

ORDINANCE NO. 1986 -C. S.

AN ORDINANCE AMENDING SECTION MAP 27-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON, AND AMENDING SECTION 2 OF ORDINANCE NO. 1651-C. S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 27-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (LAND BANK FINANCIAL SERVICES AND RICHARD BREHMER.)" (ROSEGATE INVESTMENT)

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

SECTION 1. ZONING CHANGE. Section 27-3-9 of the Zoning Map is hereby amended to reclassify additional property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(168), which was granted by the Modesto City Council by Ordinance No. 1651-C. S. which was introduced on October 3, 1977, finally adopted on October 10, 1977, and which became effective on November 9, 1977. The revised description of the property, classified as Planned Development Zone, P-D(168), as amended hereby, is as follows:

All that certain real property situate in a portion of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

BEGINNING at the Northwest corner of Block 1050 as shown on that certain map entitled "Rosegate Townhouses" filed in Volume 29 of Maps, at page 27, Stanislaus County Records; thence South 89°53'33" East along the North line of said Block 1050 and its easterly prolongation a distance of 280.90 feet to a point along the center line of Rose Avenue as shown on said map; thence South 0°37'20" East, along said centerline of Rose Avenue a distance of 283.47 feet to the intersection with the centerline of Scenic Drive as shown on said map; thence South 73° 47'09" West, along said centerline of Scenic Drive a distance of 261.03 feet to the intersection with the southerly prolongation of the southwesterly line of that certain parcel of land as described in the Deed from William H. Rudhman, et ux, to W. Lester McDowell, a married man, recorded on March 24, 1964, in Book 1934 of Official Records, at page 84, Stanislaus County Records; thence North 12° 55'30" West, along said southerly prolonged line and said southwesterly line as shown on said map, a distance of 135.11 feet; thence North 0° 47'32" West along the Westerly line of said parcel and along the Westerly line of said Block 1050, as shown on said map, a distance of 225.20 feet to the Point of Beginning.

Containing 2.042 acres of land.

SECTION 2. USES. The following uses shall be permitted in said amended Planned Development Zone, P-D(168), 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. Residential condominiums
2. An off-street parking area
3. A recreation area

SECTION 3. ZONING MAP. Section 27-3-9 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. ORDINANCE NO. 1651-C. S. SUPERSEDED. This ordinance shall supersede Ordinance No. 1651-C. S. which became effective on November 9, 1977.

SECTION 6. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of October, 1980, by Councilmember

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

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED: Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST:

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

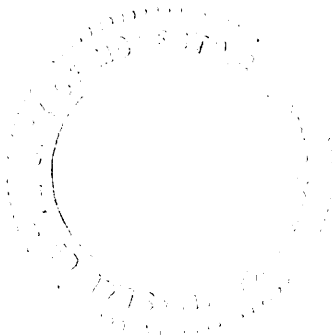
(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William J. Mink  
Department of Planning and Community Development



## Ordinance 1986 C.S.

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

Ord. No. 1986-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 14th day of October, 1980, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

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

EFFECTIVE DATE: November 9, 1980

ORDINANCE NO. 1987 -C.S.

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

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

SECTION 1. ZONING CHANGE. Section 19-3-9 of the Zoning  
Map is hereby amended to reclassify the following-described property  
from Medium Density Residential Zone, R-2, to  
Planned-Development Zone, P-D (276) :

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

All of Evergreen Park Subdivision as shown on that certain map filed in  
the Office of the Recorder of Stanislaus County, California, on June 6,  
1979, in Volume 28 of Maps, at page 44.

Including also all of the southern one-half of Evergreen Avenue  
immediately adjacent to the above described property.

SECTION 2. USES. The following uses shall be permitted in said P-D(276) 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.

residential condominiums

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of October, 1980, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and ordered printed

and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:

Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST:

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

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Phillips  
Department of Planning and  
Community Development

## Ordinance 1987 C.S.

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

Ord. No. 1987-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/<sup>adjourned</sup>regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1980, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

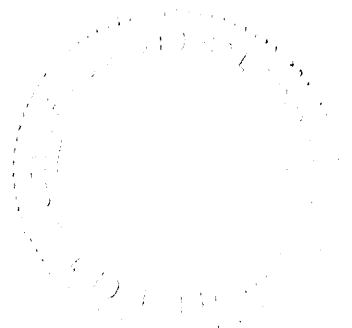
**NOES:** Councilmembers: None

**APSENT:** Councilmembers: Mayor Mensinger

**APPROVED** Susan O. Siefkin  
Acting Mayor Siefkin

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

**EFFECTIVE DATE:** November 22, 1980



ORDINANCE NO. 1988 -C.S.

AN ORDINANCE AMENDING SECTION MAP 10-3-9 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (RULE ENTERPRISES)

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

SECTION 1. ZONING CHANGE. Section 10-3-9 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 (277) :

ALL that certain real property situate in a portion of Kingswood Estates  
No. 4, as filed in Book 28, of Maps, at Page 24, Stanislaus County Records,  
and being 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:

LOTS 9 through 11 of Block 12555 and Lots 1 through 8 of Block 12569 of  
said Kingswood Estates No. 4.

INCLUDING ALSO: All of Growdon Street, South one-half of Princewood  
Lane, East one-half of Kingswood Drive, South one-half of Buttonwillow  
Drive, and East one-half of Coffee Road immediately adjacent to the above  
described property.

SECTION 2. USES. The following uses shall be permitted in said P-D(277) 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.

Residential condominiums

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1980, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and ordered printed



## Ordinance 1988 C.S.

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

Ord. No. 1988-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 November, 1980, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Mayor Mensinger

**APPROVED** *Susan Siefkin*  
Acting Mayor Susan Siefkin

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

**EFFECTIVE DATE:** December 4, 1980

ORDINANCE NO. 1989 -C.S.

AN ORDINANCE AMENDING SECTION MAP 10-3-9 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (RULE ENTERPRISES)

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

SECTION 1. ZONING CHANGE. Section 10-3-9 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 (278) :

ALL that certain real property situate in a portion of Kingswood Estates  
No. 4, as filed in Book 28, of Maps, at Page 24, Stanislaus County Records,  
and being 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:

LOTS 13 through 27 of Block 12566 of said Kingswood Estates No. 4.

INCLUDING ALSO the South one-half of Sylvan Avenue and the East one-half  
of Kingswood Drive immediately adjacent to the above described property.

SECTION 2. USES. The following uses shall be permitted in said P-D(278) 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.

Residential condominiums

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1980, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and ordered printed



## Ordinance 1989 C.S.

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Ord. No. 1989-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 November, 1980, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Mayor Mensinger

**APPROVED**

Susan Siefkin

Acting Mayor Susan Siefkin

**ATTEST:**

Norrine Coyle  
NORRINE COYLE, City Clerk

**EFFECTIVE DATE:** December 4, 1980

Ord. No. 1989-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 25th day of November, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Kullijian, Muratore

APPROVED

  
MAYOR PEGGY MENSINGER

ATTEST:

  
NORRINE COYLE, City Clerk

**EFFECTIVE DATE:** December 30, 1980

ORDINANCE NO. 1990 -C.S.

AN ORDINANCE AMENDING SECTION 12-4.202 OF CHAPTER 4 OF TITLE XII OF THE MODESTO MUNICIPAL CODE RELATING TO REGULATIONS GOVERNING USE OF PARKS.

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

SECTION 1. AMENDMENT OF CODE. Section 12-4.202 of Chapter 4 of Title XII of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 12-4.202. GENERAL REGULATIONS GOVERNING USE OF PARKS. Except as otherwise authorized by law, it shall be unlawful and a misdemeanor for any person, firm or corporation to do or cause or permit to be done any of the acts hereinafter specified within any park owned or operated by the City of Modesto.

(1) To enter or trespass in any area, building, or facility which is fenced and locked or enclosed and locked.

(2) To ride or bring any horse or other similar animal or to propel a vehicle in or upon any area of a park, except those areas specifically provided and designated for such purposes, unless prior written permission is obtained from the Director.

(3) To drive or operate any motor vehicle in any park in excess of fifteen (15) miles per hour.

(4) To park any automobile or other vehicle in any park at any place other than designated parking areas. Places where parking is permitted shall be designated by appropriate signs.

(5) To operate gasoline powered go-carts, model airplanes, boats or midget cars in any park except on designated areas.

(6) To clean, wash, polish or make other than emergency repairs upon any automobile, motorcycle or self-driven vehicle in any park.

(7) To carry or bring any firearms, air gun, slingshot, firecrackers or fireworks into any park.

(8) To make a fire in any park other than in stoves, pits or braziers provided by the City, unless prior written permission is obtained from the Director.

(9) To bring into any park any material which will, if spilled or spread, be injurious to the turf or plant growth.

(10) To cut or remove any wood, turf, rock, tree, flower, shrub, sand or gravel from any park unless prior written permission is obtained from the Director.

(11) To throw or dispose of in any park any bottles, tin cans, broken glass, paper, clothes, cast iron, rubbish, soil, tree trimmings, garbage, ashes, or other debris of any kind except in approved containers provided by the City.

(12) To remove, damage, or destroy any athletic equipment provided by the City, normal wear and tear excepted.

(13) To move or remove from one location to another any part or parts of field equipment.

(14) To move or remove from one location to another any equipment used for park maintenance.

(15) To open or close any valve pertaining to the water mains or sprinkler system or to expose or interfere with any gas pipe, hydrant, stopcock, sewer, catch basin, back-flow preventer, or other similar device in any park.

(16) To cut, break or deface in any way buildings, equipment, grounds or other facilities of any park.

(17) To wound, kill or catch any bird or other wild animal in any park.

(18) To indulge in indecent or riotous conduct or language or to otherwise make noises in such a manner as to disturb any picnic, meeting, concert or exhibition in any park.

(19) To operate a public address system without prior written permission of the Director. This prohibition shall not include the use of small portable radios used to receive regularly broadcasted programs, as long as such radios are operated at such a volume as not to disturb other persons present in the park.

(20) To disturb or interfere with any employee of the City of Modesto acting within the scope of his employment, or to disturb or interfere with any spectator or participant in any event or activity conducted in any park, or to enter any park for the purpose of committing any such disturbance or interference.

(21) To camp or lodge in or upon any park unless prior written permission is obtained from the Director.

(22) To sell refreshments, food stuffs or novelties in any park or on any street immediately adjacent thereto without the prior written permission of the Director or the City Council.

(23) To practice, carry on, conduct or solicit for any trade, occupation, business or profession in any park without the prior written permission of the City Council.

(24) To play or engage in any game or contest in any park except in such places as are specially provided or designated for that purpose.

(25) To play upon any tennis courts wearing shoes other than those having vulcanized soles and heels, commonly known as tennis shoes.

(26) To refuse to open any tennis court being used for singles play to doubles play at the end of the set being played when other persons are waiting, unless prior written permission is obtained from the Director.

(27) To refuse to relinquish any tennis court being used for doubles play at the end of the set being played when other persons are waiting, unless prior written permission is obtained from the Director.

(28) To use any tennis courts for tennis tournaments, team practices or other special events of any kind without the prior written permission of the Director of the City Council.

(29) To play or engage in the hitting of golf balls in any park, except on driving ranges and golf courses.

(30) To ride bicycles through any children's playground area.

(31) To discard lighted or unlighted cigars or cigarettes in children's playground areas.

(32) To wade or swim in any pool in any park except when supervised.

(33) To use any park facility for which a charge is now or hereafter made without first having paid the fee requested and having received the required permit.

(34) To enter any park facility for which a charge is made without first paying the full legal charge made for such entrance unless such entrance is by the consent or permission of the person or persons in charge.

(35) To use any park facility or equipment which has been reserved or which is indicated by an authorized or official sign to have been reserved without first having received the written permission of the Director.

(36) To remove any authorized or official sign indicating that any park facility or equipment is reserved.

(37) For any male person to resort to any toilet set apart for women, and for any female person to resort to any toilet set apart for men, provided that this prohibition shall not apply to children accompanied by their father, mother or guardian.

(38) To loiter or remain in any park at any time between midnight and daylight of the following morning, unless prior written permission is obtained from the Director or the City Council.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of October, 1980, by Councilmember Lang, who moved its introduction and passage to

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

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED: Susan D. Siefkin  
~~XXXXXXXXXXXXXXXXXXXX~~  
SUSAN D. SIEFKIN, Acting Mayor

ATTEST:

By Norrine Coyle  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 1990-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 November, 1980, Councilmember Kullijian moved its final adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Mayor Mensinger

**APPROVED**

Susan Siefkin  
Acting Mayor Susan Siefkin

**ATTEST:**

Marrine Coyle  
MARRINE COYLE, City Clerk

**EFFECTIVE DATE:** December 4, 1980

ORDINANCE NO. 1991 -C.S.

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

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

SECTION 1. ZONING CHANGE. Section 15-3-9 of the Zoning  
Map is hereby amended to reclassify the following-described property  
from Professional Office Zone, P-0 to  
Planned-Development Zone, P-D (282) :

All that certain real property situate in a portion of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the Northeast corner of Parcel C as shown on that certain map filed in Volume 3 of Parcel Maps at page 9, Stanislaus County Records; thence South 0° 52' 53" East along the East line of said Parcel C, a distance of 355.12 feet to the Southeast corner of said Parcel C; thence South 89° 46' 07" West along the South line of said Parcel C, also being the quarter section line of said Section 15 and the Westerly prolongation of said South line a distance of 575.22 feet to the intersection with the West line of said Section 15; thence North 0° 53' West along said Section line a distance of 255.05 feet to the intersection with the Westerly prolongation of the North line of Parcel B as shown on said map; thence North 89° 45' 45" East along said Northwest line of Parcel B and its Westerly prolongation a distance of 215.00 feet; thence North 0° 53' West along the West line of said Parcel B a distance of 100.00 feet; thence North 89° 45' 45" East along the North line of said Parcel B and the North line of said Parcel C, a distance of 360.24 feet to the point of beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(282) 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.

residential condominiums and recreational facilities

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 1980, by Councilmember Bright, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Lang, was upon roll call carried and ordered printed

and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED: Susan D. Siefkin  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
SUSAN D. SIEFKIN, Acting Mayor

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

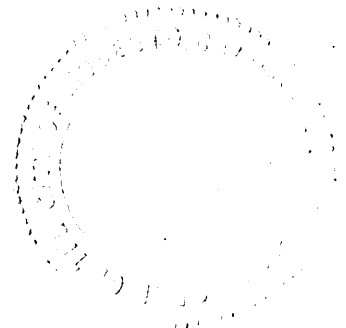
(SEAL)

APPROVED AS TO FORM:

By Ed Johnson  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Nichols  
Department of Planning and  
Community Development



## Ordinance 1991 C.S.

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

Ord. No. 1991-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 12th day of November, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED

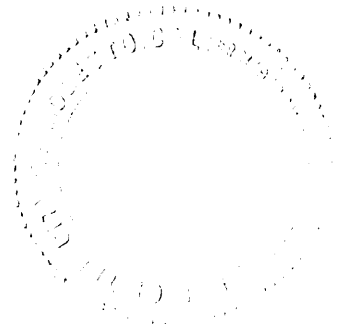
Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: \_\_\_\_\_

December 12, 1980



ORDINANCE NO. 1992 -C.S.

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

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

SECTION 1. ZONING CHANGE. Section 15-3-9 of the Zoning

Map is hereby amended to reclassify the following-described property

from Medium High Density Residential Zone, R-3 to

Planned-Development Zone, P-D(281) :

All that certain real property situate in a portion of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the Northwest corner of Parcel 3 as shown on the map filed in Volume 9 of Parcel Maps, at page 86, Stanislaus County Records; thence North 89° 45' 50" East along the North line of said Parcel 3 and its Easterly prolongation 633.93 feet to the intersection with the centerline of Vera Cruz; thence along said centerline and along the arc of a curve concave to the East having a radius of 900.00 feet, through a central angle of 10° 18' 48" an arc distance of 162.00 feet; thence South 89° 45' 50" West along the South line of said Parcel 3 and its Easterly prolongation, 395.86 feet; thence South 0° 53' East along an East line of said Parcel 3 and its Southerly prolongation 377.36 feet to the intersection with the centerline of Celeste Drive; thence along said centerline of Celeste Drive and along the arc of a curve concave to the North having a radius of 1,800.00 feet, through a central angle of 8° 25' 12", an arc distance of 264.52 feet; thence North 0° 53' West along the West line of said Parcel 3 and its Southerly prolongation 586.11 feet to the point of beginning.

**SECTION 2. USES.** The following uses shall be permitted in said P-D(281) 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.

Residential condominiums and recreational facilities

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 1980, by Councilmember Bright, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Lang, was upon roll call carried and ordered printed

and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED:

Susan D. Siefkin  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
SUSAN D. SIEFKIN, Acting Mayor

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

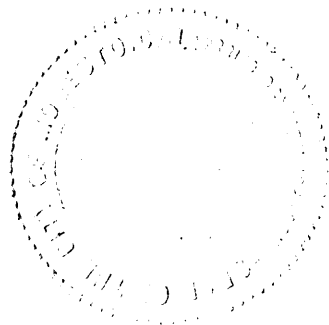
(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Shields  
Department of Planning and  
Community Development



## Ordinance 1992 C.S.

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

Ord. No. 1992-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 12th day of November, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

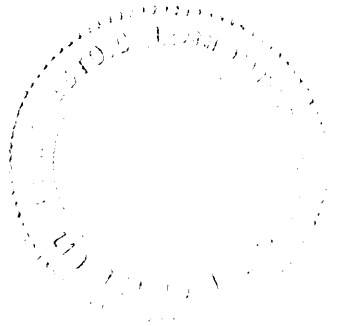
**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Siefkin

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

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

**EFFECTIVE DATE:** December 12, 1980



ORDINANCE NO. 1993 -C.S.

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

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

SECTION 1. ZONING CHANGE. Section 15-3-9 of the Zoning  
Map is hereby amended to reclassify the following-described property  
from Professional Office Zone, P-O, and Medium High Density Residential Zone, R-3, to  
Planned-Development Zone, P-D (280) :

All that certain real property situate in a portion of Section 15, Township  
3 South, Range 9 East, Mount Diablo Base and Meridian, and lying within  
the City of Modesto, County of Stanislaus, State of California, described  
as follows:

Beginning at the Northeast corner of Parcel 1 as shown on the map filed  
in Volume 9 of Parcel Maps at page 86, Stanislaus County Records, said  
corner also being a point on the west right-of-way line of Vera Cruz  
Drive, as shown on said map; thence North 89° 45' 50" East along the  
Easterly prolongation of the North line of said Parcel 1, a distance of  
30.00 feet to a point on the centerline of Vera Cruz drive; thence South  
0° 53' East along said centerline 297.00 feet; thence continuing along  
said centerline along the arc of a tangent curve concave to the East  
having a radius of 900.00 feet, through a central angle of 2° 44' 23", an  
arc distance of 43.04 feet; thence South 89° 45' 50" West along the South  
line of said Parcel 1 and its Easterly prolongation, 633.93 feet; thence  
North 0° 53' West 149.97 feet; thence North 85° 34' West along the Southwesterly  
line of said Parcel 1, 246.14 feet to a point on the East line of Coffee  
Road; thence North 0° 53' West along the East line of Coffee Road, 170.00  
feet to the North line of said Parcel 1, thence North 89° 45' 50" East,  
along said North line of Parcel 1, a distance of 848.00 feet to the point  
of beginning.

Including also all of Coffee Road located immediately adjacent to and  
between the above described property and the West section line of the  
above mentioned Section 15.

SECTION 2. USES. The following uses shall be permitted in said P-D(280) 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.

Residential condominiums and recreational facilities

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 1980, by Councilmember Bright, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Lang, was upon roll call carried and ordered printed



## Ordinance 1993 C.S.

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

Ord. No. 1993-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 12th day of November, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

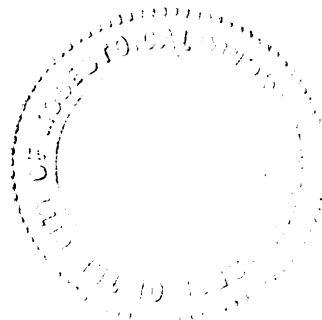
APPROVED

Peggy Mensinger  
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: December 12, 1980



ORDINANCE NO. 1994 -C.S.

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

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

SECTION 1. ZONING CHANGE. Section 24-3-9 of the Zoning  
Map is hereby amended to reclassify the following-described property  
from Low Density Residential Zone, R-1, to  
Planned-Development Zone, P-D (279) :

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

Beginning at the Northeast corner of Parcel 2 as shown on that  
certain map filed in Volume 28 of Parcel Maps, at page 63,  
Stanislaus County Records; thence South 0° 50' 30" East, along  
the Southerly prolongation a distance of 608.21 feet to the  
intersection with the centerline of Orangeburg Avenue, as shown  
on said map; thence South 89° 21' 00" West, along said centerline  
of Orangeburg Avenue, a distance of 327.54 feet, to the inter-  
section with the Southerly prolongation of the West line of  
said Parcel 2; thence North 0° 51' 10" West, along the said  
Southerly prolonged line and along said West line of Parcel 2  
a distance of 607.05 feet to the Northwest corner of said  
Parcel 2; thence North 89° 08' 50" East, along the North line  
of said Parcel 2 a distance of 327.65 feet to the Point of  
Beginning.

**SECTION 2. USES.** The following uses shall be permitted in said P-D(279) Zone subject to securing approval of the Secretary of the Planning Commission if the plan for construction conforms in principle to the approved plan, as required by Section 10-2.2704 of the Modesto Municipal Code, or by the Planning Commission if any changes not conforming in principle to the approved plan are proposed, as required by Section 10-2.2708(b) of the Modesto Municipal Code.

- (a) 1 and 2 story residential condominium units.
- (b) Off-street parking as shown on the approved development plan.
- (c) Common recreational facilities and landscaped open space.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of November, 19<sup>80</sup>, by Councilmember Kullijian, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and ordered printed



## Ordinance 1994 C.S.

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

Ord. No. 1994-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 12th day of November, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Siefkin

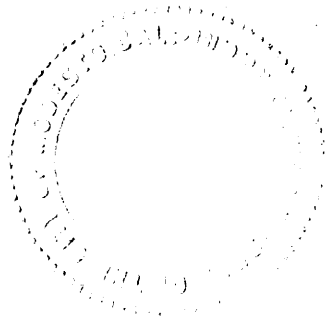
APPROVED

Reggy Mensinger  
MAYOR REGGY MENSINGER

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

**EFFECTIVE DATE:** December 12, 1980



AN ORDINANCE AMENDING SECTION MAPS 25-3-9 AND 36-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (HORN CONSTRUCTION COMPANY)

WHEREAS, a verified application for an amendment to Sections 25-3-9 and 36-3-9 of the Zoning Map was filed by Horn Construction Company

on August 26, 1980, to reclassify from Medium High Density Residential Zone, R-3, and Heavy Industrial Zone, M-2, to Highway Frontage Zone, H-1, the hereinafter described property, and

WHEREAS, after public hearing held on October 6, 1980, 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. 80-254, adopted on October 6, 1980, the Planning Commission recommended to the Council that the application of Horn Construction Company

to amend Sections 25-3-9 and 36-3-9 of the Zoning Map to reclassify the hereinafter described property from Medium High Density Residential Zone, R-3, and Heavy Industrial Zone, M-2, to Highway Frontage Zone, H-1, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on November 18, 1980, 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 H-1 Zone is most appropriate along major streets that are intercity transportation links. State Highway 132 serves this purpose.
2. Yosemite Boulevard is a noisy environment for residential uses with its heavy truck traffic and the Modesto-Empire Traction Railroad adjacent to it with late hour switching activity.
3. The left turn movements into and out of the parcel are facilitated by a collector street intersection (Mariposa) with Yosemite Boulevard.
4. The plot plan review provisions of the H-1 Zone will help insure compatibility with adjacent uses.

SECTION 2. ZONING CHANGE. Sections 25-3-9 and 36-3-9 of the Zoning Map are hereby amended to reclassify the following described property from Medium High Density Residential Zone, R-3, and Heavy Industrial Zone, M-2, to Highway Frontage Zone, H-1:

R-3 to H-1

All that certain real property situate in a portion of the Southwest quarter of Section 25, 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:

Parcel C and Parcel B as shown in Book 22 of Parcel Maps at page 79, Parcel F and Parcel M as shown in Book 27 of Parcel Maps at page 115, according to the official maps thereof, filed in the office of the Recorder of Stanislaus County, California, on March 31, 1976, and September 29, 1978 respectively.

INCLUDING ALSO a 67.00 foot wide portion of Yosemite Boulevard lying between the above described property and the South section line of said Section 25.

M-2 to H-1

All that certain real property situate in a portion of the Northwest quarter of Section 36, 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:

The South 33 feet of Yosemite Boulevard adjacent to Parcel C and Parcel B as shown in Book 22 of Parcel Maps at page 79, Parcel F and Parcel M as shown in Book 27 of Parcel Maps at page 115, according to the Official Maps thereof, filed in the office of the Recorder of Stanislaus County, California, on March 31, 1976, and September 29, 1978 respectively.

SECTION 3. ZONING MAP. Sections 25-3-9 and 36-3-9 of the Zoning Map of the City of Modesto are amended to appear as set forth on the maps attached hereto, which are hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of November 1980, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: Siefkin

ABSENT: Councilmembers: None

APPROVED: Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Nichols  
Department of Planning and  
Community Development

## Ordinance 1995 C.S.

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

Ord. No. 1995-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 25th day of November, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: Siefkin

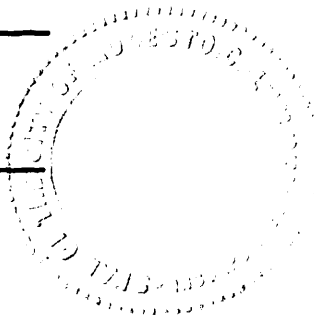
**ABSENT:** Councilmembers: Kullijian, Muratore

APPROVED

*Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: December 30, 1980



ORDINANCE NO. 1996 -C. S.

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 1703-C. S. ENTITLED "AN ORDINANCE AMENDING SECTION MAP 8-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (NORMAN WINSOR)"

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

SECTION 1. AMENDMENT OF ORDINANCE NO. 1703-C. S. Section 2 of Ordinance No. 1703-C. S. is hereby amended to read as follows:

"SECTION 2. USES. The following uses shall be permitted in said P-D(178) 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. Residential condominiums including a tennis court, swimming pool, recreation and storage facilities.
2. Off-street parking for the above uses."

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of November, 1980, by Councilmember Lang, who moved its introduction and passage to print, which motion being

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

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

APPROVED: *Peggy Mensinger*  
PEGGY MENSINGER, Mayor

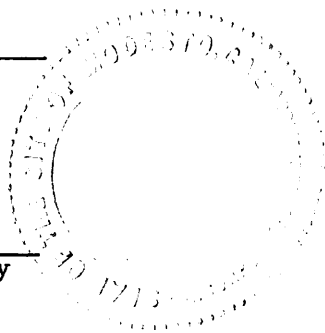
ATTEST:

By *Norrine Coyle*  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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



**FINAL ADOPTION CLAUSE**

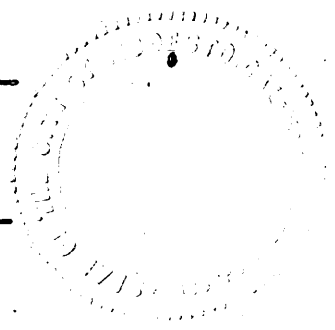
The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 25th day of November, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the ordinance adopted by the following vote:

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

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

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

**EFFECTIVE DATE:** December 30, 1980



ORDINANCE NO. 1997 -C.S.

AN ORDINANCE AMENDING SECTION MAP 10-3-9 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (MODESTO DEVELOPMENT)

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

SECTION 1. ZONING CHANGE. Section 10-3-9 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 (284) :

All that certain real property situate in a portion of Section 10,  
Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and  
lying within the City of Modesto, County of Stanislaus, State of  
California, described as follows:

Being all of Lots 32, 33, 34, 35, 36, Block 12627 as shown on that  
certain map filed in Volume 22 of Maps, at page 60, Stanislaus County  
Records, on August 26, 1970.

Including also that portion of Sylvan Avenue located between the above  
described property and the East-West Quarter section line of said  
Section 10.

Containing 1.34 acres net.

SECTION 2. USES. The following uses shall be permitted in said P-D(284) 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.

Residential Condominiums.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 19 80, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and ordered printed

and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

APPROVED:

Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

(SEAL.)

APPROVED AS TO FORM:

By Elwyn Johnson  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Arthur Dried  
Department of Planning and  
Community Development



Ord. No. 1997-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of December, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Elliott, Mayor Mensinger

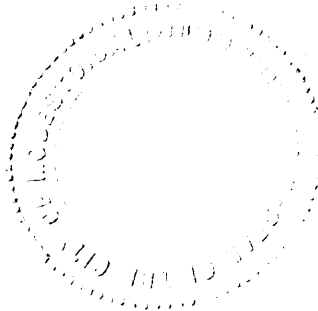
APPROVED

Susan O Siefkin  
ACTING MAYOR SUSAN SIEFKIN

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 8, 1980



ORDINANCE NO. 1998 -C.S.

AN ORDINANCE AMENDING SECTION MAP 12-3-8 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (J.C. PROPERTIES, C/O  
DESIGN CONCEPTS).

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

SECTION 1. ZONING CHANGE. Section 12-3-8 of the Zoning  
Map is hereby amended to reclassify the following-described property  
from Professional Office Zone, P-0 to  
Planned-Development Zone, P-D (283) :

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

Parcel B as shown on that certain parcel map filed for record on  
December 2, 1977, in Book 26 of Parcel Maps, page 26, Stanislaus  
County Records, and being a portion of the Northwest Quarter of  
Section 12, Township 3 South, Range 8 East, Mount Diablo Base and  
Meridian.

Including also the Easterly 50 feet of Dale Road immediately  
adjacent to the above said Parcel B.

SECTION 2. USES. The following uses shall be permitted in said P-D(283) 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. Uses as permitted in the P-0 Zone plus banks, savings and loan associations, or other financial institutions.
2. Off-street parking in accordance with the plan on file in the office of the Department of Planning and Community Development.

SECTION 3. ZONING MAP. Section Map 12-3-8 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1980, by Councilmember Elliott, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Bright, was upon roll call carried and ordered printed

and published by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor  
Mensingger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

APPROVED:

Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By

E. L. Johnson  
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By

William Brackley  
Department of Planning and  
Community Development



## Ordinance 1998 C.S.

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

Ord. No. 1998-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of December, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Elliott, Mayor Mensinger

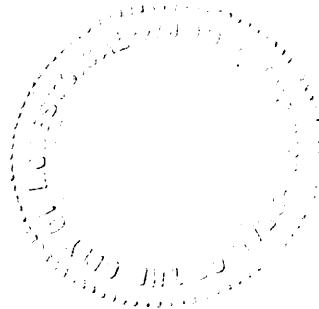
APPROVED

Susan Siefkin  
ACTING MAYOR SUSAN SIEFKIN

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 8, 1980



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

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

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

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

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

CROWS LANDING, between 7th Street 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
DALE ROAD, between Veneman Avenue and Snyder Avenue	45 miles per hour
DEL VALE AVENUE, between Del Vista Avenue and Greenwood Drive	25 miles per hour
EMERALD AVENUE, between Maze Boulevard and Kansas Avenue within the City limits	25 miles per hour
ENSLLEN AVENUE, between Granger Avenue and Orangeburg Avenue	25 miles per hour
FAIRMONT AVENUE, between Virginia Avenue and McHenry Avenue	25 miles per hour
FRANKLIN STREET, between Maze Boulevard and Laurel Avenue	25 miles per hour
GRAPE AVENUE, between Pearl Street and Evergreen Avenue	25 miles per hour
GRISWOLD AVENUE, from Virginia Avenue to McHenry Avenue	25 miles per hour
HADDON AVENUE, between La Loma Avenue and Conejo Avenue	25 miles per hour
HATCH ROAD, within the City limits	35 miles per hour
JEFFERSON STREET, from Paradise Road to 8th Street	25 miles per hour
K STREET, between Washington Street and 9th Street	25 miles per hour
LA LOMA AVENUE, between Burney Street and Buena Vista	25 miles per hour
LAUREL AVENUE, between Emerald Avenue and Franklin Street, within the City limits	35 miles per hour

LEGION PARK ROAD, between Santa Cruz Avenue and Conejo Avenue	25 miles per hour
LEVELAND LANE, between College Avenue and TSRR tracks	25 miles per hour
LUCERN AVENUE, between Johnson Street and Coffee Road	25 miles per hour
MADISON STREET, between Paradise Avenue and Laurel Avenue	25 miles per hour
MORTON BOULEVARD, between 9th Street and Downey Avenue	25 miles per hour
NEECE DRIVE, between Tuolumne Boulevard and Sunset Avenue	25 miles per hour
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 west end of Pearl Street	25 miles per hour
RIVER ROAD, between Herndon Avenue and 1,200 feet west of Herndon Avenue	35 miles per hour
ROBLE AVENUE, between Santa Ana Avenue and Rosina Avenue	25 miles per hour
SHERWOOD AVENUE, between Orangeburg Avenue and Briggsmore Avenue	25 miles per hour
STODDARD AVENUE, between McHenry Avenue and Virginia Avenue	25 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour
WRIGHT STREET, between Sycamore Avenue and McHenry Avenue	25 miles per hour
7TH STREET, between Sierra Drive and the Tuolumne River	25 miles per hour
9TH STREET, on the Tuolumne River Bridge	40 miles per hour
9TH STREET, between north end of the Tuolumne River Bridge and D Street	30 miles per hour

9TH STREET, between P Street and  
Tully Road

35 miles per hour

9TH STREET, between Tully Road and  
Shoemake Avenue

50 miles per hour

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

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>	<u>DATE SURVEYED</u>
BLUE GUM AVENUE, between Poust and Carpenter Roads	40 miles per hour	July 11, 1980
BOWEN AVENUE, between Tully Road and McHenry Avenue	35 miles per hour	February 10, 1978
BRIGGSMORE AVENUE, westbound between Coffee Road and McHenry Avenue	45 miles per hour	February 2, 1978
BRIGGSMORE AVENUE, (east- bound) between McHenry Avenue and 1,000 feet west of Coffee Road	45 miles per hour	March 21, 1978
BRIGGSMORE AVENUE, (eastbound), between a point 1,000 feet west of Coffee Road and Coffee Road	40 miles per hour	April 20, 1979

BRIGGSMORE AVENUE, between Coffee Road and Rose Avenue	45 miles per hour	April 13, 1979
BRIGGSMORE AVENUE, between Rose Avenue and Oakdale Road	50 miles per hour	April 13, 1979
BRIGGSMORE AVENUE, between Oakdale Road and Claus Road	55 miles per hour	April 13, 1979
W. BRIGGSMORE AVENUE, (east and westbound) between McHenry Avenue and Tully Road	45 miles per hour	April 28, 1980
W. BRIGGSMORE AVENUE, between Tully Road and Prescott Road	45 miles per hour	April 28, 1980
BRIGHTON AVENUE, between Locke Road and Coffee Road	35 miles per hour	October 27, 1978
CARPENTER ROAD, between Paradise Road and Maze Boulevard	45 miles per hour	April 13, 1979
CARPENTER ROAD, between Woodland Avenue and Blue Gum Avenue	45 miles per hour	April 13, 1979
CARVER ROAD, between 9th Street and Roseburg Avenue	35 miles per hour	February 3, 1978
CARVER ROAD, between Roseburg Avenue and Brixton Lane within the City limits	35 miles per hour	February 10, 1978
CARVER ROAD, between Brixton Lane and M.I.D. Lateral No. 6 within the City limits	40 miles per hour	August 17, 1977
CELESTE DRIVE, between Coffee Road and Oakdale Road	30 miles per hour	October 5, 1978
COFFEE ROAD, between Scenic Drive and Briggsmore Avenue	40 miles per hour	July 18, 1979
COFFEE ROAD, between Briggsmore Avenue and Floyd Avenue	40 miles per hour	July 18, 1979

COFFEE ROAD, between Floyd Avenue and Sylvan Avenue	40 miles per hour	April 13, 1979
COLLEGE AVENUE, between Princeton Avenue and Bowen Avenue	35 miles per hour	March 16, 1978
COLLEGE AVENUE, between W. Rumble Road and Bowen Avenue	35 miles per hour	May 27, 1976
CROWS LANDING ROAD, School Avenue to Blankenburg Avenue, within the City of Modesto	35 miles per hour	November 2, 1978
DALE ROAD, between Standiford Avenue and Veneman Avenue	35 miles per hour	April 13, 1979
EICHER AVENUE, between Conant Avenue and Goldie Avenue	30 miles per hour	June 4, 1976
EL VISTA AVENUE, between Yosemite Boulevard and Scenic Drive	35 miles per hour	March 23, 1978
EMERALD AVENUE, between Maze Boulevard and California Avenue within the City limits	35 miles per hour	October 26, 1978
ENCINA AVENUE, between Santa Barbara Avenue and Conejo Avenue	35 miles per hour	November 8, 1978
EVERGREEN AVENUE, between W. Orangeburg Avenue and Carver Road	35 miles per hour	May 6, 1976
FAIRMONT AVENUE, between Coffee Road and Sunrise Avenue	30 miles per hour	October 5, 1978
FLOYD AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	February 2, 1978
FLOYD AVENUE, between Coffee Road and Oakdale Road	35 miles per hour	October 5, 1978
FRANKLIN STREET, between California Avenue and Maze Boulevard	35 miles per hour	February 2, 1978

E. GRANGER AVENUE, between Sunrise Avenue and McHenry Avenue	30 miles per hour	October 17, 1978
W. GRANGER AVENUE, between McHenry Avenue and Tully Road	30 miles per hour	October 17, 1978
KANSAS AVENUE, between Emerald Avenue and Eighth Street	35 miles per hour	April 13, 1979
KEARNEY AVENUE, between Coldwell Avenue and Glenwood Drive	30 miles per hour	May 28, 1976
KELLER STREET, between Rumble Road and Sylvan Avenue	30 miles per hour	April 13, 1979
LAKEWOOD AVENUE, between Scenic Drive and Orangeburg Avenue	35 miles per hour	October 26, 1978
LA LOMA AVENUE, between Buena Vista and Yosemite Boulevard	30 miles per hour	March 23, 1978
LINCOLN AVENUE, between Yosemite Boulevard and 650' north of M.I.D. Lateral No. 2	35 miles per hour	June 3, 1980
MILLER AVENUE, between La Loma Avenue and El Vista Avenue	35 miles per hour	February 21, 1978
MITCHELL ROAD, between Finch Road and 1,326' south of Finch Road	50 miles per hour	February 21, 1978
MORRIS AVENUE, between McHenry Avenue and Coffee Road	30 miles per hour	February 21, 1978
MT. VERNON AVENUE, between Carver Road and Prescott Road	35 miles per hour	October 18, 1978
MT. VERNON AVENUE, between College Avenue and Carver Road	30 miles per hour	October 19, 1978
NEECE DRIVE, between Tuolumne Boulevard and Rouse Avenue	35 miles per hour	December 1, 1978

NEEDHAM STREET, between L and 9th Streets	35 miles per hour	November 15, 1978
NORWEGIAN AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	October 24, 1978
OAKDALE ROAD, between Scenic Drive and Briggsmore Avenue	40 miles per hour	July 18, 1979
OAKDALE ROAD, between Briggsmore Avenue and Floyd Avenue	45 miles per hour	April 13, 1979
E. ORANGEBURG AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	July 21, 1980
E. ORANGEBURG AVENUE, between Oakdale Road and Lakewood Avenue	35 miles per hour	March 17, 1980
E. ORANGEBURG AVENUE, between Lakewood Avenue and Claus Road	35 miles per hour	March 17, 1980
E. ORANGEBURG AVENUE, between Coffee Road and Rose Avenue	35 miles per hour	July 1, 1977
E. ORANGEBURG AVENUE, between Rose Avenue and Oakdale Road	35 miles per hour	August 30, 1979
W. ORANGEBURG, between Briggsmore Avenue and Martin Avenue	30 miles per hour	July 11, 1980
W. ORANGEBURG AVENUE, between Martin Avenue and McHenry Avenue	35 miles per hour	July 11, 1980
PARADISE ROAD, between Vernon Avenue and Franklin Street	35 miles per hour	April 13, 1979
PRESCOTT ROAD, between Briggsmore Avenue and Rumble Road	40 miles per hour	July 18, 1979
PRINCETON AVENUE, between College Avenue and Tully Road	25 miles per hour	July 15, 1980

RIVERSIDE DRIVE, between Edgebrook Drive and Yosemite Boulevard	35 miles per hour	May 28, 1976
ROSE AVENUE, between Scenic Drive and Briggsmore Avenue	35 miles per hour	February 17, 1978
ROSE AVENUE, between Briggsmore Avenue and Floyd Avenue	30 miles per hour	March 23, 1978
ROSEBURG AVENUE, between Sunrise Avenue and McHenry Avenue	35 miles per hour	October 24, 1978
W. ROSEBURG AVENUE, between McHenry Avenue and Tully Road	30 miles per hour	October 24, 1978
W. ROSEBURG AVENUE, between Tully Road and Carver Road	35 miles per hour	October 25, 1978
E. RUMBLE ROAD, between Coffee Road and McHenry Avenue within the City limits	35 miles per hour	October 21, 1978
W. RUMBLE ROAD, between Conant Avenue and Tully Road	30 miles per hour	October 21, 1978
W. RUMBLE ROAD, between Sisk Road and Conant Avenue	35 miles per hour	March 31, 1977
W. RUMBLE ROAD, between Tully Road and McHenry Avenue	35 miles per hour	May 27, 1976
SCENIC DRIVE, between Coffee Road and Oakdale Road	40 miles per hour	March 31, 1977
SCENIC DRIVE, Lillian Drive to Claus Road, within the City of Modesto	40 miles per hour	March 9, 1978
SCENIC DRIVE, between Oakdale Road and Lakewood Avenue	45 miles per hour	May 27, 1977
SIERRA DRIVE, between G and South 7th Streets	30 miles per hour	December 1, 1978
SISK ROAD, between Briggsmore Avenue and 600' north of Brenner Way	50 miles per hour	July 1, 1977

SISK ROAD, between 600' north of Brenner Way and Standiford Avenue	40 miles per hour	July 14, 1977
STANDIFORD AVENUE, between Dale Road and Veneman Avenue	50 miles per hour	July 14, 1977
STANDIFORD AVENUE, between Veneman Avenue and Carver Road	40 miles per hour	June 30, 1977
STANDIFORD AVENUE, between Carver Road and Tully Road	45 miles per hour	July 19, 1979
STANDIFORD AVENUE, between Tully Road and McHenry Avenue	40 miles per hour	October 20, 1980
SUNRISE AVENUE, between Lucern Avenue and Floyd Avenue	35 miles per hour	October 19, 1978
SURREY AVENUE, between Oakdale Road and Eastridge Drive	25 miles per hour	May 30, 1980
SUTTER AVENUE, between Paradise Avenue and Robertson Road	30 miles per hour	February 17, 1978
SYCAMORE AVENUE, between Griswold Avenue and Orangeburg Avenue	35 miles per hour	October 31, 1978
SYLVAN AVENUE, between McHenry Avenue and Oakdale Road within the City limits	45 miles per hour	October 18, 1978
TOKAY AVENUE, between McHenry Avenue and Bodega Lane	35 miles per hour	March 31, 1977
TULLY ROAD, between Coldwell Avenue and Standiford Avenue	35 miles per hour	March 22, 1978
TULLY ROAD, between Standiford Avenue and M.I.D. Lateral No. 6	45 miles per hour	October 21, 1978

TUOLUMNE BOULEVARD, between 7th Street and Paradise Road	35 miles per hour	February 17, 1978
VENEMAN AVENUE, between Dale Road and Standiford Avenue	40 miles per hour	January 11, 1978
VIRGINIA AVENUE, between Needham Street and Roseburg Avenue	35 miles per hour	October 20, 1978
WHITMORE AVENUE, between Morgan Road and Crows Landing Road within the City limits	45 miles per hour	November 9, 1977
WOODLAND AVENUE, between Morse Avenue and Shasta Avenue, within the City limits	45 miles per hour	April 13, 1979
WOODLAND AVENUE, between Shasta Avenue and Carpenter Road within the City limits	45 miles per hour	February 5, 1980
WOODLAND AVENUE, between 9th Street and Carpenter Road within the City limits	35 miles per hour	December 6, 1977
WOODROW AVENUE, between McHenry Avenue and Tully Road	35 miles per hour	October 18, 1978
WYLIE DRIVE, between Rose Avenue and Oakdale Road	35 miles per hour	August 31, 1979
9TH STREET, between L Street and P Street	35 miles per hour	June 23, 1977

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of November, 1980, by Councilmember Lang who moved its introduction and passage to print, which motion being duly seconded by Councilmember Bright, was upon roll call carried and order printed and published by the following vote:

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

NOES: Councilmembers: None

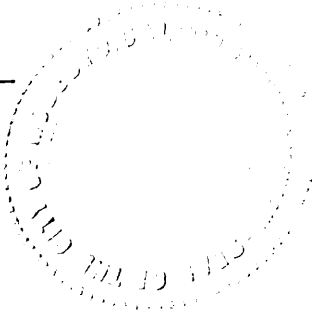
ABSENT: Councilmembers: Kullijian, Muratore

APPROVED:

Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST:

By Norrine Coyle  
NORRINE COYLE, City Clerk



(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 1999-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of December, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

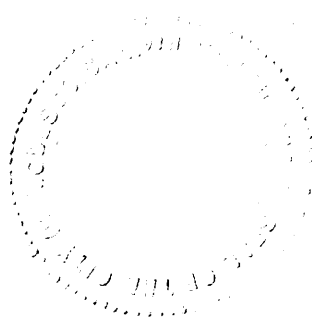
**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Elliott, Mayor Mensinger

APPROVED Susan Siefkin  
ACTING MAYOR SUSAN SIEFKIN

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 8, 1980



AN ORDINANCE AMENDING SECTION 2-2.04 OF CHAPTER 2 OF TITLE II OF THE MODESTO MUNICIPAL CODE RELATING TO LEGISLATION.

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

SECTION 1. AMENDMENT OF CODE. Section 2-2.04 of Chapter 2 of Title II of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 2-2.04. INTRODUCING FOR PASSAGE OR APPROVAL.

(a) Ordinances, resolutions, and other matters or subjects requiring action by the Council must be introduced and sponsored by a member of the Council, except that the City Manager or City Attorney may present ordinances, resolutions and other matters or subjects to the Council for consideration.

(b) With the sole exception of ordinances which take effect upon adoption referred to in this chapter, no ordinance shall be passed by the Council on the day of its introduction nor within five (5) days thereafter nor at any other time than at a regular or adjourned regular meeting, nor until its publication at least once in full in the official newspaper of the City of Modesto at least two (2) days before its adoption. As an alternative method of publication, the Council may order copies of any ordinance to be posted at least two (2) days prior to its adoption in at least three (3) prominent and distinct locations in the City together with a single publication in such official newspaper of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of such ordinance are posted. In case of an amendment being made to an ordinance before the final adoption of the ordinance, it must in like manner be published in full as amended at least one (1) day before its adoption as amended. The correction of typographical or clerical errors shall not constitute an amendment within the meaning of the foregoing sentence.

(c) Any ordinance declared by the Council to be necessary as an emergency measure for preserving the public peace, health or safety, and containing a statement of the reasons for its urgency, may be introduced and adopted at one and the same meeting if passed by at least five (5) affirmative votes.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of December, 1980, by Councilmember Siefkin, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Lang, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Elliott, Muratore

APPROVED:

Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST:

By Norrine Coyle  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson  
ELWYN V. JOHNSON, City Attorney

Ord. No. 2000-C.S.

**FINAL ADOPTION CLAUSE**

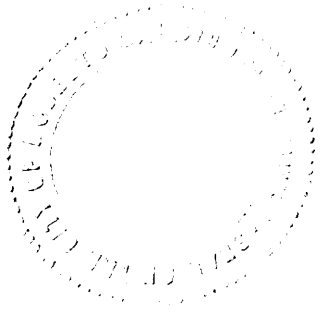
The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of December, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED *Susan Siefkin*  
ACTING MAYOR SUSAN SIEFKIN

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 8, 1980



ORDINANCE NO. 2001 -C. S.

AN ORDINANCE ADDING SECTION 5-4.405 TO ARTICLE 4 OF CHAPTER 4 OF TITLE V OF THE MODESTO MUNICIPAL CODE RELATING TO ANIMAL CONTROL OFFICER.

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

SECTION 1. AMENDMENT OF CODE. Section 5-4.405 is hereby added to Article 4 of Chapter 4 of Title V of the Modesto Municipal Code to read as follows:

SEC. 5-4.405. OBSTRUCTING OR INTERFERING WITH ANIMAL CONTROL OFFICER. It shall be unlawful for any person to obstruct or interfere with any City of Modesto Animal Control Officer, or with any vehicle or equipment of such Animal Control Officer, when such Animal Control Officer is engaged in enforcing the provisions of this chapter.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of December, 1980, by Councilmember Siefkin, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Lang, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Elliott, Muratore

ATTEST:

APPROVED:

Peggy Mensinger  
PEGGY MENSINGER, Mayor

By Norrine Coyle  
NORRINE COYLE, City Clerk

(SEAL)

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

Ord. No. 2001-C.S.

**FINAL ADOPTION CLAUSE**

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 9th day of December, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Elliott, Mayor Mensinger

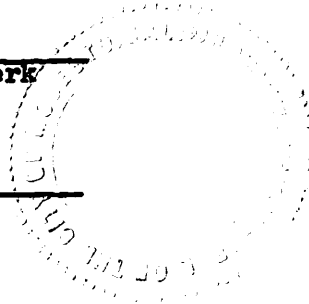
APPROVED

Susan Siefkin  
ACTING MAYOR SUSAN SIEFKIN

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 8, 1980



ORDINANCE NO. 2002 -C.S.

AN ORDINANCE AMENDING SECTION MAP 16-3-9 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON, ( RACQUET CLUB TOWNHOUSE  
ASSOCIATES, c/o DESIGN CONCEPTS)

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

SECTION 1. ZONING CHANGE. Section 16-3-9 of the Zoning

Map is hereby amended to reclassify the following-described property  
from Low Density Residential Zone, R-1 to  
Planned-Development Zone, P-D (285) :

R-1 to P-D

All that portion of the southwest quarter of Section 16, Township 3  
South, Range 9 East, Mount Diablo Base and Meridian, described as  
follows:

Commencing at a 3/4 inch pipe marking the intersection of the center  
line of Norwegian Avenue with the east line of 50.00 foot wide McHenry  
Avenue; thence on the center line of Norwegian Avenue, south 89° 39'  
East 847.50 feet to the POINT OF BEGINNING, said point lying North  
0° 49' West 20.00 feet from the northwest corner of the property con-  
veyed to Fred A. Earle, III, Inc. by Deed recorded in Volume 3011 of  
Official Records, page 101, parcel number 3, Stanislaus County Records;  
thence continuing on said center line South 89° 39' East 116.20 feet  
to a point 26.20 feet west of the east line of Lot 12 of the Pomona  
Villa Tract as recorded in Volume 2 of Maps, page 4, Stanislaus County  
Records; thence southerly on the northerly extension of the easterly  
line of said Earle property South 0° 49' East 20.00 feet to the north-  
east corner of said property; thence continuing on said easterly line  
and its southerly extension, South 0° 49' East 438.10 feet to the north  
line of the east bound lanes of Briggsmore Avenue; thence on said north  
line, North 70° 33' West 123.83 feet to the southerly extension of the  
westerly line of said Earle property; thence on said westerly line,  
North 0° 49' West 417.57 feet to the point of beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(285) 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.

Residential condominium units  
Parking as shown on the approved development plan

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1980, 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



## Ordinance 2002 C.S.

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

Ord. No. 2002-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 16th day of December, 1980, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

APPROVED

  
MAYOR REGGY MENSINGER

ATTEST:

  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 15, 1981

ORDINANCE NO. 2003 -C.S.

AN ORDINANCE AMENDING SECTION MAP 7-3-9 OF  
THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING  
CERTAIN PROPERTY LOCATED THEREON. (TERRA DYNAMICS)

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

SECTION 1. ZONING CHANGE. Section 7-3-9 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 (286) :

R-2 to P-D

All that certain real property situate in a portion of the Northeast  
quarter of Section 7, 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:

Parcel A as shown on that Parcel Map filed November 24, 1970, in  
Book 10 of Parcel Maps, at page 22, in the office of the Recorder of  
Stanislaus County, California.

Including also all of the western one-half of Tully Road located between  
said Parcel A and the east section line of said Section 7.

Containing 1.00 acre net.

SECTION 2. USES. The following uses shall be permitted in said P-D(286) 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.

Residential condominiums

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1980, by Councilmember Kullijian, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and ordered printed



## Ordinance 2003 C.S.

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

Ord. No. 2003-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 16th day of December, 1980, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

APPROVED

*Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST:

*Norrine Coyne*  
NORRINE COYNE, City Clerk

EFFECTIVE DATE: January 15, 1981

ORDINANCE NO. 2004 -C.S.

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

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

SECTION 1. 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, and Medium Density Residential Zone, R-2,  
Planned-Development Zone, P-D (287):

R-1 to P-D

ALL that certain real property situate in the northeast quarter of  
Section 22, Township 3 South, Range 9 East, Mount Diablo Base and  
Meridian, and lying within the City of Modesto, County of Stanislaus,  
State of California, described as follows:

Commencing at the quarter-quarter corner of said Section 22, also  
being the centerline intersection of Oakdale Road and East Orangeburg  
Avenue as shown on the Subdivision Map of Wyldewood Estates No.5,  
filed in the office of the Recorder of Stanislaus County, California,  
on April 17, 1974, in Volume 24 of Maps at Page 76; thence South  
89°54'44" West along said centerline of East Orangeburg Avenue a dis-  
tance of 550.06 feet to the intersection with the Northerly prolonga-  
tion of the Eastern line of said Wyldewood Estates No.5; thence South  
0°45'00" East along said prolongation and eastern line of Wyldewood  
Estates No.5, 395.06 feet to the Northeast corner of lot 13 of Block  
1326, Wyldewood Estates No.5 and the true point of beginning of this  
description; thence North 89°54'44" East, 240.04 feet; thence South  
0°45'00" East, 124.20 feet; thence South 89°54'44" West, 27.56 feet;  
thence South 0°45'00" East 135.00 feet to the North line of Parcel  
"A" as shown on that certain map filed in Volume 21 of Parcel Maps,  
at Page 24, Stanislaus County Records; thence South 89°56'30" West,  
141.01 feet along the north line of said Parcel "A"; thence con-  
tinuing along said north line South 65°18'05" West 79.91 feet to the  
eastern line of Wyldewood Estates No.6 filed in the office of the  
Recorder of Stanislaus County, California, on February 20, 1980, in  
Volume 29 of Maps at Page 9; thence North 0°45'00" West along said  
eastern line of Wyldewood Estates No.6 and previously mentioned  
Wyldewood Estates No.5, 299.90 feet to the true point of beginning.

R-2 to P-D

ALL that certain real property situate in the northeast quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the quarter-quarter corner of said Section 22, also being the centerline intersection of Oakdale Road and East Orangeburg Avenue as shown on the Subdivision map of Wyldewood Estates No.5, filed in the office of the Recorder of Stanislaus County, California, on April 17, 1974, in Volume 24 of Maps at Page 76; thence South  $89^{\circ}54'44''$  West along said centerline of East Orangeburg Avenue a distance of 550.06 feet to the intersection with the northerly prolongation of the Eastern line of said Wyldewood Estates No.5; thence South  $0^{\circ}45'00''$  East along said prolongation and eastern line of Wyldewood Estates No.5 395.06 feet to the Northeast corner of lot 13 of Block 1326, Wyldewood Estates No.5; thence North  $89^{\circ}54'44''$  East 240.04 feet; thence South  $0^{\circ}45'00''$  East, 124.20 feet; thence South  $89^{\circ}54'44''$  West, 27.56 feet; thence South  $0^{\circ}45'00''$  East 135.00 feet to the North line of Parcel "A" as shown on that certain map filed in Volume 21 of Parcel Maps, at Page 24, Stanislaus County Records; thence North  $89^{\circ}56'30''$  East along said north line and its easterly prolongation, 336.00 feet to the intersection with the centerline of Oakdale Road; thence North  $0^{\circ}45'00''$  West along said centerline 661.93 feet to the point of beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(287) 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.

*Residential condominiums, professional offices, financial institutions*

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1980, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and ordered printed



## Ordinance 2004 C.S.

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

Ord. No. 2004-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 16th day of December, 1980, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

APPROVED

*Peggy Mensinger*  
MAYOR PEGGY MENSINGER

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

EFFECTIVE DATE: January 15, 1981

ORDINANCE NO. 2005 -C. S.

AN ORDINANCE AMENDING SECTIONS 2-5.02, 2-5.03, 2-5.04, 2-5.06, 2-5.12, 2-5.16, 2-5.17 AND 2-5.18 OF CHAPTER 5 OF TITLE II OF THE MODESTO MUNICIPAL CODE AND REPEALING SECTION 2-5.21 THEREOF, RELATING TO THE PERSONNEL SYSTEM.

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

SECTION 1. AMENDMENT OF CODE. Sections 2-5.02, 2-5.03, 2-5.04, 2-5.06, 2-5.12, 2-5.16, 2-5.17 and 2-5.18 of Chapter 5 of Title II of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 2-5.02. BOARD OF PERSONNEL APPEALS. The Board of Personnel Appeals of the City of Modesto is hereby established to consist of three (3) members who shall be appointed in accordance with and for the terms prescribed by Section 1102 of the Charter of the City of Modesto. The Board shall function in all respects in accordance with the applicable provisions of Article XI of said Charter relating to appointive boards and commissions. The Board shall hold one regular meeting a year during the month of January. All other meetings of the Board shall be special meetings and shall be called by the chairman or by a majority of the members of the Board.

SEC. 2-5.03. DUTIES OF THE BOARD OF PERSONNEL APPEALS. The Board of Personnel Appeals shall have the power and duty to:

(a) Select a hearing officer to hear the appeal of any person in the Classified Service relative to any suspension, demotion or dismissal.

(b) Act in an advisory capacity to the City Manager on such personnel matters as may be referred to it by the City Manager.

SEC. 2-5.04. DIRECTOR OF PERSONNEL. There is hereby created the position of Director of Personnel. The City Manager shall be exofficio Director of Personnel. The City Manager may delegate any of the powers and duties conferred upon him as Director of Personnel under this chapter to any other officer or employee of the City appointed by the City Manager, or he may recommend to the Council that any or all such powers and duties be performed under contract as provided in Section 2-5.19. The Director of Personnel or his designated representative shall:

(a) Attend all meetings of the Board of Personnel Appeals.

(b) Administer all the provisions of this chapter and of the personnel rules not specifically reserved to the Council or the Board of Personnel Appeals.

(c) Prepare and recommend the adoption, amendment or repeal of personnel rules and regulations. The City Attorney shall approve the legality of such rules and regulations and revisions and amendments thereto prior to their submission to the Council.

(d) Prepare and recommend a position classification plan, including class specifications, and revisions of the plan.

(e) Prepare and recommend a plan of compensation, and revisions thereof, covering all classes for which the City Manager is the appointing authority.

(f) Publish or post notices of tests for positions in the Classified Service; receive applications therefor; conduct and grade tests; and certify to the person having the power of appointment a list of all persons eligible for appointment to the appropriate position in the Classified Service.

**SEC. 2-5.06. ADOPTION OF RULES.** The Council shall adopt, by resolution, personnel rules governing the following phases of the personnel system:

(a) Preparation, installation, revision and maintenance of a position classification plan covering all appointive positions in the City service.

(b) Preparation, revision and administration of a plan of compensation directly correlated with the position classification plan, providing a rate or range of pay for each class.

(c) Public announcement of all tests and the acceptance of applications for employment.

(d) Preparation and conduct of tests and the establishment and use of resulting employment lists containing names of persons eligible for appointment.

(e) Certification and appointment of persons from employment lists and making of provisional, temporary, part-time, and emergency appointments.

- (f) Evaluation of employees during the probationary period.
- (g) Transfer, promotion, demotion and reinstatement of employees: in the Classified Service.
- (h) Separation of employees from the City service through lay-off, suspension and dismissal.
- (i) Standardization of hours of work, attendance and leave regulations, working conditions, and the development of employee training, morale and welfare.
- (j) Suitable provision for orderly and equitable presentation to the City Manager and to the Council by employees relating to general conditions of employment.
- (k) Content, maintenance and use of personnel records and forms.

**SEC. 2-5.12. RIGHT TO HEARING.** Any regular employee in the Classified Service shall have the right of appeal relative to any suspension, demotion or dismissal except in instances where the right of appeal is denied by this chapter. Such an appeal must be in writing and filed with the Director of Personnel within thirty (30) days following written notice to said employee of such suspension, demotion or dismissal.

As soon as practicable after receipt by the Director of Personnel of an appeal, the Board of Personnel Appeals shall hold a meeting to select a hearing officer.

At least five (5) days written notice of the time and place of said meeting of the Board of Personnel Appeals shall be given to the employee who has filed the appeal.

The hearing officer selected to hear such an appeal shall commence said hearing within sixty (60) days after the appeal is filed with the Director of Personnel, unless said time limit is waived in writing by both the employee who has filed the appeal and the Director of Personnel.

The hearing officer shall have the power to administer oaths and affirmations. The hearing officer shall have the power and authority to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence. Subpoenas may be issued in the name of the City and be attested by the City Clerk. Disobedience of such subpoena or the refusal to testify (upon other than constitutional grounds), shall be deemed contempt and shall be punishable as provided by the general laws of this State.

The findings and recommendations of the hearing officer shall be made to the City Manager who shall make the final determination. The City Manager shall review the findings and recommendations of the hearing officer and may then affirm, revoke or modify the action recommended, as in his judgment seems warranted in the public interest. The City Manager's action relative to any such suspension, demotion or dismissal shall be final.

Judicial review may be had by filing a petition for a writ of mandate in accordance with the provisions of Section 1094.5 of the Code of Civil Procedure of the State of California. Such a petition shall be filed in accordance with the provisions of Section 1094.6 of the Code of Civil Procedure of the State of California, which section shall be applicable to all such petitions.

**SEC. 2-5.16. POLITICAL ACTIVITIES PROHIBITED.** No employee of the City shall, during the hours the employee is working for the City, take an active part in any municipal or other political campaign, nor seek or accept contributions for or against any candidate or issue therein, nor seek or accept signatures to any petition for or against any such candidate or issue. Nothing in this section shall be construed to prevent any such employee from seeking election or appointment to public office.

**SEC. 2-5.17. DISCRIMINATION.** Except as otherwise provided by the general laws of this state heretofore or hereafter enacted, no person in the Classified Service, or seeking admission thereto, shall be employed, promoted, demoted, or discharged or in any way favored or discriminated against because of political opinion or affiliation, race, religious creed, color, national origin, ancestry, age, handicap or sex.

**SEC. 2-5.18. VIOLATION.** The violation of any provision of Sections 2-5.16 or 2-5.17 is ground for discharge of any officer or employee of the City.

**SECTION 2. REPEALS.** Section 2-5.21 of Chapter 5 of Title II of the Modesto Municipal Code is hereby repealed.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1980, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Mensinger

APPROVED: Susan D. Siefkin  
~~FELICIA WHEATON, City Clerk~~  
SUSAN D. SIEFKIN, Acting Mayor

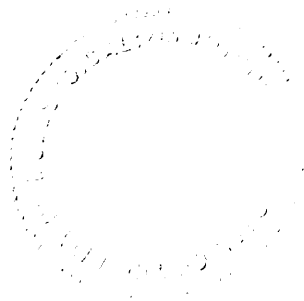
ATTEST:

By Norrine Coyle  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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



Ord. No. 2005-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 16th day of December, 1980, Councilmember Siefkin moved its final adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the ordinance adopted by the following vote:

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

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: None

**APPROVED**

  
MAYOR PEGGY MENSINGER

**ATTEST:**

  
NORRINE COYLE, City Clerk

**EFFECTIVE DATE:** January 15, 1981

16

ORDINANCE NO. 2006 -C. S.

AN ORDINANCE AMENDING SECTIONS 2-5.02, 2-5.03, 2-5.04, 2-5.06, 2-5.12, 2-5.16, 2-5.17 AND 2-5.18 OF CHAPTER 5 OF TITLE II OF THE MODESTO MUNICIPAL CODE AND REPEALING SECTION 2-5.21 THEREOF, RELATING TO THE PERSONNEL SYSTEM.

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

SECTION 1. AMENDMENT OF CODE. Sections 2-5.02, 2-5.03, 2-5.04, 2-5.06, 2-5.12, 2-5.16, 2-5.17 and 2-5.18 of Chapter 5 of Title II of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 2-5.02. BOARD OF PERSONNEL APPEALS. The Board of Personnel Appeals of the City of Modesto is hereby established to consist of three (3) members who shall be appointed in accordance with and for the terms prescribed by Section 1102 of the Charter of the City of Modesto. The Board shall function in all respects in accordance with the applicable provisions of Article XI of said Charter relating to appointive boards and commissions. The Board shall hold one regular meeting a year during the month of January. All other meetings of the Board shall be special meetings and shall be called by the chairman or by a majority of the members of the Board.

SEC. 2-5.03. DUTIES OF THE BOARD OF PERSONNEL APPEALS. The Board of Personnel Appeals shall have the power and duty to:

(a) Select a hearing officer to hear the appeal of any person in the Classified Service relative to any suspension, demotion or dismissal.

(b) Act in an advisory capacity to the City Manager on such personnel matters as may be referred to it by the City Manager.

SEC. 2-5.04. DIRECTOR OF PERSONNEL. There is hereby created the position of Director of Personnel. The City Manager shall be ex-officio Director of Personnel. The City Manager may delegate any of the powers and duties conferred upon him as Director of Personnel under this chapter to any other officer or employee of the City appointed by the City Manager, or he may recommend to the Council that any or all such powers and duties be performed under contract as provided in Section 2-5.19. The Director of Personnel or his designated representative shall:

- (a) Attend all meetings of the Board of Personnel Appeals.
- (b) Administer all the provisions of this chapter and of the personnel rules not specifically reserved to the Council or the Board of Personnel Appeals.
- (c) Prepare and recommend the adoption, amendment or repeal of personnel rules and regulations. The City Attorney shall approve the legality of such rules and regulations and revisions and amendments thereto prior to their submission to the Council.
- (d) Prepare and recommend a position classification plan, including class specifications, and revisions of the plan.
- (e) Prepare and recommend a plan of compensation, and revisions thereof, covering all classes for which the City Manager is the appointing authority.
- (f) Publish or post notices of tests for positions in the Classified Service; receive applications therefor; conduct and grade tests; and certify to the person having the power of appointment a list of all persons eligible for appointment to the appropriate position in the Classified Service.

**SEC. 2-5.06. ADOPTION OF RULES.** The Council shall adopt, by resolution, personnel rules governing the following phases of the personnel system:

- (a) Preparation, installation, revision and maintenance of a position classification plan covering all appointive positions in the City service.
- (b) Preparation, revision and administration of a plan of compensation directly correlated with the position classification plan, providing a rate or range of pay for each class.
- (c) Public announcement of all tests and the acceptance of applications for employment.
- (d) Preparation and conduct of tests and the establishment and use of resulting employment lists containing names of persons eligible for appointment.
- (e) Certification and appointment of persons from employment lists and making of provisional, temporary, part-time, and emergency appointments.

- (f) Evaluation of employees during the probationary period.
- (g) Transfer, promotion, demotion and reinstatement of employees: in the Classified Service.
- (h) Separation of employees from the City service through lay-off, suspension and dismissal.
- (i) Standardization of hours of work, attendance and leave regulations, working conditions, and the development of employee training, morale and welfare.
- (j) Suitable provision for orderly and equitable presentation to the City Manager and to the Council by employees relating to general conditions of employment.
- (k) Content, maintenance and use of personnel records and forms.

**SEC. 2-5.12. RIGHT TO HEARING.** Any regular employee in the Classified Service shall have the right of appeal relative to any suspension, demotion or dismissal except in instances where the right of appeal is denied by this chapter. Such an appeal must be in writing and filed with the Director of Personnel within thirty (30) days following written notice to said employee of such suspension, demotion or dismissal.

As soon as practicable after receipt by the Director of Personnel of an appeal, the Board of Personnel Appeals shall hold a meeting to select a hearing officer.

At least five (5) days written notice of the time and place of said meeting of the Board of Personnel Appeals shall be given to the employee who has filed the appeal.

The hearing officer selected to hear such an appeal shall commence said hearing within sixty (60) days after the appeal is filed with the Director of Personnel, unless said time limit is waived in writing by both the employee who has filed the appeal and the Director of Personnel.

The hearing officer shall have the power to administer oaths and affirmations. The hearing officer shall have the power and authority to compel the attendance of witnesses, to examine them under oath and to compel the production of evidence. Subpoenas may be issued in the name of the City and be attested by the City Clerk. Disobedience of such subpoena or the refusal to testify (upon other than constitutional grounds), shall be deemed contempt and shall be punishable as provided by the general laws of this State.

The findings and recommendations of the hearing officer shall be made to the City Manager who shall make the final determination. The City Manager shall review the findings and recommendations of the hearing officer and may then affirm, revoke or modify the action recommended, as in his judgment seems warranted in the public interest. The City Manager's action relative to any such suspension, demotion or dismissal shall be final.

Judicial review may be had by filing a petition for a writ of mandate in accordance with the provisions of Section 1094.5 of the Code of Civil Procedure of the State of California. Such a petition shall be filed in accordance with the provisions of Section 1094.6 of the Code of Civil Procedure of the State of California, which section shall be applicable to all such petitions.

**SEC. 2-5.16. POLITICAL ACTIVITIES PROHIBITED.** No employee of the City shall, during the hours the employee is working for the City, take an active part in any municipal or other political campaign, nor seek or accept contributions for or against any candidate or issue therein, nor seek or accept signatures to any petition for or against any such candidate or issue. Nothing in this section shall be construed to prevent any such employee from seeking election or appointment to public office.

**SEC. 2-5.17. DISCRIMINATION.** Except as otherwise provided by the general laws of this state heretofore or hereafter enacted, no person in the Classified Service, or seeking admission thereto, shall be employed, promoted, demoted, or discharged or in any way favored or discriminated against because of political opinion or affiliation, race, religious creed, color, national origin, ancestry, age, handicap or sex.

**SEC. 2-5.18. VIOLATION.** The violation of any provision of Sections 2-5.16 or 2-5.17 is ground for discharge of any officer or employee of the City.

**SECTION 2. REPEALS.** Section 2-5.21 of Chapter 5 of Title II of the Modesto Municipal Code is hereby repealed.

**SECTION 3. DECLARATION OF EMERGENCY.** The Council of the City of Modesto hereby finds and declares that the foregoing ordinance is necessary as an emergency measure for preserving the public peace, health and safety.

Unless the foregoing ordinance is adopted without delay, the Modesto Municipal Code provisions relating to the City of Modesto's Personnel System will not conform to the Charter of the City of Modesto. The Charter was amended effective November 20, 1980, to eliminate the Personnel Commission and establish a Board of Personnel Appeals. It is necessary to amend the Modesto Municipal Code in order that it will conform to the new Charter provisions relating to the Board of Personnel Appeals. The amendments to the Municipal Code must become effective immediately in order that if an appeal by a City employee should arise, there will be no inconsistency between the Charter and the Municipal Code.

SECTION 4. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall go into effect and be in full force and operation as of the date of its adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full in the Modesto Bee, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of December, 1980, by Councilmember Lang, who moved its adoption and passage to print, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Mensinger

APPROVED: Susan D. Siefkin

ATTEST:

~~REGINA WENINGER, Mayor~~  
SUSAN D. SIEFKIN, Acting Mayor

By Norrine Coyle  
NORRINE COYLE, City Clerk  
(SEAL)

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

AN ORDINANCE AMENDING SECTION 2-1.08 OF CHAPTER 1 OF TITLE II OF THE MODESTO MUNICIPAL CODE RELATING TO ORDER OF BUSINESS.

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

SECTION 1. AMENDMENT OF CODE. Section 2-1.08 of Chapter 1 of Title II of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 2-1.08. ORDER OF BUSINESS. Promptly at the hour set by law on the day of each regular meeting, the members of the Council, the City Clerk, City Attorney and City Manager shall take their regular stations in the Council Chambers, and the business of the Council shall be taken up for consideration and disposition in the following order except that with the unanimous consent of the Council, matters may be taken up out of order:

1. Roll call.
2. Pledge of allegiance to the Flag.
3. Invocation.
4. Consent items.
5. Acknowledgements.
6. Presentations.
7. Minutes
8. Unfinished business.
9. Hearings.
10. Bids.
11. Written communications.
12. Matters for the good of the community.
13. New business.
14. Miscellaneous
  - a. Legislation
  - b. Appointments
  - c. Other.
15. Matters too late for the agenda.
16. Adjournment.

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 adoption.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of December, 1980, by Councilmember Siefkin, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED:

Peggy Mensinger  
PEGGY MENSINGER, Mayor

ATTEST:

By Norrine Coyle  
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

Ord. No. 2007-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 23rd day of December, 1980, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the ordinance adopted by the following vote:

**AYES:** Councilmembers: Bright, Lang, Muratore, Mayor pro tem Elliott

**NOES:** Councilmembers: None

**ABSENT:** Councilmembers: Kulljian, Siefkin, Mayor Mensinger

**APPROVED**

Peggy Mensinger  
MAYOR PEGGY MENSINGER

**ATTEST:**

Norrine Coyle  
NORRINE COYLE, City Clerk

**EFFECTIVE DATE:**

January 22, 1981