

ORDINANCE NO. 2416 -C.S.

AN ORDINANCE AMENDING SECTION MAP 22-3-9
OF THE ZONING MAP OF THE CITY OF MODESTO,
RECLASSIFYING CERTAIN PROPERTY LOCATED
THEREON. (ROYCE D. and ALBERTA L. WRIGHT)

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Royce D. and Alberta L. Wright on February 10, 1986, to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located on the East side of Water Street, South of East Coolidge Avenue, hereinafter described, and

WHEREAS, after public hearing held on March 17, 1986, 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. 86-56, adopted on March 17, 1986, the Planning Commission recommended to the Council that the application of Royce D. and Alberta L. Wright to amend Section 22-3-9 of the Zoning Map to reclassify the hereinafter described property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, be approved,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing held on April 22, 1986, 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 properties proposed for R-2 zoning are located so as to create a buffer between existing and proposed business/professional office uses to the west, duplex/triplex development adjoining to the south, and single-family dwellings to the north and east.
2. The properties proposed for R-2 zoning already each contain a duplex and the zoning will allow well-located residential infill of partially developed lots.
3. The addition of additional dwelling units under the R-2 zoning will allow upgrading of the parking facilities via plot plan review by the Planning Commission.

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

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

All of Lots 1, 2, 3, and 4 of Block 1178 as shown on that certain amended map of Wright - Mineni Tract filed in the office of the Recorder of Stanislaus County in Volume 16 of Maps at Page 71-A on April 18, 1950.

Including also all of the East one-half of Water Street, the South one-half of Coolidge Avenue, and the West one-half of the 20.00-foot wide alley in Block 1178 and all being immediately adjacent to the above described parcel.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1986, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Lang, McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED: Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

By Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Whiteside
Department of Planning and
Community Development

**Ordinance 2416 C.S.
Exhibit A – Map**

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of May, 1986, Councilmember Patterson moved its final adoption, which motion being duly seconded by Councilmember McGrath, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: McGrath, Muratore, Patterson, Sutton,
Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 5, 1986

ORDINANCE NO. 2417 -C.S.

AN ORDINANCE AMENDING SECTION 5-6.12 OF CHAPTER 6 OF TITLE V OF THE MODESTO MUNICIPAL CODE AND ADDING SECTIONS 5-6.12.2 AND 5-6.13.2 THERETO RELATING TO SEWAGE COLLECTION AND DISPOSAL.

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

SECTION 1. AMENDMENT OF CODE. Section 5-6.12 of Chapter 6 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-6.12. PERMITS.

- (a) Industrial Users and Liquid Waste Haulers. Before an industrial waste connection is made to the sewage system, a permit must first be obtained from the Director. Application for a permit to discharge such wastes shall be in writing and shall contain the following information:
- (1) Name and address of applicant.
 - (2) Proposed location of connection.
 - (3) Estimated gallonage of wastes proposed to be discharged, estimated time of discharge, time of peak loads, and other similar data.
 - (4) Character of waste proposed to be discharged.
 - (5) Other information as may be deemed to be necessary by the Director.

Upon receipt of an application as provided, the Director shall promptly make such investigation as he shall deem necessary.

In the event that the Director finds and determines:

- (1) That the trunk sewer in which the connection is to discharge has sufficient unused carrying capacity for the disposition of these wastes;
- (2) That the character of the wastes proposed to be discharged by the applicant is such that they can successfully be treated;
- (3) That such wastes will not result in damage to the sewage system;

then he shall issue a permit to the applicant as requested.

The Director, at his discretion, and toward the end of fulfilling the intent and purposes of this chapter, may grant a permit in part only and may thereupon prescribe conditions with respect to discharge of such waste into such system including pretreatment and installation and maintenance of pretreatment facilities, and/or maintenance of individual screens to collect waste products and/or may require the construction and use of tanks designed to equalize flow and reduce peak load.

In the event that after the granting of a permit, there shall develop, a change of conditions, such as an increased flow or change of character of discharge or operations or for any cause whatsoever, the permittee must immediately report such changes to the Director. If, in the opinion of the Director, it becomes necessary or desirable to change the conditions prescribed at the time of issuing said permit, then the Director may revoke said permit or may impose further conditions with respect thereto, toward the end of remedying such conditions.

- (b) Capacity Allocation. Each industrial user, at the time a permit is issued in accordance with subsection (a) above, shall be assigned a capacity allocation for peak rate of discharge; daily discharge, monthly discharge and annual discharge measured in million gallons (MG). Whenever the gallonage of flow of an industrial

user falls below eighty (80) per cent of the user's capacity allocation for two (2) consecutive calendar years, a new permit shall be issued. The Director shall assign a revised capacity allocation for peak rate of discharge; daily discharge, monthly discharge, and annual discharge for a new permit based on the actual gallonage recorded during the two (2) consecutive calendar years during which the gallonage of flow fell below eighty (80) per cent of the industrial user's assigned capacity allocation.

- (c) Pretreatment Facilities. Any facilities required to pretreat wastewater to a level acceptable to the Director shall be provided, operated, and maintained at the industrial user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Director for all existing industrial users facilities as well as before construction of the facility. The review of such plans and operating procedures will in no way relieve the industrial user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the City under the provisions of this article. Any subsequent changes in the pretreatment facilities or operating procedures shall be reported to and be acceptable to the Director prior to the industrial user's initiation of the changes. All records relating to compliance with Pretreatment Standards shall be made available to the Director upon request.
- (d) All Other Users. Permits for all sewer connections, except industrial users and liquid waste haulers, shall be obtained in accordance with the provisions of the Plumbing Code of the City.

SECTION 2. AMENDMENT OF CODE. Sections 5-6.12.2 and 5-6.13.2 are hereby added to Chapter 6 of Title V of the Modesto Municipal Code to read as follows:

SEC. 5-6.12.2. ACCIDENTAL DISCHARGE.

- (a) Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this article. Such facilities shall be provided and maintained at the industrial user's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Director for review and shall be acceptable to the Director before construction of the facility. All existing industrial users shall complete such a plan as required by the Director. No industrial user shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the City. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility of modifying the facility as necessary to provide the protection necessary to meet the requirements of this article. In the case of an accidental discharge, it is the responsibility of the industrial user to immediately telephone and notify the Director of the incident. The notification shall include location of discharge, type of waste concentration and volume, and corrective actions. Within five (5) days following an accidental discharge, the industrial user shall submit to the Director a detailed written report describing the cause of the discharge and the measures to be taken by the industrial user to prevent similar future occurrences. Such notification shall not relieve the industrial user of any expense, loss, damage or other liability which may be incurred as a result of damage to the Wastewater Treatment Facility, or any other damage to person or property, nor shall such notification relieve the industrial user of any fines, civil penalties or other liability which may be imposed.
- (b) A notice shall be permanently posted on the industrial user's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers

shall ensure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

SEC. 5-6.13.2. VIOLATIONS.

- (a) Revocation of Permit. Any industrial user who performs the following actions, or who violates any condition of its permit, or of applicable state and federal regulations, is subject to having its permit revoked:
- (1) Failure of an industrial user to factually report the sewage constituents and characteristics of its discharge;
 - (2) Failure of an industrial user to report significant changes in operations, site plans, floor plans, mechanical and plumbing plans or sewage constituents and characteristics; or
 - (3) Refusal of reasonable access to an industrial user's premises for the purpose of inspection or monitoring.
- (b) Fine. Any industrial user who intentionally or negligently violates any provision of any permit issued pursuant to this chapter, or who intentionally or negligently discharges waste or wastewater which causes pollution or who violates any Cease and Desist Order, established effluent limitations, national standard of performance or national pretreatment or toxicity standard shall be fined not more than ten thousand dollars (\$10,000.00) for each offense. The Director may determine the existence of a violation and may levy a fine which shall be in accordance with a schedule approved by the Council from time to time by resolution. Each day on which a violation may occur or continue shall be deemed a separate and distinct offense. In case of a determination of violation the violator shall have fourteen (14) days to request a hearing. The Director shall provide a hearing within ten (10) days after receipt of request for hearing. At the hearing the violator may present written

or oral evidence why a violation does not exist or why the fine should be reduced or eliminated. The Director shall give written notice of his decision not more than ten (10) days after the hearing. In addition to the penalties provided herein, the City may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this article or the orders, rules, regulations, and permits hereunder.

- (c) Liability. In the event that a permittee does not comply with the conditions of a permit and wastes are discharged to the sewage system that cause, or threaten to cause, the Water Quality Control Plant's waste treatment facilities to malfunction or otherwise result in a violation of waste discharge requirements or limitations imposed by state or federal regulatory agencies, the permittee shall be liable for any or all of the following:
- (1) Any and all monetary penalties, charges, fees and other costs that may be imposed on the City by state or federal regulatory agencies as a result of threatened or actual violation(s) or malfunction(s), including administrative and legal fees.
 - (2) Any and all judgments and associated costs that may be awarded to individuals or entities as a result of threatened or actual violation(s) or malfunction(s).
 - (3) The total cost of any interim waste treatment measures that the Director may deem necessary to abate threatened or actual violation(s) or malfunction(s) including consulting and administrative fees.
 - (4) The total cost of providing waste treatment facilities needed to remedy threatened or actual violation(s) or malfunction(s).
- (d) List of Violators. The Director shall annually publish in a newspaper of general circulation in

the Modesto area a list of the industrial users which significantly violated applicable Pretreatment Requirements or Standards at least once during the twelve (12) previous months. The notification shall also summarize any enforcement actions taken against the industrial user(s) during the same twelve (12) months. A significant violation is one which remains uncorrected forty-five (45) days after notification by the Director of noncompliance.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of April, 1986, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember McGrath, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Lang, McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED: *Peggy Mensinger*
PEGGY MENSINGER, Mayor

ATTEST:

By *Norrine Coyle*
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 6th day of May, 19 86, Councilmember Patterson moved its final adoption, which motion being duly seconded by Councilmember McGrath, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 5, 1986

ORDINANCE NO. 2418 -C.S.

AN ORDINANCE AMENDING SECTION MAP 21-3-9 OF THE ZONING MAP TO REZONE FROM NEIGHBORHOOD COMMERCIAL ZONE, C-1, AND MEDIUM DENSITY RESIDENTIAL ZONE, R-2, TO PLANNED DEVELOPMENT ZONE, P-D(398), PROPERTY LOCATED ON THE WEST SIDE OF COFFEE ROAD BETWEEN CHADWICK COURT AND EAST FAIRMONT AVENUE. (DON PAYNE)

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

SECTION 1. ZONING CHANGE. Section 21-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Neighborhood Commercial Zone, C-1 and Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(398):

All that certain property situated in a portion of the Southeast quarter of Section 21, 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:

C-1 to P-D

The East 130.00 feet of Parcel "2" as shown on that certain map recorded in Volume 25 of parcel maps, at page 72, Stanislaus County Records, on July 29, 1977.

Including the Western 45.00 feet of Coffee Road immediately adjacent to the above described property.

R-2 to P-D

Excepting therefrom the East 130.00 feet of aforementioned Parcel "2".

SECTION 2. USES. The following uses shall be permitted in said P-D(398) Zone if the plan for construction conforms in principle to the approved plan, or if changes are approved by the Secretary of the Planning Commission as required by Section 10-2.1709(c) 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 10-2.1709(a) or (b) of the Modesto Municipal Code:

1. An office building addition to the rear of an existing C-1 commercial use building fronting on Coffee Road.
2. An off-street parking area.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6 day of May, 1986, by Councilmember Whiteside, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger.

NOES: Councilmembers: None.

ABSENT: Councilmembers: Lang.

APPROVED: Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

By Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By William Brodick
Department of Planning and
Community Development

**Ordinance 2418 C.S.
Exhibit A – Map**

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13th day of May, 1986, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember McGrath, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 12, 1986

AN ORDINANCE AMENDING SECTION MAP 28-3-9 OF THE ZONING MAP TO REPEAL P-D(344) AND REZONE TO R-3, PROPERTY LOCATED ON THE WEST CORNER OF 16TH AND "G" STREETS. (COMMISSION INITIATED)

WHEREAS, the City Council, by Ordinance No. 2230-C.S., which was adopted on December 6, 1983, and which became effective on January 5, 1984, amended Section Map 28-3-9 of the Zoning Map to reclassify from Medium High Density Residential Zone, R-3, to Planned Development Zone, P-D(344) to allow a Union Hall and office facilities on property located on the west corner of 16th and "G" Streets as requested by the International Association of Machinists, Local No. 1528, and

WHEREAS, the Council, by Resolution No. 83-773, adopted on November 22, 1983, approved the development schedule for P-D(344) which specified that the entire construction program be accomplished in two phases, with construction of Phase I to begin on or before December 1, 1985, and completion to be not later than December 1, 1987, and

WHEREAS, as of December 1, 1985, P-D(344) has expired, and

WHEREAS, Section 10-2.1710(c) of the Modesto Municipal Code provides that if the owner or owners of property in P-D Zones have failed to meet the approved development schedule, the Planning Commission shall initiate proceedings to repeal the P-D Zone and rezone the property to the zone classification it held immediately prior to being zoned P-D, and

WHEREAS, the Planning Commission, by Resolution No. 86-29 adopted on February 18, 1986, initiated proceedings to review and extend the development schedule or to repeal P-D(344) and rezone the property to Medium High Density Residential Zone, R-3, and set March 3, 1986 as the date for public hearing, and

WHEREAS, said public hearing was held by the Planning Commission on March 3, 1986, in the City Council Chambers, City Hall, 801 11th Street, Modesto, at which hearing evidence both oral and documentary was received and considered, and thereafter the Planning Commission, by Resolution 86-39, found and determined that the repeal of Planned Development Zone, P-D(344) and rezoning the property back to Medium High Density Residential Zone, R-3, is required by public necessity, convenience and general welfare for the following reasons:

1. P-D(344) did not develop within the time limits of the development schedule.
2. The property owners have not indicated an intention to proceed with development under the P-D(344) zone.
3. Section 10-2.1710(c) of the Municipal Code calls for repeal or extension of expired P-D zones.

and

WHEREAS, by Resolution No. 86-39, adopted March 3, 1986, the Planning Commission recommended to the Council that Section Map 28-3-9 of the Zoning Map be amended to repeal P-D(344) and rezone the property hereinafter described to Medium High Density Residential Zone, R-3, and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers, City Hall, 801 11th Street, in the City of Modesto, at 4:00 p.m. on May 6, 1986, at which time evidence, both oral and documentary, was taken and introduced,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the recommended rezoning of Planned Development Zone, P-D(344), to Medium High Density Residential Zone, R-3, is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 86-39, and quoted above.

SECTION 2. ZONING CHANGE. Section 28-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(344), to Medium High Density Residential Zone, R-3:

All that certain real property situate in a portion of the Southwest quarter of Section 28, 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 lots 10 through 16 of City of Modesto Block 120.

Including also all of the Southwesterly one-half of 80-foot wide 16th Street, northeasterly one-half of 80-foot wide "G" Street and the northeasterly one-half of the 20-foot wide alley in said Block 120 and all immediately adjacent to the above described property.

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

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

SECTION 5. PUBLICATION. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3)

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

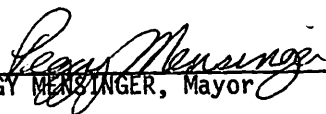
The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6 day of May, 1986, by Councilmember Patterson, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

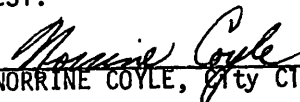
NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED:


PEGGY MENSINGER, Mayor

ATTEST:

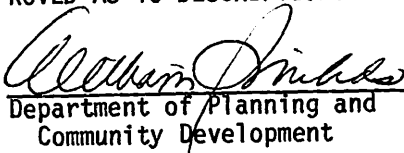
By 
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By 
Department of Planning and
Community Development

Ordinance 2419 C.S.
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13th day of May, 1986, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember McGrath, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 12, 1986

ORDINANCE NO. 2420 -C.S.

AN ORDINANCE AMENDING SECTION MAP 10-3-9 OF THE ZONING MAP TO REPEAL P-D(284) AND REZONE TO R-2, PROPERTY LOCATED ON THE SOUTH SIDE OF SYLVAN AVENUE EAST OF KELLER STREET. (COMMISSION INITIATED)

WHEREAS, the City Council, by Ordinance No. 1997-C.S., which was adopted on December 9, 1980, and which became effective on January 8, 1981, amended Section Map 10-3-9 of the Zoning Map to reclassify from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(284) to allow conversion of 19 existing one-story apartments to condominiums, property located on the south side of Sylvan Avenue east of Keller Street, as requested by Modesto Development Company, and

WHEREAS, the Council, by Resolution No. 80-1198, adopted on November 25, 1980, approved the development schedule for P-D(284) which specified that the entire construction program be accomplished in one phase, with construction to begin on or before May 1, 1982, and completion to be not later than May 1, 1984, and

WHEREAS, on November 15, 1982, the Planning Commission, by Resolution No. 82-178, granted a time extension to the development schedule of P-D(284) calling for construction to begin on or before October 27, 1983, and to be completed by October 27, 1985, and

WHEREAS, as of October 27, 1985, P-D(284) has expired, and

WHEREAS, Section 10-2.1710(c) of the Modesto Municipal Code provides that if the owner or owners of property in P-D Zones have failed to meet the approved development schedule, the Planning Commission shall initiate proceedings to repeal the P-D Zone and rezone the property to the zone classification it held immediately prior to being zoned P-D, and

WHEREAS, the Planning Commission, by Resolution No. 86-28 adopted on February 18, 1986, initiated proceedings to review and extend the development schedule or to repeal P-D(284) and rezone the property to Medium Density Residential Zone, R-2, and set March 3, 1986 as the date for public hearing, and

WHEREAS, said public hearing was held by the Planning Commission on March 3, 1986, in the City Council Chambers, City Hall, 801 11th Street, Modesto, at which hearing evidence both oral and documentary was received and considered, and thereafter the Planning Commission, by Resolution 86-38, found and determined that the repeal of Planned Development Zone, P-D(284) and rezoning the property back to Medium Density Residential Zone, R-2, is required by public necessity, convenience and general welfare for the following reasons:

1. P-D(284) did not develop within the extended time limits of the revised development schedule.

2. The property owners have not indicated an intention to proceed with condominium conversion as allowed by the P-D(284) Zone.
3. Section 10-2.1710(c) of the Municipal Code calls for repeal or extension of expired P-D zones.

and

WHEREAS, by Resolution No. 86-38, adopted March 3, 1986, the Planning Commission recommended to the Council that Section Map 10-3-9 of the Zoning Map be amended to repeal P-D(284) and rezone the property hereinafter described to Medium Density Residential Zone, R-2, and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers, City Hall, 801 11th Street, in the City of Modesto, at 4:00 p.m. on May 6, 1986, at which time evidence, both oral and documentary, was taken and introduced,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the recommended rezoning of Planned Development Zone, P-D(284), to Medium Density Residential Zone, R-2, is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 86-38, and quoted above.

SECTION 2. ZONING CHANGE. Section 10-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(284), to Medium Density Residential Zone, R-2:

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

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

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

the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6 day of May, 1986, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember McGrath, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

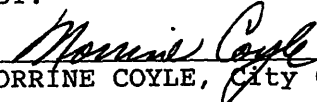
NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED:


PEGGY MENSINGER, Mayor

ATTEST:


By 
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By 
Department of Planning and
Community Development

Ordinance 2420 C.S.
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13th day of May, 1986, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember McGrath, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED *Deggy Mensinger*
MAYOR DEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 12, 1986

ORDINANCE NO. 2421 -C.S.

AN ORDINANCE AMENDING SECTION MAP 10-3-9 OF THE ZONING MAP TO REPEAL P-D(305) AND REZONE TO R-2, PROPERTY LOCATED ON THE EAST SIDE OF COFFEE ROAD NORTH AND SOUTH OF GRAND PRIX DRIVE. (COMMISSION INITIATED)

WHEREAS, the City Council, by Ordinance No. 2053-C.S., which was adopted on July 7, 1981, and which became effective on August 6, 1981, amended Section Map 10-3-9 of the Zoning Map to reclassify from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(305) to allow a conversion of existing duplexes to condominiums, property located on the east side of Coffee Road north and south of Grand Prix Drive, as requested by Stone Bros. and Associates, and

WHEREAS, the Council, by Resolution No. 81-524, adopted on June 23, 1981, approved the development schedule for P-D(305) which specified that the entire construction program be accomplished in one phase, with construction to begin on or before September 1, 1982, and completion to be not later than September 1, 1984, and

WHEREAS, on June 20, 1983, the Planning Commission, by Resolution No. 83-88, amended P-D(305) to impose the Condominium Conversion Tenant Displacement Policy, and

WHEREAS, as of September 1, 1984, P-D(305) has expired, and

WHEREAS, Section 10-2.1710(c) of the Modesto Municipal Code provides that if the owner or owners of property in P-D Zones have failed to meet the approved development schedule, the Planning Commission shall initiate proceedings to repeal the P-D Zone and rezone the property to the zone classification it held immediately prior to being zoned P-D, and

WHEREAS, the Planning Commission, by Resolution No. 86-30 adopted on February 18, 1986, initiated proceedings to review and extend the development schedule or to repeal P-D(305) and rezone the property to Medium Density Residential Zone, R-2, and set March 3, 1986 as the date for public hearing, and

WHEREAS, said public hearing was held by the Planning Commission on March 3, 1986, in the City Council Chambers, City Hall, 801 11th Street, Modesto, at which hearing evidence both oral and documentary was received and considered, and thereafter the Planning Commission, by Resolution 86-40, found and determined that the repeal of Planned Development Zone, P-D(305) and rezoning the property back to Medium Density Residential Zone, R-2, is required by public necessity, convenience and general welfare for the following reasons:

1. P-D(305) did not result in a condominium within the extended time limits of the development schedule.
2. The property owners have not indicated an intention to proceed with condominium conversion as allowed by P-D(305).
3. Section 10-2.1710(c) of the Municipal Code calls for repeal or extension of expired P-D zones.

and

WHEREAS, by Resolution No. 86-40, adopted March 3, 1986, the Planning Commission recommended to the Council that Section Map 10-3-9 of the Zoning Map be amended to repeal P-D(305) and rezone the property hereinafter described to Medium Density Residential Zone, R-2, and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers, City Hall, 801 11th Street, in the City of Modesto, at 4:00 p.m. on May 6, 1986, at which time evidence, both oral and documentary, was taken and introduced,

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

SECTION 1. COUNCIL FINDINGS. After a public hearing, this Council finds and determines that the recommended rezoning of Planned Development Zone, P-D(305), to Medium Density Residential Zone, R-2, is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 86-40, and quoted above.

SECTION 2. ZONING CHANGE. Section 10-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Planned Development Zone, P-D(305), to Medium Density Residential Zone, R-2:

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

BEGINNING at the intersection of the centerline of Montevieu Drive with the centerline of Bywood Lane, as shown on map of Sylvan Meadows East No. 6, filed for record in Volume 28 of Maps at Page 32, Stanislaus County Records; thence North $0^{\circ}48'$ West, along said centerline of Montevieu Drive, a distance of 930.61 feet to the intersection with the centerline of Fernview Drive; thence North $66^{\circ}19'22''$ West 40.00 feet to the Northeast corner of Lot 6, Block 12587 in said Sylvan Meadows East No. 6; thence North $55^{\circ}37'41''$ West, along the northeasterly line of said Lot 6, a distance of 34.98 feet; thence South $89^{\circ}12'$ West along the northerly line of said Lot 6 and the westerly extension thereof, a distance of 125.00 feet, to the centerline of Coffee Road; thence South $0^{\circ}48'$ East, along said centerline of Coffee Road a distance of 1032.00 feet; thence North $89^{\circ}12'$ East, along the South line of Lot 14, Block 12574, in said Sylvan Meadows East No. 6 and the westerly extension thereof, a distance of 145.00 feet thence continuing along said south line North $31^{\circ}18'08''$ East, 38.87 feet to the West line of Montevieu Drive; thence North $36^{\circ}41'06''$ East 40.00 feet to the point of beginning.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6 day of May, 1986, by Councilmember McGrath, 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: McGrath, Muratore, Patterson, Sutton
Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED:

Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

By *Norrine Coyle*
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

APPROVED AS TO DESCRIPTION:

By *William Kilde*
Department of Planning and
Community Development

Ordinance 2421 C.S.
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13th day of May, 19 86, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember McGrath, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 12, 1986

ORDINANCE NO. 2422 -C.S.

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

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

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

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

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

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

CORALWOOD ROAD, between McHenry Avenue and Dragoo Park Drive	35 miles per hour
CROWS LANDING, between 7th Street and Blankenburg Avenue; those portions within the City	35 miles per hour
CROWS LANDING, between School Avenue and Imperial Avenue; those portions within the City	35 miles per hour
CROWS LANDING, between Imperial Avenue and Whitmore; those portions within the City	45 miles per hour
DEL VALE AVENUE, between Del Vista Avenue and Glenwood Drive	25 miles per hour
EMERALD AVENUE, between Maze Boulevard and Kansas Avenue within the City limits	25 miles per hour
ENSLÉN AVENUE, between Granger Avenue and Orangeburg Avenue	25 miles per hour
FAIRMONT AVENUE, between Virginia Avenue and McHenry Avenue	25 miles per hour
FRANKLIN STREET, between Maze Boulevard and Laurel Avenue	25 miles per hour
GRAPE AVENUE, between Pearl Street and Evergreen Avenue	25 miles per hour
GRISWOLD AVENUE, between Virginia Avenue and McHenry Avenue	25 miles per hour
HADDON AVENUE, between La Loma Avenue and Conejo Avenue	25 miles per hour
HASHEM DRIVE, between Sylvan Avenue and Oakdale Road	30 miles per hour
HATCH ROAD, within the City limits	35 miles per hour

JEFFERSON STREET, between Paradise Road and 8th Street	25 miles per hour
K STREET, between Washington Street and 9th Street	25 miles per hour
LA LOMA AVENUE, between Burney Street and Buena Vista	25 miles per hour
LAUREL AVENUE, between Emerald Avenue and Franklin Street, within the City limits	35 miles per hour
LEGION PARK ROAD, between Santa Cruz Avenue and Tioga Drive	25 miles per hour
LEVELAND LANE, between College Avenue and TSRR tracks	25 miles per hour
LINCOLN OAK DRIVE, between Merle Avenue and Floyd Avenue	25 miles per hour
LUCERN AVENUE, between Johnson Street and Coffee Road	25 miles per hour
MADISON STREET, between Paradise Avenue and Laurel Avenue	25 miles per hour
MORTON BOULEVARD, between 9th Street and Downey Avenue	25 miles per hour
NEECE DRIVE, between Rouse Avenue and Sunset Avenue	25 miles per hour
PARKER ROAD, between Claus Road and the Atchinson, Topeka and Santa Fe Railroad Tracks within the City Limits	50 miles per hour
PEARL STREET, between Carver Road and Dougfir Drive	25 miles per hour
RIVER ROAD, between Herndon Avenue and 1,200 feet west of Herndon Avenue	35 miles per hour

ROBLE AVENUE, between Santa Ana Avenue and Rosina Avenue	25 miles per hour
SHERWOOD AVENUE, between Orangeburg Avenue and Briggsmore Avenue	25 miles per hour
SNYDER AVENUE, between Blue Bird Drive and Dale Road	25 miles per hour
STODDARD AVENUE, between McHenry Avenue and Virginia Avenue	25 miles per hour
TIOGA DRIVE, between Conejo Avenue and Legion Park Drive	25 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour
WRIGHT STREET, between Sycamore Avenue and McHenry Avenue	25 miles per hour
7TH STREET, between Sierra Drive and the Tuolumne River	25 miles per hour
9TH STREET, between Carpenter Road and 400' north of Tully Road	50 miles per hour
9TH STREET, between 400' north of Tully Road and P Street	35 miles per hour
9TH STREET, between D Street and north end of the Tuolumne River Bridge	30 miles per hour
9TH STREET, on the Tuolumne River Bridge	40 miles per hour

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

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

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>	<u>DATE SURVEYED</u>
BLUE GUM AVENUE, between Poust and Carpenter Roads	40 miles per hour	December 5, 1984
BOWEN AVENUE, between Tully Road and McHenry Avenue	35 miles per hour	November 15, 1982
BRIGGSMORE AVENUE, between Prescott Road and Tully Road	45 miles per hour	January 27, 1984
BRIGGSMORE AVENUE, (east and westbound) between Tully Road and McHenry Avenue	45 miles per hour	January 27, 1984
BRIGGSMORE AVENUE, (westbound) between Coffee Road and McHenry Avenue	45 miles per hour	January 27, 1984
BRIGGSMORE AVENUE, (east- bound) between McHenry Avenue and 1,000 feet west of Coffee Road	40 miles per hour	November 13, 1982
BRIGGSMORE AVENUE, (eastbound), between a point 1,000 feet west of Coffee Road and Coffee Road	40 miles per hour	January 26, 1984
BRIGGSMORE AVENUE, between Coffee Road and Rose Avenue	45 miles per hour	January 26, 1984
BRIGGSMORE AVENUE, between Rose Avenue and Oakdale Road	45 miles per hour	January 26, 1984
BRIGGSMORE AVENUE, between Oakdale Road and Claus Road	50 miles per hour	January 26, 1984
BRIGHTON AVENUE, between Coffee Road and Locke Road	30 miles per hour	June 15, 1983
CARPENTER ROAD, between Blue Gum Avenue and Woodland Avenue within the City limits	45 miles per hour	February 8, 1984

CARPENTER ROAD, between Woodland Avenue and Maze Boulevard within the City limits	45 miles per hour	June 14, 1984
CARPENTER ROAD, between Maze Boulevard and Paradise Road within the City limits	45 miles per hour	January 26, 1984
CARVER ROAD, between M.I.D. Lateral No. 6 and Brixton Lane within the City limits	40 miles per hour	March 27, 1986
CARVER ROAD, between Brixton Lane and Roseburg Avenue	35 miles per hour	November 15, 1982
CARVER ROAD, between Roseburg Avenue and 9th Street	35 miles per hour	November 13, 1982
CELESTE DRIVE, between Coffee Road and Oakdale Road	30 miles per hour	June 14, 1983
CLAUS ROAD, between M.I.D. Lateral No. 3 and 200' south of Scenic Drive	45 miles per hour	February 3, 1984
COFFEE ROAD, between Mable Avenue and Sylvan Avenue within the City limits	45 miles per hour	April 17, 1986
COFFEE ROAD, between Sylvan Avenue and Floyd Avenue within the City limits	35 miles per hour	January 26, 1984
COFFEE ROAD, between Floyd Avenue and Briggsmore Avenue	35 miles per hour	January 26, 1984
COFFEE ROAD, between Briggsmore Avenue and Scenic Drive	35 miles per hour	January 26, 1984
COLLEGE AVENUE, between Rumble Road and Bowen Avenue	30 miles per hour	March 8, 1984
COLLEGE AVENUE, between Bowen Avenue and Princeton Avenue	35 miles per hour	November 20, 1982

CROWS LANDING ROAD, Blankenburg Avenue to School Avenue, within the City limits	35 miles per hour	June 22, 1983
DALE ROAD, between Pelandale Avenue and Snyder Avenue	50 miles per hour	May 29, 1984
DALE ROAD, between Snyder Avenue and Veneman Avenue	45 miles per hour	May 29, 1984
DALE ROAD, between Veneman Avenue and Standiford Avenue	35 miles per hour	January 26, 1984
EASTRIDGE DRIVE, between Orangeburg Avenue and Scenic Drive	30 miles per hour	May 25, 1983
EICHER AVENUE, between Conant Avenue and Goldie Avenue	30 miles per hour	September 19, 1985
EL VISTA AVENUE, between Scenic Drive and Yosemite Boulevard	35 miles per hour	April 20, 1984
EMERALD AVENUE, between Maze Boulevard and California Avenue within the City limits	35 miles per hour	June 14, 1983
ENCINA AVENUE, between Santa Barbara Avenue and Conejo Avenue	30 miles per hour	June 22, 1983
EVERGREEN AVENUE, between Orangeburg Avenue and Carver Road	35 miles per hour	September 18, 1985
FAIRMONT AVENUE, between Sunrise Avenue and Coffee Road	30 miles per hour	June 15, 1983
FLOYD AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	November 15, 1982
FLOYD AVENUE, between Coffee Road and Oakdale Road	30 miles per hour	June 14, 1983

FRANKLIN STREET, between Maze Boulevard and California Avenue	35 miles per hour	November 20, 1982
GRANGER AVENUE, between Tully Road and McHenry Avenue	30 miles per hour	June 14, 1983
GRANGER AVENUE, between McHenry Avenue and Sunrise Avenue	30 miles per hour	June 14, 1983
KANSAS AVENUE, between Carpenter Road and Emerald Avenue within the City limits	40 miles per hour	March 19, 1986
KANSAS AVENUE, between Emerald Avenue and Eighth Street	35 miles per hour	January 26, 1984
KEARNEY AVENUE, between Glenwood Drive and Coldwell Avenue	30 miles per hour	September 18, 1985
KELLER STREET, between Sylvan Avenue and Rumble Road within the City limits	30 miles per hour	January 26, 1984
LAKEWOOD AVENUE, between Orangeburg Avenue and Scenic Drive	30 miles per hour	September 15, 1983
LINCOLN AVENUE, between 650' north of M.I.D. Lateral No. 2 and Yosemite Boulevard	35 miles per hour	December 8, 1984
MABLE AVENUE, between Coffee Road and Oakdale Road	35 miles per hour	September 19, 1985
MERLE AVENUE, between Oakdale Road and Claus Road	45 miles per hour	May 29, 1984
MILLER AVENUE, between La Loma Avenue and El Vista Avenue	35 miles per hour	November 16, 1982
MITCHELL ROAD, between Finch Road and the southerly City limits	50 miles per hour	November 20, 1982

MORRIS AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	November 16, 1982
MT. VERNON DRIVE, between Prescott Road and Carver Road	30 miles per hour	June 14, 1983
MT. VERNON DRIVE, between Carver Road and College Avenue	30 miles per hour	June 23, 1983
NEECE DRIVE, between Tuolumne Boulevard and Rouse Avenue	35 miles per hour	June 14, 1983
NEEDHAM STREET, between 9th and and L Streets	35 miles per hour	June 22, 1983
NORWEGIAN AVENUE, between McHenry Avenue and Coffee Road	35 miles per hour	June 14, 1983
OAKDALE ROAD, between Mable Avenue and Sylvan Avenue	50 miles per hour	May 29, 1984
OAKDALE ROAD, between Sylvan Avenue and Floyd Avenue	50 miles per hour	June 15, 1984
OAKDALE ROAD, between Floyd Avenue and Briggsmore Avenue	45 miles per hour	December 8, 1984
OAKDALE ROAD, between Briggsmore Avenue and Scenic Drive	35 miles per hour	January 26, 1984
ORANGEBURG AVENUE, between Briggsmore Avenue and Martin Avenue	30 miles per hour	April 11, 1985
ORANGEBURG AVENUE, between Martin Avenue and McHenry Avenue	40 miles per hour	April 3, 1985
ORANGEBURG AVENUE, between McHenry Avenue and Coffee Road	40 miles per hour	April 2, 1985
ORANGEBURG AVENUE, between Coffee Road and Oakdale Road	35 miles per hour	March 17, 1986

ORANGEBURG AVENUE, between Oakdale Road and Lakewood Avenue	35 miles per hour	November 19, 1984
ORANGEBURG AVENUE, between Lakewood Avenue and Claus Road	35 miles per hour	December 6, 1984
PARADISE ROAD, between Vernon Avenue and Franklin Street within the City limits	35 miles per hour	September 24, 1984
PARADISE ROAD, between Franklin Street and Washington Street	30 miles per hour	May 29, 1984
PRESCOTT ROAD, between Rumble Road and Briggsmore Avenue	35 miles per hour	January 26, 1984
PRINCETON AVENUE, between Tully Road and College Avenue	25 miles per hour	December 8, 1984
RIVERSIDE DRIVE, between Edge- brook Drive and Yosemite Boulevard	35 miles per hour	September 19, 1985
ROSE AVENUE, between Floyd Avenue and Briggsmore Avenue	35 miles per hour	November 16, 1982
ROSE AVENUE, between Briggsmore Avenue and Scenic Drive	35 miles per hour	November 3, 1982
ROSEBURG AVENUE, between Carver Road and Tully Road	30 miles per hour	June 14, 1983
ROSEBURG AVENUE, between Tully Road and McHenry Avenue	30 miles per hour	June 14, 1983
ROSEBURG AVENUE, between McHenry Avenue and Sunrise Avenue	35 miles per hour	June 14, 1983
ROSELAWN AVENUE, between Rouse Avenue and Colorado Avenue	30 miles per hour	March 19, 1982

ROSEMORE AVENUE, between Blue Gum Avenue and Kansas Avenue within the City limits	35 miles per hour	October 31, 1985
ROUSE AVENUE, between Neece Drive and Colorado Avenue within the City limits	35 miles per hour	September 16, 1982
RUMBLE ROAD, between Sisk Road and Conant Avenue	40 miles per hour	March 27-28, 1986
RUMBLE ROAD, between Conant Avenue and Tully Road	30 miles per hour	June 14, 1983
RUMBLE ROAD, between Tully Road and McHenry Avenue	35 miles per hour	September 18, 1985
RUMBLE ROAD, between McHenry Avenue and Coffee Road	35 miles per hour	June 14, 1983
SANTA CRUZ AVENUE, between Yosemite Boulevard and Legion Park Drive within the City limits	35 miles per hour	October 9, 1985
SCENIC DRIVE, between Burney Street and Coffee Road	30 miles per hour	June 22, 1983
SCENIC DRIVE, between Coffee Road and Oakdale Road	40 miles per hour	March 17, 1986
SCENIC DRIVE, between Oakdale Road and Lakewood Avenue	45 miles per hour	July 22, 1985
SCENIC DRIVE, between Lakewood Avenue and Lillian Drive	30 miles per hour	October 11, 1983
SCENIC DRIVE, Lillian Drive to Claus Road	40 miles per hour	November 3, 1982
SHARON WAY, between Budd Street and Prescott Road	30 miles per hour	June 7, 1983
SIERRA DRIVE, between G and South 7th Streets	30 miles per hour	June 14, 1983

SISK ROAD, between 600' north of Vintage Drive and Standiford Avenue	40 miles per hour	December 9, 1985
SISK ROAD, between Standiford Avenue and Briggsmore Avenue	40 miles per hour	March 28, 1986
SNYDER AVENUE, between Dale Road and Carver Road	50 miles per hour	August 29, 1985
STANDIFORD AVENUE, between Dale Road and Prescott Road within the City limits	40 miles per hour	December 8, 1984
STANDIFORD AVENUE, between Prescott Road and Carver Road	40 miles per hour	December 8, 1984
STANDIFORD AVENUE, between Carver Road and Tully Road	40 miles per hour	January 26, 1984
STANDIFORD AVENUE, between Tully Road and McHenry Avenue	30 miles per hour	May 18, 1984
SUNRISE AVENUE, between Floyd Avenue and Briggsmore Avenue	35 miles per hour	June 14, 1983
SUNRISE AVENUE, between Briggsmore Avenue and Lucern Avenue	30 miles per hour	December 8, 1984
SURREY AVENUE, between Oakdale Road and Eastridge Drive	30 miles per hour	December 6, 1984
SUTTER AVENUE, between Paradise Road and Robertson Road	30 miles per hour	November 1, 1982
SYCAMORE AVENUE, between Orangeburg Avenue and Griswold Avenue	30 miles per hour	March 9, 1984
SYLVAN AVENUE, between McHenry Avenue and Coffee Road	40 miles per hour	December 8, 1984

SYLVAN AVENUE, between Coffee Road and Oakdale Road within the City limits	40 miles per hour	December 8, 1984
TENAYA DRIVE, between Santa Rita Avenue and South Riverside Drive within the City limits	35 miles per hour	October 9, 1985
TOKAY AVENUE, between McHenry Avenue and Bodega Lane	35 miles per hour	January 27, 1982
TULLY ROAD, between M.I.D. Lateral No. 6 and Standiford Avenue	40 miles per hour	June 14, 1983
TULLY ROAD, between Standiford Avenue and Coldwell Avenue	35 miles per hour	November 20, 1982
TUOLUMNE BOULEVARD, between Paradise Road and 7th Street	35 miles per hour	November 1, 1982
VENEMAN AVENUE, between Dale Road and M.I.D. Lateral No. 7	35 miles per hour	November 13, 1982
VIRGINIA AVENUE, between Roseburg Avenue and Needham Street	30 miles per hour	June 14, 1983
WHITMORE AVENUE, between Crows Landing Road and Morgan Road within the City limits	45 miles per hour	March 27, 1986
WOODLAND AVENUE, between Morse Road and Shasta Avenue, within the City limits	45 miles per hour	January 26, 1984
WOODLAND AVENUE, between Shasta Avenue and Carpenter Road, within the City limits	40 miles per hour	December 5, 1984
WOODLAND AVENUE, between Carpenter Road and 9th Street, within the City limits	35 miles per hour	December 10, 1981

WOODROW AVENUE, between Tully Road and McHenry Avenue	30 miles per hour	June 14, 1983
WYLIE DRIVE, between Rose Avenue and Oakdale Road	35 miles per hour	February 7, 1984
9TH STREET, between P Street and L Street	35 miles per hour	March 19, 1986

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6 day of May, 1986, by Councilmember Patterson, who moved its introduction and passage to print, which motion being duly seconded by Councilmember McGrath, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED: Peggy Mensinger
PEGGY MENSINGER, Mayor

ATTEST:

By Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13th day of May, 19 86, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember McGrath, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 12, 1986

ORDINANCE NO. 2423-C.S.

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

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

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

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

SECTION 3. EMERGENCY PROVISIONS. DECLARATION OF URGENCY. 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 because the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract and sets forth the procedure by which said public agencies may elect to subject

themselves and their employees to amendments to said contract, and in order to have the amendment authorized by this Ordinance effective by the time agreed to in a Memorandum of Understanding with the Modesto Police Officers Association, it is necessary to have the foregoing amendment to the contract between the Board of Administration of the Public Employees' Retirement System and the City Council of the City of Modesto effective prior to June 24, 1986.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13 day of May,

1986, by Councilmember Whiteside, who moved its introduction and passage to print, which motion being duly seconded by Councilmember McGrath, was upon roll call carried by the following vote:

AYES: Councilmembers: McGrath, Muratore, Patterson, Whiteside,
Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang and Sutton

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

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

PLEASE DO NOT SIGN "EXHIBIT ONLY"

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of above public agency, hereinafter referred to as Public Agency, having entered into a contract effective August 1, 1946, and witnessed July 27, 1946, and as amended effective December 1, 1950, July 1, 1956, July 1, 1959, November 1, 1959, January 1, 1960, October 1, 1962, January 1, 1969, May 1, 1973, May 1, 1974, June 24, 1975, March 28, 1978, July 4, 1978, November 1, 1980, October 20, 1981, June 29, 1982 and October 15, 1985, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 13 are hereby stricken from said contract as executed effective October 15, 1985, and hereby replaced by the following paragraphs numbered 1 through 12 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 60 for local miscellaneous members and age 50 for local safety members.
 2. Public Agency shall participate in the Public Employees' Retirement System from and after August 1, 1946 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
 3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).

4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

- PLEASE DO NOT SIGN THIS EXHIBIT ONLY
- a. POLICE COURT EMPLOYEES AND
 - b. ALL HOURLY RATED OR HOURLY BASIS EMPLOYEES HIRED ON AND AFTER OCTOBER 1, 1962.

5. Assets heretofore accumulated with respect to local safety members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred representing the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.
6. The fraction of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section 21251.13, subject to the reduction provided therein for service on or after January 1, 1956 and prior to June 30, 1978 for members whose service has been included in Federal Social Security (2% @ 60 Full and Modified).
7. The fraction of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21252.01 of said Retirement Law (2% at age 50 Full).
8. The following additional provisions of the Public Employees' Retirement Law, which apply only upon election of a contracting agency, shall apply to the Public Agency and its employees:
 - a. Section 21222.1 (Special 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
 - b. Section 21222.2 (Special 5% Increase - 1971). Legislation repealed said Section effective January 1, 1979.
 - c. Section 21222.6 (Special 15% Increase for Local Miscellaneous Members).
 - d. Sections 21380 - 21387 (1959 Survivor Program) excluding Section 21382.2 (Increased 1959 Survivor Benefits) for local safety members.
 - e. Sections 21380 - 21387 (1959 Survivor Program) including Section 21382.2 (Increased 1959 Survivor Benefits) for local miscellaneous members.
 - f. Section 20024.2 (One-Year Final Compensation) for local miscellaneous members hired prior to October 20, 1981.

- PLEASE DO NOT SIGN "EXHIBIT ONLY"
- g. Section 21294.85 (Increased Non-Industrial Disability Allowance) for those local miscellaneous members who retired on non-industrial disability after June 14, 1975.
 - h. Sections 21263, 21263.1 and 21263.3 (Retirement Survivor Allowance) for local safety members and local miscellaneous members hired prior to October 20, 1981.
 - i. Section 21222.85 (Special 3% - 15% Increase) for or on behalf of those local miscellaneous and those local safety members who retired or died prior to January 1, 1974.
 - j. Section 20461.6 (Reduction of Benefits), applied to Sections 20024.2, 21263, 21263.1 and 21263.3 for local miscellaneous members hired on or after October 20, 1981.
 - k. Section 21222.72 (One-time 4% Increase) for or on behalf of those local miscellaneous and those local safety members who retired or died prior to January 1, 1981.
9. Public Agency, in accordance with Government Code Section 20740, ceased to be an "employer" for purposes of Section 20759 effective on March 28, 1978. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20759, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20759.
10. Public Agency shall contribute to said Retirement System as follows:
- a. With respect to local miscellaneous members, the agency shall contribute the following percentages of salaries earned as members of said Retirement System:
 - (1) 0.439 percent until June 30, 2000 on account of the liability for prior service benefits. (Subject to annual change.)
 - (2) 12.378 percent until June 30, 2000 on account of the liability for current service benefits. (Subject to annual change.)
 - (3) 0.057 percent until June 30, 2000 on account of the liability for the 1959 Survivor Program. (Subject to annual change.)
 - (4) 0.143 percent until June 30, 2000 on account of the liability for the benefits provided under Section 21222.85 of said Retirement Law. (Subject to annual change.)
 - (5) 0.122 percent until June 30, 2000 on account of the liability for the benefits provided under Section 21222.72 of said Retirement Law. (Subject to annual change.)

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

- PLEASE DO NOT SIGN EXHIBIT ONLY
- (1) 0.053 percent until June 30, 2000 on account of the liability for prior service benefits. (Subject to annual change.)
 - (2) 22.569 percent until June 30, 2000 on account of the liability for current service benefits. (Subject to annual change.)
 - (3) 0.088 percent until June 30, 2000 on account of the liability for the 1959 Survivor Program. (Subject to annual change.)
 - (4) 0.163 percent until June 30, 1995 on account of the liability for the benefits provided under Section 21222.85 of said Retirement Law. (Subject to annual change.)
 - (5) 0.139 percent until June 30, 2000 on account of the liability for the benefits provided under Section 21222.72 of said Retirement Law. (Subject to annual change.)

c. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

d. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

11. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

12. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within thirty days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, 19____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF MODESTO


PLEASE DO NOT SIGN "EXHIBIT ONLY"

BY _____
SIDNEY C. McCAUSLAND, _____
EXECUTIVE OFFICER _____
Pending Officer

Witness Date

Approved as to form:

Attest:

 _____
Legal Office, _____
Date 5-2-86

Clerk _____
Date

PERS-CON-702 (AMENDMENT)
(Rev. 9/85)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of June, 19 86, Councilmember Whiteside moved its final adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: McGrath, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang, Muratore

APPROVED

Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 3, 1986

ORDINANCE NO. 2424-C.S.

AN ORDINANCE AMENDING SECTION MAP 12-3-8 OF THE ZONING MAP TO REZONE FROM A PORTION OF P-D(388) TO P-O AND P-D(399), PROPERTY LOCATED ON THE EAST SIDE OF DALE ROAD NORTH OF VENEMAN AVENUE. (MIKE AND MARILYN CARNEY)

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 rezone from a portion of Planned Development Zone, P-D(388), to Professional Office Zone, P-O, the following described property:

P-D(388) to P-O

All that certain real property situate in portions of Parcels "B" and "C" as shown on map filed for record in Book 26 of Parcel Maps, at Page 26, Stanislaus County Records, lying in the Northwest Quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, being more particularly described as follows:

COMMENCING at the Northwest Corner of said Parcel "C", being a point on the east line of Dale Road; thence SOUTH along the west line of said Parcel "C" and said east line of Dale Road a distance of 290.00 feet to the TRUE POINT OF BEGINNING of this description; thence continuing SOUTH along said east line of Dale Road a distance of 293.00 feet; thence North 89°36'27" East a distance of 200.00 feet; thence NORTH a distance of 125.00 feet; thence North 89°36'27" East 300.00 feet to the east line of said Parcel "B"; thence NORTH along said east line of Parcel "B" and the east line of Parcel "C" a distance of 168.00 feet; thence South 89°36'27" West 500.00 feet to the point of beginning.

Including also all of the East 50.00 feet of Dale Road immediately adjacent to the above described property.

SECTION 2. ZONING CHANGE. Section 12-3-8 of the Zoning Map is hereby amended to rezone from a portion of Planned Development Zone, P-D(388), to Planned Development Zone, P-D(399), the following described property:

P-D(388) to P-D(399)

All that certain real property situate in a portion of Parcel "C", as shown on map filed for record in Book 26 of Parcel Maps at Page 26, Stanislaus County Records, lying in the Northwest Quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, being more particularly described as follows:

BEGINNING at the Northwest corner of said Parcel "C", being a point on the East line of Dale Road; thence SOUTH, along the West line of said Parcel "C" and said East line of Dale Road a distance of 290.00 feet; thence North 89°36'27" East 500.00 feet to the East line of said Parcel "C"; thence NORTH along said East line of Parcel "C" a distance of 290.00 feet to the Northeast corner of said Parcel "C"; thence South 89°36'27" West, along the North line of said Parcel "C" a distance of 500.00 feet to the point of beginning.

Including also all of the East 50.00 feet of Dale Road immediately adjacent to the above described property.

SECTION 3. USES. The following uses shall be permitted in said P-D(399) if the plan for construction conforms in principle to the approved plan, or if changes are approved by the Secretary of the Planning Commission as required by Section 10-2.1709(c) 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 10-2.1709(a) or (b) of the Modesto Municipal Code:

1. One-story residential care facility
2. One-story convalescent hospital
3. Off-street parking as shown on the approved plan.

SECTION 4. ZONING MAP. Section 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 5. 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 6. PUBLICATION. At least two (2) days prior to its final adoption, copies of this ordinance shall be posted in at least three (3) prominent and distinct locations in the City; and a notice shall be published once in The Modesto Bee, the official newspaper of the City of Modesto, setting forth the title of this ordinance, the date of its introduction and the places where this ordinance is posted.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1986, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Lang, McGrath, Muratore, Patterson, Sutton, Acting Mayor Whiteside.

NOES: Councilmembers: None.

ABSENT: Councilmembers: Mayor Mensinger.

APPROVED: *Carol G. Whiteside*
~~REGGY MENSINGER, Mayor~~
CAROL G. WHITESIDE, Acting Mayor

ATTEST:

By *Norrine Coyle*
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By *Stan T. Yamamoto*
STAN T. YAMAMOTO, Acting City Attorney

APPROVED AS TO DESCRIPTION:

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

Ordinance 2424 C.S.
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27th day of May, 19 86, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 26, 1986

ORDINANCE NO. 2425 -C.S.

AN ORDINANCE AMENDING SECTION MAP 12-3-8 OF THE ZONING MAP TO REZONE FROM A PORTION OF PLANNED DEVELOPMENT ZONE, P-D(388), TO PLANNED DEVELOPMENT ZONE, P-D(400), PROPERTY LOCATED ON THE EAST SIDE OF DALE ROAD NORTH OF VENEMAN AVENUE. (AUTUMN SHELTERS, INC.)

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 from a portion of Planned Development Zone, P-D(388), to Planned Development Zone, P-D(400), the following described property:

P-D(388) to P-D(400)

All that certain real property situate in a portion of Parcel "B" as shown on map filed for record in Book 26 of Parcel Maps at Page 26, Stanislaus County Records, lying in the Northwest Quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, being more particularly described as follows:

BEGINNING at the Southwest corner of said Parcel "B", being a point on the East line of Dale Road; thence NORTH along said East line of Dale Road and said West line of Parcel "B" a distance of 75.00 feet; thence North 89°36'27" East a distance of 200.00 feet; thence NORTH a distance of 125.00 feet; thence North 89°36'27" East a distance of 300.00 feet to the East line of said Parcel "B"; thence south along the East line of said Parcel "B" a distance of 200.00 feet to the Southeast corner of said Parcel "B"; thence South 89°36'27" West along the South line of said Parcel "B" a distance of 500.00 feet to the point of beginning.

Including also all of the East 50.00 feet of Dale Road immediately adjacent to the above described property.

SECTION 2. USES. The following uses shall be permitted in said P-D(400) Zone if the plan for construction conforms in principle to the approved plan, or if changes are approved by the Secretary of the Planning Commission as required by Section 10-2.1709(c) 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 10-2.1709(a) or (b) of the Modesto Municipal Code:

1. Maximum three-story elderly housing complex.
2. Off-street parking as shown on the approved plan.

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1986, by Councilmember Lang, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Sutton,

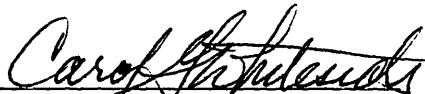
was upon roll call carried and ordered printed and published by the following
vote:

AYES: Councilmembers: Lang, McGrath, Muratore, Patterson, Sutton,
Acting Mayor Whiteside.

NOES: Councilmembers: None.

ABSENT: Councilmembers: Mayor Mensinger.

APPROVED:

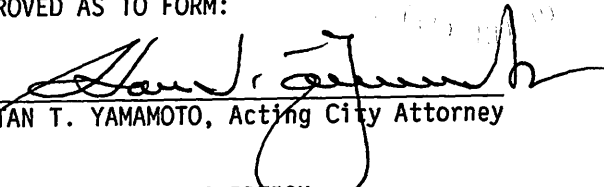

~~PEGGY MENSINGER, Mayor~~
CAROL G. WHITESIDE, Acting Mayor

ATTEST:

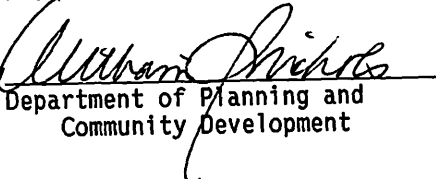
By 
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By 
STAN T. YAMAMOTO, Acting City Attorney

APPROVED AS TO DESCRIPTION:

By 
Department of Planning and
Community Development

Ordinance 2425 C.S.
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27th day of May, 19 86, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 26, 1986

AN ORDINANCE AMENDING SECTION MAP 14-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (RULE DEVELOPMENT)

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

SECTION 1. ZONING CHANGE. Section 14-3-9 of the Zoning Map is hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(402):

R-1 to P-D(402)

All that certain real property situate in a portion of Parcel 2 according to map filed in Book 35 of Parcel Maps at Page 62, Stanislaus County Records, lying in the Northwest Quarter of Section 14, 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:

BEGINNING at the northeast corner of said Parcel 2; thence North 88 degrees 51'31" West along the north line of said Parcel 2 a distance of 130.01 feet to the centerline of an 80.00 foot Public Utility Easement as shown on said Parcel Map; thence South 0 degrees 14'23" West along said centerline of easement a distance of 529.08 feet to the centerline of a second 80.00 foot Public Utility Easement as shown on said Parcel Map; thence South 88 degrees 51'39" East along said centerline of second easement a distance of 130.02 feet to the east line of said Parcel 2; thence North 0 degrees 14'23" East along said east line of Parcel 2 a distance of 529.08 feet to the point of beginning.

R-2 to P-D(402)

All that certain real property situate in a portion of Parcel 2 according to map filed in Book 35 of Parcel Maps at Page 62, Stanislaus County Records, lying in the Northwest Quarter of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the northeast corner of said Parcel 2; thence North 88 degrees 51'31" West along the north line of said Parcel 2 a distance of 130.01 feet to the centerline of an 80.00 foot Public Utility Easement as shown on said Parcel Map and the POINT OF BEGINNING of this description; thence South 0 degrees 14'23" West along said centerline of easement a distance of 529.08 feet to the centerline of a second 80.00 foot Public Utility Easement as shown on said Parcel map; thence South 88 degrees 51'39" East along said centerline of second easement a distance of 130.02 feet to the east line of said Parcel 2; thence South 0 degrees 14'23" West along said east line of Parcel 2 a distance of 132.01 feet to the southeast corner of said parcel 2; thence North 88 degrees 51'39" West along the south line of said Parcel 2 a distance of 632.35 feet to the southwest corner of said Parcel 2; thence North 0 degrees 20'37" East along the west line of said Parcel 2 a distance of 661.10 feet to the northwest corner of said Parcel 2; thence South 88 degrees 51'31" East along the north line of said Parcel 2 a distance of 501.14 feet to the point of beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(402) Zone if the plan for construction conforms in principle to the approved plan, or if changes are approved by the Secretary of the Planning Commission as required by Section 10-2.1709(c) 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 10-2.1709(a) or (b) of the Modesto Municipal Code:

Patio homes on individual lots.

SECTION 3. ZONING MAP. Section Map 14-3-9 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of May, 1986, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember McGrath, was upon roll call carried and ordered printed and published by the following vote:

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

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

APPROVED: Carol G. Whiteside
~~PEGGY X MENSINGER X MAYOR XXX~~
CAROL G. WHITESIDE, Acting Mayor

ATTEST:

By Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Stan T. Yamamoto
STAN T. YAMAMOTO, Acting City Attorney

APPROVED AS TO DESCRIPTION:

By William Hilde
Department of Planning and
Community Development

Ordinance 2426 C.S.
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of June, 1986, Councilmember Whiteside moved its final adoption, which motion being duly seconded by Councilmember Sutton, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: McGrath, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang, Muratore

APPROVED Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: July 3, 1986

ORDINANCE NO. 2427 -C.S.

AN ORDINANCE AMENDING SECTION MAP 19-3-10 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (R. C. ROBERTS)

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

SECTION 1. ZONING CHANGE. Section 19-3-10 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(401):

Parcel A of that certain Parcel Map filed for record in the Office of the County Recorder of Stanislaus on December 21, 1984, in Volume 36 of Parcel Maps, Page 2, being a portion of the North half of the North half of Section 19, Township 3 South, Range 10 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California.

Including also all of the east one-half of Held Drive and those portions of Parker Avenue and MID Lateral number three located between above mentioned Parcel A and the north section line of said Sector 19 and all immediately adjacent to the above described Parcel "A".

SECTION 2. USES. The following uses shall be permitted in said P-D(401) Zone if the plan for construction conforms in principle to the approved plan, or if changes are approved by the Secretary of the Planning Commission as required by Section 10-2.1709(c) 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 10-2.1709(a) or (b) of the Modesto Municipal Code:

A mobile home park with a common recreational area and recreational vehicle storage area.

SECTION 3. ZONING MAP. Section Map 19-3-10 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

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

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

Ordinance 2427 C.S.
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 27th day of May, 19 86, Councilmember Lang moved its final adoption, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and the ordinance adopted by the following vote:

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

APPROVED *Regina Mensinger*
MAYOR REGINA MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: June 26, 1986

ORDINANCE NO. 2428-C.S.

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

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

SECTION 1. ZONING CHANGE. Section 13-3-8 of the Zoning Map is hereby amended to reclassify the following described property from Medium Density Residential Zone, R-2, Medium High Density Residential Zone, R-3, and Highway Commercial Zone, C-3, to Planned-Development Zone, P-D(403):

C-3 to P-D (403)

All that certain real property situate in a portion of the Southeast quarter of Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, and lying in the City of Modesto, State of California, more particularly described as follows:

COMMENCING at the Southwest corner of Parcel "B", as shown on the map filed in book 32 of Parcel Maps, at Page 135, Stanislaus County Records; thence South 46°41'50" West, 42.00 feet to the centerline of Sisk Road; thence North 43°18'10" West, along said centerline of Sisk Road, 1714.09 feet to the centerline intersection of Sisk Road with Conant Avenue; thence North 0°33'32" West, along the centerline of said Conant Avenue; 148.12 feet, thence North 89°06'08" East, 880.00 feet; thence South 47°21'22" East, 225.00 feet; thence South 0°33'32" East, 427.00 feet; thence North 89°06'08" East, 250.00 feet; thence North 0°33'32" West, 832.00 feet to the southwest corner of Prescott Homes Subdivision, as shown in Volume 27 of Maps, at Page 12, Stanislaus County Records; thence North 89°06'08" East, along South line of Prescott Homes Subdivision, 149.52 feet to the beginning of a tangent curve, concave to the Southwest, having a radius of 630.00 feet and a central angle of 38°54'54"; thence Southeasterly along the arc of said curve, 427.89 feet to a point of a reverse curvature arc, concave to the northeast, having a radius of 270.00 feet and a central angle of 38°54'56"; thence Southeasterly along the arc of said curve, 183.38 feet; thence South 0°53'54" East, 60.00 feet to the Northwest corner of Lot "B" (common area), of Mount Vernon Plaza No. 1, as shown in volume 29 of Maps at Page 49, Stanislaus County Records, said corner lying on the South right-of-way line of Budd Street; thence South along the West line of said Lot "B" the following seven (7) bearings and distances: 1)

South 0°30'00" East, 115.33 feet; 2) thence South 89°30'00" West, 20.00 feet; 3) thence South 0°30'00" East, 36.00 feet 4) thence North 89°30'00" East, 20.59 feet; 5) thence South 0°30'00" East, 92.01 feet; 6) to a point on a non-tangent curve, concave to the Southeast, having a radius of 370.00 feet and a central angle of 5°34'37"; thence Northeasterly along the arc of said curve, 36.01 feet; 7) thence South 0°30'00" East, 237.65 feet to the Southwest corner of said Lot "B"; thence continuing South 0°30'00" East, 95.08 feet to a point on the North line of Parcel "1", as shown on Book 24 of Parcel Maps, at Page 9, Stanislaus County Records; thence South 89°22'34" East, along said North line of Parcel "1", 477.80 feet to the beginning of a tangent curve, concave to the Northwest, having a radius of 15.00 feet and a central angle of 91°07'26", thence Northeasterly along the arc of said curve, 23.86 feet to a point on the West right-of-way line of Prescott Road; thence North 89°30'00" East, 45.00 feet to the East line of said Section 13, and the centerline of said Prescott Road; thence South 0°30'00" East along said centerline of Prescott Road, 77.19 feet; thence North 89°22'34" West, 45.01 feet to a point on the said West right-of-way line of Prescott Road and the Northeast corner of Parcel "A", as shown in Book 12 of Parcel Maps, at Page 88, Stanislaus County Records; thence West and South along the North line of said Parcel "A" the following three (3) courses; 1) North 86°22'34" West, 350.00 feet; 2) to the beginning of a tangent curve concave to the Southeast, having a radius of 82.00 feet and a central angle of 89°25'43"; thence Southwesterly along the arc of said curve, 123.69 feet; 3) thence South 7°45'13" West, 116.01 feet to the Southwest corner of said Parcel "A"; thence South 0°30'00" East, 347.81 feet to the Southeast corner of said Parcel "1" (24 PM 9); thence North 89°09'03" West, along the South line of said Parcel "1", 753.87 feet to the Southwest corner of said Parcel "1"; thence South 16°00'08" East, 178.94 feet to the Southeast corner of said Parcel "B" (32 PM 135); thence South 73°59'39" West, along the South line of said Parcel "B", 246.14 feet to the point of beginning of this description.

Containing: 47.358 acres.

R-2 to P-D (403)

ALL that certain real property situate in a portion of the Southwest quarter of Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, and lying in the City of Modesto, State of California, more particularly described as follows:

COMMENCING at the Southwest corner of Scott Manor Subdivision, as shown in Volume 20 of Maps, at Page 19, Stanislaus County Records; said corner lying on the east line of original 40.00-foot wide

Conant Avenue; thence along the South line of said Scott Manor Subdivision, North 89°06'08" East, 1,271.61 feet to the Southeast corner of said Scott Manor Subdivision; thence South 0°33'32" East, 580.00 feet; thence South 89°06'08" West, 125.00 feet; thence North 0°33'32" West, 175.00 feet; thence South 89°06'08" West, 125.00 feet; thence North 47°21'22" West, 225.00 feet; thence South 89°06'08" West, 880.00 feet to the centerline of Conant Avenue; thence North 0°33'32" West, along said centerline of Conant Avenue, 250.00 feet; thence North 89°06'08" East, 20.00 feet to the point of beginning of this description.

R-3 to P-D (403)

ALL that certain real property situate in a portion of the Southwest quarter of Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, and lying in the City of Modesto, State of California, more particularly described as follows:

COMMENCING at the Southwest corner of Scott Manor Subdivision, as shown in Volume 20 of Maps, at Page 19, Stanislaus County Records; said corner lying on the East line of original 40.00-foot wide Conant Avenue; thence along the South line of said Scott Manor Subdivision, North 89°06'08" East, 1,271.61 feet to the Southeast corner of said Scott Manor Subdivision; thence South 0°33'32" East, 580.00 feet to the true point of beginning of this description; thence continuing South 0°33'32" East, 252.00 feet; thence South 89°06'08" West, 250.00 feet; thence North 0°33'32" West, 427.00 feet; thence North 89°06'08" East, 125.00 feet; thence South 0°33'32" East, 175.00 feet; thence North 89°06'08" East, 125.00 feet to the point of beginning of this description.

Containing: 1.948 acres

SECTION 2. USES. The following uses shall be permitted in said P-D(403) Zone if the plan for construction conforms in principle to the approved plan, or if changes are approved by the Secretary of the Planning Commission as required by Section 10-2.1709(c) 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 10-2.1709(a) or (b) of the Modesto Municipal Code:

1. Shopping center including all C-3 commercial uses.
2. Motel of up to 250 rooms.
3. Parking area.

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

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1986, by Councilmember Whiteside, who moved its introduction and passage to print, which motion being duly seconded by Councilmember McGrath, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Lang, McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED: *Peggy Mensinger*
PEGGY MENSINGER, Mayor

ATTEST:

By *Norrine Coyle*
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By *Stan T. Yamamoto*
STAN T. YAMAMOTO, Acting City Attorney

APPROVED AS TO DESCRIPTION:

By *Altham Whiteside*
Department of Planning and
Community Development

Ordinance 2428 C.S.
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10th day of June, 1986, Councilmember Sutton moved its final adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED Peggy Mensinger
MAYOR PEGGY MENSINGER

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

EFFECTIVE DATE: July 10, 1986

ORDINANCE NO. 2429-C.S.

AN ORDINANCE AMENDING SECTION MAP 3-3-8 AND SECTION MAP 10-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (INTEGRATED DEVELOPMENT)

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

SECTION 1. ZONING CHANGE. Section 3-3-8 and Section 10-3-8 of the Zoning Map are hereby amended to reclassify the following described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D(404):

All that certain real property situate in a portion of the Northeast one quarter of the Northeast one-quarter of Section 10 and the Southeast one-quarter of the Southeast one-quarter of Section 3, both in Township 3 South, Range 8 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the Northeast corner of said Section 10; thence along the East line of said Section 10, South $0^{\circ}13'29''$ East 477.34 feet to the West right-of-way line of State Highway 99; thence northwesterly along said West line 293.58 feet to the True Point of Beginning; thence continuing along said West line, North $27^{\circ}27'31''$ West, 539.71 feet more or less; thence leaving said west line and at right angles, Southwesterly 50.00 feet; thence at right angles Northwesterly 50.00 feet; thence at right angles Northeasterly 50.00 feet to the aforementioned west line; thence continuing along the west right-of-way line of said State Highway 99, North $27^{\circ}27'31''$ West, 40.00 feet; thence continuing along said west line, North $43^{\circ}07'15''$, West 350.29 feet; thence continuing along said west line, North $56^{\circ}57'22''$ West, 448.08 feet; thence continuing along said west line on a tangent curve concave to the Northeast, moving a radius of 860.00 feet, 60.00 feet to the intersection with the East right-of-way line of Salida Boulevard; thence along said East line, Southeasterly, 506.07 feet; thence continuing along said East line Southeasterly 950.00 feet to the Point of Beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D(404) Zone if the plan for construction conforms in principle to the

approved plan, or if changes are approved by the Secretary of the Planning Commission as required by Section 10-2.1709(c) 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 10-2.1709(a) or (b) of the Modesto Municipal Code:

1. Motel with pool
2. Restaurant
3. Convenience mart
4. Off-street parking area

SECTION 3. ZONING MAP. Section Map 3-3-8 and Section Map 10-3-8 of the Zoning Map of the City of Modesto are amended to appear as set forth on the maps attached hereto, which are hereby made a part of this ordinance by reference.

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

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

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of May, 1986, by Councilmember Muratore, who moved its introduction and passage to print, which motion being duly seconded by Councilmember Patterson, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmembers: Lang, McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

APPROVED: *Peggy Mensinger*
PEGGY MENSINGER, Mayor

ATTEST:

By *Norrine Coyle*
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By *Stan T. Yamamoto*
STAN T. YAMAMOTO, Acting City Attorney

APPROVED AS TO DESCRIPTION:

By *Althea Arnold*
Department of Planning and
Community Development

Ordinance 2429 C.S.
Exhibit A – Map

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

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10th day of June, 19 86, Councilmember Sutton moved its final adoption, which motion being duly seconded by Councilmember Whiteside, was upon roll call carried and the ordinance adopted by the following vote:

AYES: Councilmembers: McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

APPROVED *Peggy Mensinger*
MAYOR PEGGY MENSINGER

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

EFFECTIVE DATE: July 10, 1986