orangeburg Avenue and Scenic Drive	30 miles per hour	May 25, 1983
EICHER AVENUE, between Conant Avenue and Goldie Avenue	30 miles per hour	March 11, 1981
EL VISTA AVENUE, between Scenic Drive and Yosemite Boulevard	35 miles per hour	April 20, 1984
EMERALD AVENUE, between Maze Boulevard and California Avenue within the City limits	35 miles per hour	June 14, 1983
ENCINA AVENUE, between Santa Barbara Avenue and Conejo Avenue	30 miles per hour	June 22, 1983
EVERGREEN AVENUE, between Orangeburg Avenue and Carver Road	35 miles per hour	January 19, 1981
FAIRMONT AVENUE, between Sunrise Avenue and Coffee Road	30 miles per hour	June 15, 1983
FLOYD AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	November 15, 1982
FLOYD AVENUE, between Coffee Road and Oakdale Road	30 miles per hour	June 14, 1983
FRANKLIN STREET, between Maze Boulevard and California Avenue	35 miles per hour	November 20, 1982
GRANGER AVENUE, between Tully Road and McHenry Avenue	30 miles per hour	June 14, 1983
GRANGER AVENUE, between McHenry Avenue and Sunrise Avenue	30 miles per hour	June 14, 1983

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	January 26, 1984
KEARNEY AVENUE, between Glenwood Drive and Coldwell Avenue	30 miles per hour	January 19, 1981
KELLER STREET, between Sylvan Avenue and Rumble Road within the City limits	30 miles per hour	January 26, 1984
LAKWOOD AVENUE, between Orangeburg Avenue and Scenic Drive	30 miles per hour	September 15, 1983
LA LOMA AVENUE, between Buena Vista and Yosemite Boulevard	35 miles per hour	November 16, 1982
LINCOLN AVENUE, between 650' north of M.I.D. Lateral No. 2 and Yosemite Boulevard	35 miles per hour	December 8, 1984
MABLE AVENUE, between Coffee Road and Oakdale Road	40 miles per hour	February 24, 1981
MERLE AVENUE, between Oakdale Road and Claus Road	45 miles per hour	May 29, 1984
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 DRIVE, between Prescott Road and Carver Road	30 miles per hour	June 14, 1983

MT. VERNON DRIVE, between Carver Road and College Avenue	30 miles per hour	June 23, 1983
NEECE DRIVE, between Tuolumne Boulevard and Rouse Avenue	35 miles per hour	June 14, 1983
NEEDHAM STREET, between 9th and L Streets	35 miles per hour	June 22, 1983
NORWEGIAN AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	June 14, 1983
OAKDALE ROAD, between Mable Avenue and Sylvan Avenue	50 miles per hour	May 29, 1984
OAKDALE ROAD, between Sylvan Avenue and Floyd Avenue	50 miles per hour	June 15, 1984
OAKDALE ROAD, between Floyd Avenue and Briggsmore Avenue	45 miles per hour	December 8, 1984
OAKDALE ROAD, between Briggsmore Avenue and Scenic Drive	35 miles per hour	January 26, 1984
ORANGEBURG AVENUE, between Briggsmore Avenue and Martin Avenue	30 miles per hour	April 11, 1985
ORANGEBURG AVENUE, between Martin Avenue and McHenry Avenue	40 miles per hour	April 3, 1985
ORANGEBURG AVENUE, between McHenry Avenue and Coffee Road	40 miles per hour	April 2, 1985
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	January 27, 1984
ORANGEBURG AVENUE, between Oakdale Road and Lakewood Avenue	35 miles per hour	November 19, 1984

ORANGEBURG AVENUE, between Lakewood Avenue and Claus Road	35 miles per hour	December 6, 1984
PARADISE ROAD, between Vernon Avenue and Franklin Street within the City limits	35 miles per hour	September 24, 1984
PARADISE ROAD, between Franklin Street and Washington Street	30 miles per hour	May 29, 1984
PRESCOTT ROAD, between Rumble Road and Briggsmore Avenue	35 miles per hour	January 26, 1984
PRINCETON AVENUE, between Tully Road and College Avenue	25 miles per hour	December 8, 1984
RIVERSIDE DRIVE, between Edge- brook Drive and Yosemite Boulevard	35 miles per hour	January 19, 1981
ROSE AVENUE, between Floyd Avenue and Briggsmore Avenue	35 miles per hour	November 16, 1982
ROSE AVENUE, between Briggsmore Avenue and Scenic Drive	35 miles per hour	November 3, 1982
ROSEBURG AVENUE, between Carver Road and Tully Road	30 miles per hour	June 14, 1983
ROSEBURG AVENUE, between Tully Road and McHenry Avenue	30 miles per hour	June 14, 1983
ROSEBURG AVENUE, between McHenry Avenue and Sunrise Avenue	35 miles per hour	June 14, 1983
ROSELAWN AVENUE, between Rouse Avenue and Colorado 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 Sisk Road and Conant Avenue	40 miles per hour	December 9, 1981

RUMBLE ROAD, between Conant Avenue and Tully Road	30 miles per hour	June 14, 1983
RUMBLE ROAD, between Tully Road and McHenry Avenue	35 miles per hour	January 19, 1981
RUMBLE ROAD, between McHenry Avenue and Coffee Road	35 miles per hour	June 14, 1983
SCENIC DRIVE, between Burney Street and Coffee Road	30 miles per hour	June 22, 1983
SCENIC DRIVE, between Coffee Road and Oakdale Road	40 miles per hour	December 9, 1981
SCENIC DRIVE, between Oakdale Road and Lakewood Avenue	45 miles per hour	December 9, 1981
SCENIC DRIVE, between Lakewood Avenue and Lillian Drive	30 miles per hour	October 11, 1983
SCENIC DRIVE, Lillian Drive to Claus Road	40 miles per hour	November 3, 1982
SHARON WAY, between Budd Street and Prescott Road	30 miles per hour	June 7, 1983
SIERRA DRIVE, between G and South 7th Streets	30 miles per hour	June 14, 1983
SISK ROAD, between 600' north of Vintage Drive and Standiford Avenue	40 miles per hour	March 6, 1981
SISK ROAD, between Standiford Avenue and Brenner Way	40 miles per hour	December 9, 1981
SISK ROAD, between Brenner Way and Briggsmore Avenue	40 miles per hour	June 8, 1983
STANDIFORD AVENUE, between Dale Road and Prescott Road within the City limits	40 miles per hour	December 8, 1984
STANDIFORD AVENUE, between Prescott Road and Carver Road	40 miles per hour	December 8, 1984

STANDIFORD AVENUE, between Carver Road and Tully Road	40 miles per hour	January 26, 1984
STANDIFORD AVENUE, between Tully Road and McHenry Avenue	30 miles per hour	May 18, 1984
SUNRISE AVENUE, between Floyd Avenue and Briggsmore Avenue	35 miles per hour	June 14, 1983
SUNRISE AVENUE, between Briggsmore Avenue and Lucern Avenue	30 miles per hour	December 8, 1984
SURREY AVENUE, between Oakdale Road and Eastridge Drive	30 miles per hour	December 6, 1984
SUTTER AVENUE, between Paradise Road and Robertson Road	30 miles per hour	November 7, 1982
SYCAMORE AVENUE, between Orangeburg Avenue and Griswold Avenue	30 miles per hour	March 9, 1984
SYLVAN AVENUE, between McHenry Avenue and Coffee Road	40 miles per hour	December 8, 1984
SYLVAN AVENUE, between Coffee Road and Oakdale Road within the City limits	40 miles per hour	December 8, 1984
TOKAY AVENUE, between McHenry Avenue and Bodega Lane	35 miles per hour	January 27, 1982
TULLY ROAD, between M.I.D. Lateral No. 6 and Standiford Avenue	40 miles per hour	June 14, 1983
TULLY ROAD, between Standiford Avenue and Coldwell Avenue	35 miles per hour	November 20, 1982
TUOLUMNE BOULEVARD, between Paradise Road and 7th Street	35 miles per hour	November 1, 1982

VENEMAN AVENUE, between Dale Road and M.I.D. Lateral No. 7	35 miles per hour	November 13, 1982
VIRGINIA AVENUE, between Roseburg Avenue and Needham Street	30 miles per hour	June 14, 1983
WHITMORE AVENUE, between Crows Landing Road and Morgan Road within the City limits	45 miles per hour	December 10, 1981
WOODLAND AVENUE, between Morse Road and Shasta Avenue, within the City limits	45 miles per hour	January 26, 1984
WOODLAND AVENUE, between Shasta Avenue and Carpenter Road, within the City limits	40 miles per hour	December 5, 1984
WOODLAND AVENUE, between Carpenter Road and 9th Street, within the City limits	35 miles per hour	December 10, 1981
WOODROW AVENUE, between Tully Road and McHenry Avenue	30 miles per hour	June 14, 1983
WYLIE DRIVE, between Rose Avenue and Oakdale Road	35 miles per hour	February 7, 1984
9TH STREET, between P Street and L 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 May, 1985, by Councilmember Sutton who moved its introduction and passage to print, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and order printed and published by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, 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 Evelyn L. Johnson  
EVELYN L. JOHNSON, City Attorney

Ord. No. 2340-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 4th day of June, 1985, Councilmember Sutton moved its final adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Morrine Coyle  
MORRINE COYLE, City Clerk

EFFECTIVE DATE: July 4, 1985

ORDINANCE NO. 2341 -C.S.

AN ORDINANCE AMENDING SECTION MAP 2-3-8 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 2-3-8 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(379):

All that certain real property situate in a portion of the South half of the Southwest quarter of Section 2, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, lying in the City of Modesto, State of California, more particularly described as follows:

Commencing at the intersection of the west section line and the south quarter-quarter section line of said Section 2; thence along said quarter-quarter line which is also the centerline of Pelandale Road, North 89°57'00" East 698.52 feet to the points of beginning of this description; thence continuing on said quarter-quarter and centerline North 89°57'00" East 945.09 feet to the centerline of 60.00 foot wide Gagos Drive; thence along said centerline, South 00°15'35" West 435.01 feet to the easterly prolongation of the south line of Parcel "1", as shown on the official map filed in Book 34 Parcel Maps at Page 70, Stanislaus County records; thence along said prolongation and south line of Parcel "1" and south line of Parcel "2" also shown on said Parcel Maps, South 89°57'00" west 945.09 feet to the southwest corner of said Parcel "2"; thence along the west line of said Parcel "2" and its northerly prolongation North 00°15'35" East 435.01 feet to its intersection with said centerline of Pelandale Road and the points of beginning of this description.

SECTION 2. USES. The following uses shall be permitted in said P-D(379) 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:

1. 135-unit condominium project.
2. Off-street parking as shown on the approved development plan.

SECTION 3. ZONING MAP. Section Map 2-3-8 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 11th day of June, 1985, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Lang, was upon roll call carried and ordered printed and published

by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside,  
Acting Mayor Patterson

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED: Richard Patterson  
~~PEGGY MENSINGER, Mayor~~XXXXXXXXXX  
RICHARD PATTERSON, Acting Mayor

ATTEST:

By Norrine Coyle  
NORRINE COYLE, City Clerk

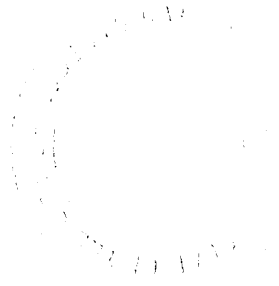
(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William D. Smith  
Department of Planning and  
Community Development



Ordinance 2341 C.S.  
Exhibit A – Map

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

Ord. No. 2341-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 18th day of June, 1985, Councilmember Whiteside 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, Muratore, Sutton, Whiteside, Acting Mayor Patterson

**NOES: Councilmembers:** None

**ABSENT: Councilmembers:** Lang, Mayor Mensinger

**APPROVED** Richard Patterson  
RICHARD PATTERSON, Acting Mayor

**ATTEST:** Morrine Coyle  
MORRINE COYLE, City Clerk

**EFFECTIVE DATE:** July 18, 1985

ORDINANCE NO. 2342 -C.S.

AN ORDINANCE AMENDING SECTION MAP 10-3-9 OF THE ZONING MAP TO REPEAL P-D(298) AND REZONE TO R-3, PROPERTY LOCATED AT THE SOUTHEAST CORNER OF COFFEE ROAD AND SYLVAN AVENUE. (COMMISSION INITIATED)

WHEREAS, the City Council, by Ordinance No. 2043-C.S., which was introduced on June 9, 1981, and which became effective on July 23, 1981, amended Section Map 10-3-9 of the Zoning Map to reclassify from High Density Residential Zone, R-3, to Planned Development Zone, P-D(298), property located on the southeast corner of Coffee Road and Sylvan Avenue, and

WHEREAS, the City Council, by Resolution No. 81-473, approved the development schedule for Planned Development Zone, P-D(298), with a development schedule which specified that construction was to be in five phases as follows:

- Phase I - Buildings A, B, C, begin by March 1, 1983, complete by December 31, 1983.
- Phase II - Buildings D, E, F, begin by March 1, 1984, complete by December 31, 1984.
- Phase III - Buildings G, H, J, begin by March 1, 1985, complete by December 31, 1985.
- Phase IV - Buildings K, L, M, begin by March 1, 1986, complete by December 31, 1986.
- Phase V - Buildings N, P, Q, begin by March 1, 1987, complete by December 31, 1987.

and

WHEREAS, on February 7, 1983, the Planning Commission, by Resolution No. 83-15, granted a one-year time extension for all five phases of development, and

WHEREAS, on February 21, 1984, the Planning Commission, by Resolution No. 84-41, granted a second one year time extension for all five phases of development, and

WHEREAS, a letter was received from Mid-Valley Engineering, Inc., representing Robert Weeks, owner, requesting a third one-year time extension for all five phases of development, and

WHEREAS, the request was reviewed by the Planning Commission at its regular meeting of March 4, 1985, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which meeting evidence both oral and documentary was received and considered, and

WHEREAS, the Planning Commission, by Resolution No. 85-39, adopted on March 4, 1985, found and determined that good cause had not been shown for the requested time extension, and denied said request, and

WHEREAS, by letter dated March 11, 1985, from Mid-Valley Engineering, Inc., on behalf of Robert Weeks, an appeal was filed with the City Council to the decision of the Planning Commission denying a time extension to the development schedule of P-D(298), and

WHEREAS, said appeal 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 April 9, 1985 at 7:30 p.m., at which time said hearing was held and thereafter continued to April 23, 1985, at 7:30 p.m., and

WHEREAS, at said hearings evidence, both oral and documentary, was introduced, and

WHEREAS, after said hearings, the Council, by Resolution No. 85-238, found and determined that the requested one-year time extension to the development schedule of Planned Development Zone, P-D(298), should be denied for the reason that good cause had not been shown for the requested time extension, and the decision of the Planning Commission should be affirmed, 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, a public hearing was held by the Planning Commission at its regular meeting on May 6, 1985, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered on the Commission initiated proposal to repeal P-D(298) and rezone to R-3, and thereafter the Planning Commission, by Resolution No. 85-92, found and determined that the repeal of Planned Development Zone, P-D(298) and rezoning the property back to High Density Residential Zone, R-3, is required by public necessity, convenience and general welfare for the following reasons:

1. P-D(298) did not develop within the extended time limits of the revised development schedule.
2. Section 10-2.2709(c) of the Municipal Code calls for repeal or modification of expired P-D zones.

and

WHEREAS, by Resolution No. 85-92, adopted May 6, 1985, the Planning Commission recommended to the Council that Section Map 10-3-9 of the Zoning Map be amended to repeal P-D(298) and rezone the property hereinafter described to High Density Residential Zone, R-3, 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 June 11, 1985, 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(298), to High Density Residential Zone, R-3, is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 85-92, and quoted above.

SECTION 2. ZONING CHANGE. Section 10-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(298), to High Density Residential Zone, R-3:

All of Parcel "3", as shown on the map filed in Book 28 of Parcel Maps, at Page 46, Stanislaus County Records, and a portion of the southwest quarter of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the West quarter corner of said Section 10, being at the intersection of the centerline of Sylvan Avenue with the centerline of Coffee Road; thence North 89°26' East, along the quarter section line and centerline of Sylvan Avenue, 580.22 feet to the intersection with the centerline of Kingswood Drive as shown on above referenced map; thence South 0°34' East along said centerline, 827.95 feet to the intersection with the centerline of Princewood Lane as shown on above referenced map; thence South 89°12'50" West

along said centerline, 577.05 feet to the West line of said Section 10 and centerline of Coffee Road as shown on above referenced map; thence North 0°47'10" West along said section line and centerline, 830.17 feet to the Point of Beginning.

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

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

SECTION 5. PUBLICATION. 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 11th day of June, 1985, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Whiteside,

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

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside,  
Acting Mayor Patterson

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED: Richard Patterson  
~~PEGGY MENSINGER, Mayor~~XXXXXXXXXXXXX  
RICHARD PATTERSON, Acting 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 2342 C.S.  
Exhibit A – Map

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

Ord. No. 2342-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 18th day of June, 1985, Councilmember Whiteside 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, Muratore, Sutton, Whiteside, Acting Mayor Patterson

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Lang, Mayor Mensinger

**APPROVED**

*Richard Patterson*  
RICHARD PATTERSON, Acting Mayor

**ATTEST:**

*Norrine Coyle*  
NORRINE COYLE, City Clerk

**EFFECTIVE DATE:** July 18, 1985

AN ORDINANCE AMENDING SECTION MAP 19-3-10 OF THE ZONING MAP TO REPEAL P-D(312) AND REZONE TO R-1, PROPERTY LOCATED ON THE SOUTH SIDE OF PARKER ROAD EAST OF CLAUS ROAD.  
(COMMISSION INITIATED)

WHEREAS, the City Council, by Ordinance No. 2066-C.S., which was adopted on August 4, 1981, and which became effective on September 10, 1981, amended Section Map 19-3-10 of the Zoning Map to rezone to Planned Development Zone, P-D(312), for a townhouse condominium complex, property located on the south side of Parker Road east of Claus Road, and

WHEREAS, the Council, by Resolution No. 81-656, adopted on August 4, 1981, approved the development schedule for P-D(312) which specified that the entire construction program be accomplished in one phase, with construction to begin on or before January 15, 1983, and completion to be not later than January 15, 1986, and

WHEREAS, P-D(312) has expired as of January 15, 1983, and the Planning Commission on April 1, 1985, by Resolution 85-52 initiated proceedings to repeal P-D(312) and rezone the property to R-1, and

WHEREAS, a public hearing was held by the Planning Commission at its regular meeting on May 6, 1985, in the City Council Chambers, City Hall, 801 11th Street, Modesto, at which hearing evidence both oral and documentary was received and considered, and thereafter the Planning Commission, by Resolution 85-100 found and determined that the repeal of Planned Development Zone, P-D(312), 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(312) did not develop within the extended time limits of the revised development schedule.
2. Section 10-2.2709(c) of the Municipal Code calls for repeal or modification of expired P-D zones.
3. The applicant has expressed that he does not object to repealing the P-D(312) zone.

and

WHEREAS, by Resolution No. 85-100, adopted May 6, 1985, the Planning Commission recommended to the Council that Section Map 19-3-10 of the Zoning Map be amended to repeal P-D(312) 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 June 11, 1985, 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(312), 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. 85-100, and quoted above:

SECTION 2. ZONING CHANGE. Section 19-3-10 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(312), to Low Density Residential Zone, R-1:

All that certain real property situate in a portion of the Northwest Quarter of Section 19, Township 3 South, Range 10 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the Northwest corner of Section 19, aforesaid and running thence South 0°44' West, 1322.03 feet along the West line of said Section 19, to the quarter quarter corner; thence South 88°45' East, 1357.35 feet along the quarter quarter Section line to the Southeast corner of the Northwest quarter of the Northwest quarter of said Section 19, being also the Southwest corner of that certain tract of land conveyed to A. T. Terry, by Deed recorded in Volume 813 of Official Records, at page 193; thence North 0°49' East along the West line of said Terry land, 635.00 feet to the true point of beginning of this description; said point of beginning being also the Northwest corner of property conveyed to C. E. Long, et al., by Deed recorded November 30, 1948, Instrument No. 25120; thence South 88°45' East, along the North line of said Long property, 445 feet to the Southwest corner of property conveyed to M. L. Cleveland by Deed recorded May 23, 1956, as Instrument No. 12410; thence North 0°49' East, along the West line of said Cleveland property, 574.56 feet to a point in the South line of a 40 foot County Road known as Parker Road, said point being also the Northwest corner of said Cleveland property; thence North 88°54'30" West along the South line of said Parker Road, 445 feet to the Northwest corner of the above mentioned Terry land; thence South 0°49' West, along the West line of said Terry land, 571.50 feet to the true point of beginning.

Including also all of Parker Road and the Southern 70.00 feet of 140.00 foot wide Modesto Irrigation District Lateral No. 3 immediately adjacent to the above described property.

and

SECTION 3. ZONING MAP. Section 19-3-10 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 11th day of June, 1985, by Councilmember Whiteside, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside, Acting Mayor Patterson

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED: Richard Patterson  
~~PECCY MENSINGER, Mayor~~  
RICHARD PATTERSON, Acting 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 Smith  
Department of Planning and  
Community Development



**Ordinance 2343 C.S.**  
**Exhibit A – Map**

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

Ord. No. 2343-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 18th day of June, 1985, Councilmember Whiteside 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, Muratore, Sutton, Whiteside, Acting Mayor Patterson

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Lang, Mayor Mensinger

**APPROVED** Richard Patterson  
RICHARD PATTERSON, Acting Mayor

**ATTEST:** Moraine Coyle  
MORRAINE COYLE, City Clerk

**EFFECTIVE DATE:** July 18, 1985

AN ORDINANCE AMENDING SECTION MAP 7-3-9 OF THE ZONING MAP TO REPEAL P-D(303) AND REZONE TO R-1, PROPERTY LOCATED ON THE EAST SIDE OF PRESCOTT ROAD WEST OF SHELDON DRIVE.  
(COMMISSION INITIATED)

WHEREAS, the City Council, by Ordinance No. 2047-C.S., which was adopted on June 9, 1981, and which became effective on July 16, 1981, amended Section Map 7-3-9 of the Zoning Map to rezone to Planned Development Zone, P-D(303), for a residential condominium project, property located on the east side of Prescott Road west of Sheldon Drive, and

WHEREAS, the Council, by Resolution No. 81-478, adopted on June 9, 1981 approved the development schedule for P-D(303) which specified that the entire construction program be accomplished in two phases, with construction of Phase I to begin on or before July 1, 1983, and completion to be not later than July 1, 1985, and

WHEREAS, P-D(303) has expired as of July 1, 1983, and the Planning Commission on April 1, 1985, by Resolution 85-51 initiated proceedings to repeal P-D(303) and rezone the property to R-1, and

WHEREAS, a public hearing was held by the Planning Commission at its regular meeting on May 6, 1985, in the City Council Chambers, City Hall, 801 11th Street, Modesto, at which hearing evidence both oral and documentary was received and considered, and thereafter the Planning Commission, by Resolution 85-101 found and determined that the repeal of Planned Development Zone, P-D(303), 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(303) did not develop within the extended time limits of the revised development schedule.
2. Section 10-2.2709(c) of the Municipal Code calls for repeal or modification of expired P-D zones.
3. There is no evidence to indicate that the owners intend to develop under the P-D(303) zone.

and

WHEREAS, by Resolution No. 85-101, adopted May 6, 1985, the Planning Commission recommended to the Council that Section Map 7-3-9 of the Zoning Map be amended to repeal P-D(303) 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 June 11, 1985, 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(303), 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. 85-101, and quoted above:

SECTION 2. ZONING CHANGE. Section 7-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(303), to Low Density Residential Zone, R-1:

P-D(303) to R-1

All that certain real property situated in the southwest quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, County of Stanislaus, State of California, described as follows:

All that portion of Parcel 4 as shown on the Record of Survey map recorded in Volume 14 of Surveys, at Page 171, and all of Lot 1, Block 13313 as shown on the map of Applegate No. 5 as recorded in Volume 24 of Maps at Page 62, Stanislaus County Records, more particularly described as follows:

Commencing at the West quarter corner of said Section 7; thence South  $0^{\circ}02'50''$  East on the West line of Section 7, a distance of 992.63 feet to the northwest corner of said Parcel 4 and the POINT OF BEGINNING of this description; thence South  $88^{\circ}15'40''$  East on the North line of said Parcel 4 a distance of 1174.00 feet; thence South  $0^{\circ}00'49''$  East, 498.20 feet to the prolongation of the present centerline of 60 foot wide Sheldon Avenue; thence South  $88^{\circ}18'45''$  East on said centerline prolongation, 140.32 feet to the northerly prolongation of the easterly line of said Lot 1 of Applegate No. 5; thence South  $0^{\circ}00'17''$  East along said northerly prolongation 30.01 feet to the northeast corner of said Lot 1 of Applegate No. 5 and the present South line of 60 foot wide Sheldon Avenue; thence South  $0^{\circ}00'17''$  East on the East line of Lot 1, a distance of 105.94 feet to the southeast corner of said Lot 1, thence North  $88^{\circ}18'45''$  West on the South line of Lot 1, a distance of 428.84 feet to the southwest corner of said Lot 1 and a point on the easterly line of said Parcel 4; thence South  $78^{\circ}46'01''$  West on the easterly line of Parcel 4, a distance of 352.98 feet to the beginning of a curve concave to the southeast, having a radius of 70.55 feet and a central angle of  $40^{\circ}04'23''$ ; thence southwesterly on the arc of said curve and the easterly line of said Parcel 4, a distance of 49.34 feet; thence continuing on said easterly line South  $38^{\circ}41'38''$  West, 315.65 feet to the southeast corner of said Parcel 4 and the most westerly corner of said Applegate No. 5 subdivision; thence North  $88^{\circ}23'20''$  West on the South line of said Parcel 4, a distance of 304.27 feet to the West line of said Section 7; thence North  $0^{\circ}02'50''$  West on the West line of said Section 7, a distance of 987.95 feet to the point of beginning.

Containing 21.55 gross acres more or less.

and

SECTION 3. ZONING MAP. Section 7-3-9 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 11th day of June, 1985, by Councilmember Sutton, 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, Sutton, Whiteside, Acting Mayor Patterson

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED: Richard Patterson  
~~PEGGY MENSINGER, Mayor~~  
RICHARD PATTERSON, Acting Mayor

ATTEST:

By Norrine Coyle  
NORRINE COYLE, City Clerk

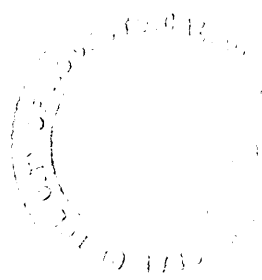
(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William J. Meida  
Department of Planning and  
Community Development



Ordinance 2344 C.S.  
Exhibit A – Map

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

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 18th day of June, 1985, Councilmember Whiteside 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, Muratore, Sutton, Whiteside, Acting Mayor Patterson

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Lang, Mayor Mensinger

**APPROVED** *Richard Patterson*  
RICHARD PATTERSON, Acting Mayor

**ATTEST:** *Morrine Coyle*  
MORRINE COYLE, City Clerk

**EFFECTIVE DATE:** July 18, 1985

AN ORDINANCE AMENDING SECTION MAP 10-3-9 OF THE ZONING MAP TO REPEAL P-D(206) AND REZONE TO R-1, PROPERTY LOCATED ON THE SOUTHEAST CORNER OF COFFEE ROAD AND MABLE AVENUE. (COMMISSION INITIATED)

WHEREAS, the City Council, by Ordinance No. 1788-C.S., which was adopted on November 27, 1978, and which became effective on January 3, 1979, amended Section Map 10-3-9 of the Zoning Map to rezone to Planned Development Zone, P-D(206), for a 30-unit residential condominium, property located on the southeast corner of Coffee Road and Mable Avenue, and

WHEREAS, the Council, by Resolution No. 78-1210, adopted on November 27, 1978, approved the development schedule for P-D(206) which specified that the entire construction program be accomplished in one phase, with construction to begin on or before July 1, 1981, and completion to be not later than July 1, 1982, and

WHEREAS, P-D(206) has expired as of July 1, 1983, and the Planning Commission on April 1, 1985, by Resolution 85-53 initiated proceedings to repeal P-D(206) and rezone the property to R-1, and

WHEREAS, a public hearing was held by the Planning Commission at its regular meeting on May 6, 1985, in the City Council Chambers, City Hall, 801 11th Street, Modesto, at which hearing evidence both oral and documentary was received and considered, and thereafter the Planning Commission, by Resolution 85-99 found and determined that the repeal of Planned Development Zone, P-D(206), 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(206) did not develop within the extended time limits of the revised development schedule.
2. Section 10-2.2709(c) of the Municipal Code calls for repeal or modification of expired P-D zones.
3. There is no evidence to indicate that the owners intend to develop under the P-D(206) zone.

and

WHEREAS, by Resolution No. 85-99, adopted May 6, 1985, the Planning Commission recommended to the Council that Section Map 10-3-9 of the Zoning Map be amended to repeal P-D(206) 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 June 11, 1985, 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(206), 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. 85-99, and quoted above:

SECTION 2. ZONING CHANGE. Section 10-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(206), to Low Density Residential Zone, R-1:

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

Lots 7 through 10 and 13 through 17 in Block 12587 of Sylvan Meadows East No. 4, as per map thereof filed January 25, 1977, in Book 26 of Maps, page 50, Stanislaus County Records.

Including the southerly 30 feet of Mable Avenue, the easterly 50 feet of Coffee Road and the northerly one-half of Fernview Drive, all being immediately adjacent to the above described lots as shown on the map of said Sylvan Meadows East No. 4.

and

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

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

SECTION 5. PUBLICATION. 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 11th day of June, 1985, by Councilmember Bright, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Whiteside.



Ordinance 2345 C.S.  
Exhibit A – Map

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

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 18th day of June, 1985, Councilmember Whiteside 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, Muratore, Sutton, Whiteside, Acting Mayor Patterson

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Lang, Mayor Mensinger

**APPROVED** *Richard Patterson*  
RICHARD PATTERSON, Acting Mayor

**ATTEST:** *Morrine Coyle*  
MORRINE COYLE, City Clerk

**EFFECTIVE DATE:** July 18, 1985

AN ORDINANCE AMENDING SECTION MAP 23-3-9 OF THE ZONING MAP TO REPEAL A PORTION OF P-D(147) AND REZONE TO R-1, PROPERTY LOCATED ON THE EAST SIDE OF OAKDALE ROAD BETWEEN EAST BRIGGSMORE AVENUE AND ST. PAUL'S WAY. (COMMISSION INITIATED)

WHEREAS, the City Council, by Ordinance No. 1566-C.S., which became effective on February 2, 1977, amended Section Map 23-3-9 of the Zoning Map to rezone from R-1 to P-D(147) property located at the southeast corner of Briggsmore Avenue and Oakdale Road for a church facility including a book store and child day care center, a business and professional office complex, and an elderly housing complex, and

WHEREAS, City Council Resolution No. 76-1344, adopted on December 20, 1976, approved the development plan for P-D(147), contained conditions of approval thereof, and approved the development schedule, which schedule specified that construction was to be in three phases, and

WHEREAS, City Council Resolution No. 79-586, adopted on June 12, 1979, approved a revised development plan to add condition 12 thereto, and

WHEREAS, the approved development schedule of P-D(147) expired without completion, 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 review, to modify or 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 Planning Commission, by Resolution No. 85-55, adopted on April 1, 1985, initiated proceedings to review and extend the development schedule or to repeal P-D(147) and rezone the property to R-1, and set May 6, 1985, as the date for public hearing, and

WHEREAS, said public hearing was held by the Planning Commission on May 6, 1985, in the Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 85-94, found and determined that good cause had been shown for a modification for a one year time extension for the Phase One portion of P-D(147) since all of the church facilities have been completed with the exception of the multipurpose building and adjacent parking area currently proposed for construction, and

WHEREAS, the Planning Commission, by its Resolution No. 85-94, granted an extension to the development schedule for the Phase One portion of P-D(147) subject to certain conditions, and

WHEREAS, the Planning Commission further found and determined, by its Resolution No. 85-94, that the remainder of P-D(147), including the business and professional office complex and the 100 dwelling unit retirement center is not required by public necessity, convenience, and general welfare for the following reasons:

1. Phases Two and Three of P-D(147) did not develop within the time limits of the approved development schedule.
2. Section 10-2.2709(c) of the Municipal Code calls for repeal or modification of expired P-D zones.
3. The applicant has expressed that it no longer intends to develop Phases One and Two under the P-D(147) zone.

and

WHEREAS, by Resolution No. 85-94, adopted May 6, 1985, the Planning Commission recommended to the Council that Section Map 23-3-9 of the Zoning Map be amended to repeal a portion of P-D(147) and rezone the property hereinafter described to Low Density Residential Zone, R-1, 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 June 18, 1985, at 4:00 p.m., 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 a portion of Planned Development Zone, P-D(147), 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. 85-94, and quoted above.

SECTION 2. ZONING CHANGE. Section 23-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(147), to Low Density Residential Zone, R-1:

Portion of P-D(147) to R-1

All that portion of the northwest one-quarter of the northwest one-quarter of Section 23, Township 3 South, Range 9 East, M.D. B. & M., described as follows:

All that portion of Parcel 1 as shown on the map filed in Book 14 of Parcel Maps, at page 20, in the Stanislaus County Records, described as follows:

Commencing at the Southeast corner of said Parcel 1, said point being on the North right-of-way line of St. Paul's Way, thence Northerly along the Easterly line of said Parcel 1, North 0°25'40" thence East 305.00 feet to the point of beginning of this description; thence leaving said Easterly line of Parcel 1 and running along the following three (3) courses and distances: North 89°34'20" West 329.48 feet; thence North 0°19'00" West 44.97 feet; thence North 89°34'20" West 250.00 feet to a point on the Easterly right-of-way line of Oakdale Road; thence Northerly along said Easterly right-of-way line North 0°19'00" West 153.16 feet to the beginning of a curve concave to the Southeast having a radius of 20.00 feet; thence 31.68 feet along the arc of said curve to the right through a central angle of 90°44'54" to a point on the Southerly right-of-way line of Briggsmore Avenue; thence Easterly along said Southerly right-of-way line South 89°34'06" East 178.86 feet to the point of beginning of a curve concave to the Northwest having a radius of 1,260.00 feet; thence 329.87 feet along the arc of said curve to the left through a central angle of 15°00'00" to the end of said curve; thence North 75°25'54" East 59.09 feet to the Northeast corner of said Parcel 1; thence leaving said Southerly right-of-way line of Briggsmore Avenue and running in a Southerly direction along the East line of said Parcel 1, South 0°25'40" West 276.57 feet to the point of beginning and containing 2.83 acres of land, more or less.

Including also the southerly 60 feet of East Briggsmore Avenue, the easterly 50 feet of Oakdale Road, and all being immediately adjacent to the above described property.

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 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 18th day of June, 1985, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Lang, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside,  
Acting Mayor Patterson

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED: Richard Patterson  
RICHARD PATTERSON, Acting 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 Medda  
Department of Planning and  
Community Development

Ordinance 2346 C.S.  
Exhibit A – Map

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

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 25th day of June, 1985, Councilmember Sutton moved its final adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the ordinance adopted by the following vote:

- AYES:** Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger
- NOES:** Councilmembers: None
- ABSENT:** Councilmembers: None

APPROVED Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST: Norriene Coyle  
NORRIENE COYLE, City Clerk

EFFECTIVE DATE: July 25, 1985

AN ORDINANCE AMENDING SECTION MAP 28-3-9 OF THE ZONING MAP TO REZONE FROM PLANNED DEVELOPMENT ZONE, P-D(309), TO PLANNED DEVELOPMENT ZONE, P-D(380), PROPERTY LOCATED AT 717 16TH STREET, ON THE SOUTHWEST SIDE OF 16TH STREET BETWEEN G AND H STREETS. (RUSS EVERS)

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

SECTION 1. ZONING CHANGE. Section 28-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(309), to Planned Development Zone, P-D(380):

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

Lots 8 and 9 in Block 120 of the City of Modesto, including also all of the Northeast one-half of the alley in said Block 120 and the Southwest one-half of 16th Street immediately adjacent to the above described property.

SECTION 2. USES. The following uses shall be permitted in said P-D(380) 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:

Two-story business/professional office building and parking area.

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

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

SECTION 5. PUBLICATION. 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 18th day of June, 1985, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside, Acting Mayor Patterson

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED: Richard Patterson  
RICHARD PATTERSON, Acting 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 Prichard  
Department of Planning and  
Community Development

Ordinance 2347 C.S.  
Exhibit A – Map

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

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 25th day of June, 1985, Councilmember Sutton moved its final adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

**APPROVED** Peggy Mensinger  
MAYOR PEGGY MENSINGER

**ATTEST:** Norrine Coyle  
NORRINE COYLE, City Clerk

**EFFECTIVE DATE:** July 25, 1985

ORDINANCE NO. 2348 -C.S.

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

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by David and Cynthia Henry on April 29, 1985, to reclassify from Low Density Residential Zone, R-1, to Professional Office Zone, P-0, the hereinafter described property, and

WHEREAS, after public hearing held on June 3, 1985, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare, and

WHEREAS, by Resolution No. 85-115, adopted on June 3, 1985, the Planning Commission recommended to the Council that the application of David and Cynthia Henry to amend Section 22-3-9 of the Zoning Map to reclassify the hereinafter described property from Low Density Residential Zone, R-1, to Professional Office Zone, P-0, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on June 18, 1985, 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 proposed P-0 zoning conforms to a zoning pattern consistently pursued in this area between Briggsmore Avenue and East Orangeburg Avenue.
2. Development under the proposed P-0 zoning will be compatible with the existing and potential low and medium-density residential properties to the east and the commercial and office properties to the north, south, and west.
3. Parking and vehicular access can be regulated by the plot plan review process of the Board of Zoning Adjustment.

SECTION 2. ZONING CHANGE. Section 22-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Professional Office Zone, P-0:

All that certain real property situate in a portion of the Northwest Quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

All of the east 109.50 feet of Lot 1, Block 1179 of Garden Acres Tract, according to the Official Map thereof filed with the Office of the Recorder of Stanislaus County, California, in Volume 14 of Maps, page 9.

Including also all of the south 30.00 feet of East Coolidge Avenue and the west 25.00 feet of Water Street and all immediately adjacent to the above described property.

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

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

SECTION 5. PUBLICATION. 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 18th day of June, 1985, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Sutton, Whiteside,  
Acting Mayor Patterson

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED: Richard Patterson  
RICHARD PATTERSON, Acting 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 M. ...  
Department of Planning and  
Community Development

Ordinance 2348 C.S.  
Exhibit A – Map

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

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 25th day of June, 1985, Councilmember Sutton moved its final adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the ordinance adopted by the following vote:

<b>AYES:</b>	<b>Councilmembers:</b>	Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger
<b>NOES:</b>	<b>Councilmembers:</b>	None
<b>ABSENT:</b>	<b>Councilmembers:</b>	None

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Morrine Coyle  
MORRINE COYLE, City Clerk

EFFECTIVE DATE: July 25, 1985

ORDINANCE NO. 2049 -C.S.

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1986, AND PROVIDING FOR CERTAIN TRANSFERS OF FUNDS.

WHEREAS, pursuant to the Charter of the City of Modesto, a proposed budget for the 1985 -1986 fiscal year has been submitted to the City Council by the City Manager, and the City Council has made such revisions as it has deemed advisable, and

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

WHEREAS, copies of the proposed budget have been and are available for inspection by the public at the office of the City Clerk,

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

SECTION 1. That the "City of Modesto Proposed Budget 1985 -86", presented by the City Manager to the City Council at its meeting held June 25, 1985, 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, 1986, 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, 1985, are hereby appropriated for the purposes for which they are encumbered and shall be a part of the budget for the fiscal year 1985-1986 adopted hereby.

SECTION 3. That Capital Projects carried over from fiscal year 1984-1985 are hereby re-appropriated as a part of the budget for the fiscal year 1985-1986 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, 1985.

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

SECTION 7. 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 25th day of June, 1985, by Councilmember Patterson, who moved its adoption and passage to print, which motion being duly seconded by Councilmember Lang, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton, Whiteside, 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