

# **Ordinance No. 537**

Adopted August 7, 1978

Replaced Ordinance 129 and was later  
replaced by Ordinance 940 in 1992

# **Manteca Zoning Ordinance**

**final draft**

ARTICLE 1      GENERAL

SEC 1-100      OBJECTIVES OF THE ZONING ORDINANCE

The Zoning Ordinance is adopted to protect and promote the public health, safety, morals, peace, comfort, convenience, prosperity and general welfare.

SEC 1-200      NATURE OF THE ZONING ORDINANCE

The Zoning Ordinance shall consist of a zoning map, described in Article 3 hereof, designating certain districts; and a set of regulations controlling the use of land, the density of population, the uses and locations of structures, the height and bulk of structures, the open space about structures, the appearance of certain uses and structures, the areas and dimensions of sites, and requirements providing for off-street parking and off-street loading facilities.

SEC 1-300      PRINCIPLES OF ZONING ORDINANCE

Said Zoning Ordinance has been prepared in accordance with the following principles:

- 1-301      The Ordinance is based on the Manteca General Plan as to the general pattern of future land uses, population densities, and other principles for future land development contained in said General Plan. Amendments to the Ordinance are to be in accordance with the General Plan.
- 1-302      The Ordinance recognizes the need of any use to be protected from other uses which are unrelated or incompatible. Each district is exclusive with respect to every other zoning district. Industrial districts are protected from encroachment by residential uses as firmly as residential districts are protected from industrial encroachment.
- 1-303      The said Ordinance recognizes the importance to the public welfare of order and beauty in the appearance of Manteca, implemented through provisions for site plan review and landscaping. Such provisions are intended to provide the minimum amount of regulation necessary to encourage appropriate appearance.

- 1-304 Site area, yard, off-street parking and other standards in the Ordinance are based on the best accepted contemporary practices, and variance from the strict application of standards is available when individual hardship would otherwise occur.
- 1-305 For large-scale projects an approved General Development Plan pursuant to Article 17, or a Unit Development Plan pursuant to Article 16, may be substituted for strict compliance with otherwise applicable standard District regulations.
- 1-306 Uses which would adversely affect adjoining uses or the public welfare unless designed in a particular way or permitted only in certain locations, are allowed only as "conditional uses," subject to the authority of the Planning Commission and City Council.
- 1-307 Industrial uses are subject to control by performance standards, to enable potential nuisances to be measured factually and objectively and to protect any industry from arbitrary exclusion or persecution based solely on past characteristics of such industries.

SEC 1-400

INTERPRETATION

In their interpretation and application, provisions of this Ordinance shall be held to be minimum requirements. Where this Ordinance imposes a greater restriction than is imposed or required by other rules or regulations or ordinances, the provisions of this Ordinance shall control.

ARTICLE 2 ESTABLISHMENT AND DESIGNATION OF DISTRICTS

SEC 2-100 DISTRICTS ESTABLISHED

- R-E Residential Estate District
- R-1 Single Family Residence District
- R-3 Garden Apartment District
- R-4 Multi-Family-Institutional District
- C-N Neighborhood Commercial District
- C-O Commercial Office District
- C-C Central Commercial District
- C-H Highway Commercial District
- C-G General Commercial District
- I-P Industrial Park District
- M Manufacturing District
- P-U-D. Planned Unit Development District
- P-C Planned Community District
- N-E Neighborhood Enhancement District
- O-S Open Space District

SEC 2-200 Except as hereinafter otherwise provided:

- 2-201 No building or part thereof or other structure shall be erected, altered, added to or enlarged, nor shall any land, building structure or premises be used, designated or intended to be used for any purpose, or in any manner other than is included among the uses hereinafter listed as permitted in the district in which such building, land, or premises is located.
- 2-202 No Building or part thereof or structure shall be erected, reconstructed or structurally altered to exceed in height the limit hereinafter designated for the district in which such building is located.
- 2-203 No building or part thereof or structure shall be erected, nor shall any existing buildings be altered, enlarged or rebuilt or moved into any district, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, building site area, and building location regulations hereinafter designated for the district in which such building or open space is located.

2-204 No yard or other open space provided about any building for the purpose of complying with provisions of this Ordinance shall be considered as providing a yard or open space for any other building, and no yard or other open space on one building site, shall be considered as providing a yard or open space for a building on any other building site.

ARTICLE 3      ZONING MAP

SEC 3-100      This Article consists of the Zoning Map of the City of Manteca, California. Said Map, properly attested, shall be and remain on file in the office of the Manteca Planning Department.

SEC 3-200      The designations, locations, and boundaries of the districts set forth in Article 2, shall be shown on the Zoning Map of the City of Manteca, California. Said Map and all notations, references, data and other information shown thereon shall be and are hereby adopted and made a part of this Ordinance.

SEC 3-300      Where uncertainty exists as to the boundaries of any of the aforesaid districts as shown on said Zoning Map, the Planning Commission, upon written application or upon its own motion, shall determine the location of such boundaries.

ARTICLE 4

DEFINITIONS

For the purpose of this Ordinance, certain words and terms used herein are defined as follows:

All words in the present tense shall include the future tense. All words in a singular number shall include the plural number, and all words in the plural number shall include the singular number, unless the natural construction of the wording indicates otherwise.

The word "shall" is mandatory and not directory.

The word "City" shall mean the City of Manteca, San Joaquin County, California. The words "City Council" and "Council" shall mean the City Council of the City of Manteca. The words "City Planning Commission" and "Commission" shall mean the Planning Commission duly appointed by the City Council. The words "Director of Public Works" shall mean the Director of Public Works of the City of Manteca, the words "Planning Director" shall mean the Planning Director of the City of Manteca. The words "Building Inspector" shall mean the Building Inspector of the City of Manteca.

Accessory Building or Use. A building or use occupying a lot with a principal building or use and which is normally incidental and entirely secondary to the principal building or use.

Alley. A public or private way not more than thirty (30) feet wide, which affords only secondary access to abutting property.

Automobile Repair, Major. General repair, rebuilding or reconditioning of engines, motor vehicles or trailers; collision service including body, frame or fender repair; overall painting.

Automobile Repair, Minor. Upholstering, replacement of parts and motor service to passenger cars and trucks not exceeding one and one-half (1-1/2) tons capacity, but not including other operations named under "Automobile Repair, Major," or similar thereto as determined by the Commission.

Automobile Service Station. A retail place of business engaged primarily in the sale of motor fuels, but also in supplying goods and services generally required in the operation and maintenance of motor vehicles. These may include sale of and servicing of tires, batteries, automotive accessories and replacement items, lubrication services; washing of cars where no chain conveyor or blower is used. Operations outside shall be limited to the dispensing of gasoline, oil and water; changing tires, replacement and adjustment of automotive accessories such as windshield wipers, lights and batteries and similar minor customer needs.

Block. The properties abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land, or watercourse.

Boarding House. A dwelling where rooms are rented on a permanent basis to more than two paying guests, who may be provided with meals. The term boarding house shall include lodging house.

Building. Any structure, or part thereof, having a roof supported by columns or walls, for the housing or enclosure of persons, animals, chattels or property.

Building, Height of. The vertical distance from the average contact ground level of the building to the highest point of the coping of a flat roof or to the deck line of a mansard roof or the mean height between eaves and ridge for gable, hip or gambrel roofs, or the mean height between the low edge and the high edge of the roof surface of a mono-pitch roof.

Building, Principal. A building in which is conducted the primary activity for which the site is being used. In any "R" District a residential building shall be deemed the principal building, inclusive of attached covered patios.

Carport. An accessory structure or portion of the principal structure, open on one or more sides, for the storage of the passenger vehicles, boats, or trailers of persons resident or employed on the premises.

Club. A non-profit membership institution established for social, cultural, civic or similar purposes.

Club, Country. A club as defined herein providing a golf course and other sports facilities to its membership.

Community Development Plan. A description of the development proposed within a particular Planned Community District consisting at a minimum of a map and written statement setting forth, in general, the regulations governing, and the location and arrangement of, all proposed uses and improvements to be included in the development.

Conditional Use. A use which, because of its special nature, requires individual review, and is therefore subject to a Conditional Use Permit. (See Section 26-500)

Crop and Tree Farming. The commercial production of agricultural products other than poultry or livestock.

Coverage. The percent of the total site area covered by structures, open or enclosed, excluding uncovered steps, balconies, patios and terraces.

Density. The ratio between family units and land, expressed as the number of families per lot, or as square feet of land required per dwelling unit.

Development Unit. That portion, along with the uses contained therein, of a Planned Community District which is proposed for development at one time and under one Planned Unit Development Permit. Development Units may consist of portions of a Planned Community District or of the entire district.

District. A portion of the City within which the use of land and structures and the location, height and bulk of structures are governed by this ordinance.

Driveway. A private road, the use of which is limited to persons residing, employed or otherwise using or visiting the parcel on which located.

Dwelling. Any building or portion thereof designed or used exclusively as the residence of one or more persons, but not including a tent, or a trailer.

- a. Dwelling, Single-Family. A detached building designed for or used exclusively for residence purposes by one (1) family or housekeeping unit.
- b. Dwelling, Multiple. A building or portion thereof designed for or used exclusively for residence purposes by two (2) or more families or housekeeping units, living independently of one another.

Dwelling Group. A group of two (2) or more detached buildings used for dwelling purposes located on a parcel of land in one (1) ownership in a residence, and having any yard or court in common.

Dwelling Unit. One (1) room, or a suite of two (2) or more rooms, designed for or used by one (1) family for living and sleeping purposes and having only one (1) kitchen or kitchenette.

Family. An individual or two (2) or more persons related by blood, marriage or adoption, or a group of not more than five (5) persons who need not be related by blood or marriage, living as a single housekeeping unit. Wards of the court or other dependent children placed with families under provisions of the laws of the State of California and San Joaquin County are considered as belonging to the family unit.

Filling Station. See Automobile Service Station.

Frontage. The property line of a site abutting on a street, other than one side line of a corner lot.

Garage. A structure designed or used for the storage, repair or maintenance of motor vehicles.

Garage, Private. A detached, fully enclosed accessory building or a portion of the principal building for the storage of passenger vehicles, boats or trailers of the persons resident or employed upon the premises.

Garage, Repair. A structure, or portion thereof for the minor or major repair of automobiles as defined herein.

Garage, Storage. A structure or portion thereof, for the temporary storage of motor vehicles.

Guest House. A detached living quarters of permanent construction, without kitchen or cooking facilities, clearly subordinate and incidental to the principal building on the same lot, and intended for use by occasional guests of the occupants of the principal building. A Guest House shall not be separately rented, let or leased whether compensation be direct or indirect.

Home Occupation. A commercial activity conducted in a dwelling which is clearly incidental and secondary to the use of the dwelling for residential purposes, and in accordance with the provisions of Section 22-112.

Hospital. An institution in which patients are given medical or surgical care and which is licensed by the State to use the title hospital without qualifying descriptive word.

Kennel. Any premises, except veterinary hospitals, where four (4) or more dogs or cats over ten (10) weeks of age are kept.

Kitchen or Kitchenette. Any room or part of a room which is designed, built, used or intended to be used for food storage and preparation and related activities.

Landscaping. Planting, including trees, shrubs and ground covers, suitably designed, selected, installed and maintained.

Lot. A piece of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings, or utilized for a principal use and uses accessory thereto, together with the open spaces required by this Ordinance and having frontage on a public or an approved private street.

- a. Lot Corner. A lot at the junction of and abutting on two or more intersecting streets where the interior angle of intersection does not exceed 135 degrees. A lot abutting a curved street shall be deemed a corner lot if the tangents to the curve at the points of intersection of the side lot lines with the street lines intersect at an interior angle of less than 135 degrees.
- b. Lot Depth. The mean horizontal distance between the front and rear lot lines, or between the front lot line and the intersection of the two side lines if there should be no rear lot line.
- c. Lot, Double Frontage. An interior lot having frontage on two (2) parallel or approximately parallel streets.
- d. Lot, Interior. A lot other than a corner lot.
- e. Lot, Key. The first interior lot to the rear of a reversed corner lot.

- f. Lot, Reversed Corner. A corner lot, the side line of which is substantially a continuation of the front property line of the first lot to its rear.
  
- g. Lot Width. The mean horizontal distance between the side lot lines.

Lot of Record. A lot as defined herein, shown as a unit under separate ownership on the records of the County Assessor's Office, as of the date of passage of this Ordinance.

Mobile Home. A transportable structure built on a chassis for future movement, and designed to be used as a dwelling without permanent foundation when connected to the required utilities, and intended for occupancy by one (1) family. No such structure shall be deemed to be a mobile home which is less than eight (8) feet nor greater than fourteen (14) feet in width for a single section, nor less than thirty-two (32) feet nor greater than seventy (70) feet in length for a single section.

Mobile Home Park. A facility designed and equipped in accordance with the requirements of Article 22-114 for the accommodation of occupied mobile homes.

Mobile Home Space. A parcel of land, conforming with the requirements of Article 22-114 within a mobile home park intended to accommodate one mobile home.

Motel or Hotel. A structure or portion thereof or a group of attached or detached structures containing individual guest rooms or suites where lodging is provided for transients for compensation.

Motor Vehicle Repair, Major and Minor. See Automobile Repair Major and Minor.

Nursery School. A school or day-care facility for five (5) or more children, other than those residents on the site, including a day nursery, play group or after-school group.

Nursing Home. A structure operated as a lodging house in which nursing, dietary and other personal services are rendered to convalescents, invalids or aged persons, not including persons suffering from contagious or mental diseases, alcoholism, or drug addiction, and in which surgery is not performed and primary treatment, such as customarily is given in hospitals and sanitariums, is not provided. A convalescent home or a rest home shall be deemed a nursing home.

Open Space, Usable. See Usable Open Space

Parcel. See "lot" as defined herein.

Parking Area, Private. An open area for the same uses as a private garage.

Parking Area, Public. An open area, other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free, or as an accommodation for clients or customers.

Parking Facility, Common. A public or private parking area jointly used by two (2) or more uses.

Parking Space. An area within a structure or in the open, designed or used for the parking of a motor vehicle.

Patio. An open area or an accessory outdoor living structure not exceeding fourteen (14) feet in height and open on at least one side.

Performance Standards. Regulations for the control of "dangerous or objectionable conditions" as defined in Article 20.

Permitted Use. For the purpose of this Ordinance a permitted use in any district shall include any use listed as a Permitted Principal Use or Accessory Use, and shall further include a Conditional Use as listed for the particular district provided a Conditional Use Permit is obtained.

Professions, Recognized. Shall include doctors, dentists, attorneys, accountants, engineers, architects, landscape architects, city planners, writers, musicians, artists and any other calling found by the Planning Commission to be of the same general nature as these.

Quasi-Public. A building or use, other than a public building or use, which serves a recognized community function and is not operated for profit.

Recreation, Commercial. Recreation facilities operated as a business and open to the general public for a fee.

Recreation, Private, Non-Commercial. Clubs or recreation facilities, operated by a non-profit organization and open only to bona fide members of such non-profit organization.

Recreation, Public. Publicly owned or operated recreation facilities.

Recreation Vehicle. A trailer or self-propelled vehicle, other than a mobile home as defined herein, intended for travel on a public highway and designed or arranged as a dwelling.

School, Private. A school other than a public school which meets the requirements of the California education code for primary or secondary schooling.

Setback. The shortest distance between any part of a structure (with the exception of those specified in Section 24) and a lot line, measured at right angles to the lot line.

Shopping Center. Any combination of five (5) or more separately owned and operated retail businesses on a single or commonly owned or leased parcel of land, or a commercial complex occupying a site of at least two (2) acres.

Sign. Any writing, pictorial representation, symbol, banner, or any other figure of similar character of whatever material, which is used to identify, announce, direct attention to or advertise or communicate, which is placed on the ground, on any bush, tree, rock, wall, post, fence, building, structure, vehicle or on any place whatsoever and which is visible from outside a building. The term "placed" shall include constructing, erecting, posting, painting, printing, tacking, nailing, glueing, sticking, carving, stringing or otherwise fastening, affixing or making visible in any manner whatsoever.

Site. See "lot" as defined herein.

Stable, Private. A stable, corral, or paddock used or designed to shelter horses belonging to the occupants of a dwelling on the site, and where no horses are kept for hire or sale.

Stable, Riding or Livery. Any stable where horses are boarded or for hire.

Story. That portion of a building included between the surface of any floor and the floor next above it, or if there be no floor, the ceiling above it.

- a. Story, Half. A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than four (4) feet above the floor of such story; provided, however, that any partial story used for one (1) or more dwelling units, shall be deemed a full story.
- b. Story, First. The lowest story of a building, the floor of which is not more than twelve (12) inches below the average contact ground level at the exterior walls of the building, except that any basement or cellar used for residential purposes shall be deemed the first story.

Street, Public. A public right-of-way thirty (30) feet or more in width which provides a public means of access to abutting property. The term "street" shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term, but not alley. The term shall include the total width of the dedicated right-of-way.

Street, Private. A private right-of-way serving the same purposes as a public street.

Structural Alterations. An alteration which changes the supporting walls, columns, floor supports or other support members of a structure.

Structure. Anything constructed or erected which requires a location on the ground, including a building but not including a swimming pool, a fence or a wall used as a fence.

Swimming Pool. A pool, pond, land or tank capable of containing water to a depth greater than one and one-half (1-1/2) feet at any point and designed or used for wading or swimming.

Usable Open Space. The aggregate area of side and rear yards, patios, and balconies and decks having a depth of not less than six (6) feet and area not less than sixty (60) feet, on a building site or building, which is available and accessible to the occupants of the building or building site for purposes of active and/or passive outdoor recreation, exclusive of driveways, areas for off-street parking and services. No ground level area with a width of less than five (5) feet or maximum dimension of under ten (10) feet shall be deemed Usable Open Space.

Use. The purpose for which a lot or structure is or may be leased, occupied, maintained, arranged, designed, intended, constructed, erected, moved, altered or enlarged.

Yard. An open space on the same site as a structure, unoccupied and unobstructed from the ground upward, except as otherwise herein provided. In any district the "required yard" shall mean that portion of a yard meeting the minimum dimensions for such a yard in that district.

Yard, Front. A yard extending across the full width of a site measured between the front property line (or street plan line) and the structure closest thereto; the depth of a front yard is the minimum horizontal distance between the front property line (or street plan line) and a line parallel thereto on the lot touching any part of a structure other than parts herein specifically excepted.

Yard, Rear. A yard extending across the full width of a site between the rear lot line and the structure closest thereto; the depth of a rear yard is the minimum horizontal distance between the rear property line and a line parallel thereto on the lot touching any part of a structure, other than parts herein specifically excepted. For a triangular or other irregular lot the rear yard shall be as designated by the Zoning Administrator.

Yard, Side. A yard extending from the front yard to the rear yard, or from the front property line (or street plan line) where no front yard is provided to the rear property line where no rear yard is provided; the width of the side yard is the minimum horizontal distance between the side property line and a line parallel thereto on the lot touching any part of a structure, other than parts herein specifically excepted.

Zoning. The act of regulating the use of land and the size of and location of buildings on the land, such regulations are designed to assure the health, safety and general welfare of a community.

Zoning Conformance Approval. A process for assuring compliance to zoning regulations, (see Section 26-100)

Zoning Map. The Zoning Map or Maps of the City of Manteca, California, dated \_\_\_\_\_, together with all amendments subsequently adopted.

ARTICLE 5

R-E RESIDENTIAL ESTATE DISTRICT

SEC 5-100 PURPOSE. It is the purpose of the R-E District to provide areas where single-family residences and limited facilities for domestic animals and family related agriculture may be located on very large sites with appropriate modifications in street improvement and utility standards reflecting such low density.

SEC 5-200 PERMITTED PRINCIPAL USES.

- 5-201 Single Family dwellings.
- 5-202 Crop and tree farming
- 5-203 Public schools, parks, and playgrounds
- 5-204 Churches subject to the Provisions of Section 22-107

SEC 5-300 PERMITTED ACCESSORY USES

- 5-301 Accessory uses and accessory buildings normally appurtenant to a permitted principal use.
- 5-302 Guest houses
- 5-303 Room and board for not more than two paying guests
- 5-304 Home Occupations subject to the provisions of Section 22-112
- 5-305 Private swimming pools and necessary equipment and structures subject to the provisions of Section 22-122

SEC 5-400 CONDITIONAL USES

- 5-401 One cow or two goats per acre of lot area
- 5-402 Twenty-four rabbits or chickens or combination thereof per 20,000 sq. ft. of lot area.
- 5-403 One horse for the first 20,000 sq. ft. of lot area and one horse for each additional 10,000 sq. ft. of lot area.
- 5-404 Public and quasi-public buildings and uses necessary to serve the R-E District.
- 5-405 Dwelling groups subject to the provisions of Section 22-109
- 5-406 Private schools

5-407 Golf courses and country clubs subject to the provisions of section 22-105

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5-408 Temporary tract offices and model homes subject to the provisions of section 22-123

5-409 The Keeping of more than three dogs or cats over ten (10) weeks of age,

SEC 5-500 MINIMUM REQUIREMENTS FOR LOT AREA, DENSITY, YARDS, HEIGHT AND RELATED MATTERS SUBJECT TO THE PROVISIONS OF ARTICLE 24

5-501

Lot Area Square Ft.	Lot Width in Feet	Yards (in feet)			
		Front	Minimum Side	Both Sides	Rear
20,000	100 except that cul-de-sac lots shall have a width of not less than 100 measured 30 ft. from front property line	50	15	40	30

5-502 Lot coverage: The main building and all accessory buildings shall not cover more than 35 percent of the lot area.

5-503 Building height: No main building shall exceed a height of 2 stories or 30 feet whichever is lesser, and no accessory building shall exceed a height of 15 feet.

SEC 5-600 OTHER REQUIREMENTS

5-601 Off-Street parking shall be provided subject to the provisions of Article 21.

5-602 Lot area counted for one type of livestock, as specified in Sections 5-401, 402 and 403 herein, shall not be recounted for another type of livestock.

5-603 Any R-E District created in the future shall be at least twenty (20) acres in area.

5-604 Site plan review pursuant to Section 26-400 is required for any use other than a single-family dwelling.

5-605 No air conditioning condensation unit shall be located closer than fifteen (15) feet to the main building on an adjacent lot.

5-606 No accessory building housing animals other than pet dogs or cats shall be located closer than thirty (30) feet to the main building on an adjacent lot.

ARTICLE 6

R-1 SINGLE FAMILY RESIDENCE DISTRICT

SEC 6-100 PURPOSE. It is the purpose of the R-1 District to protect existing areas of single family homes, and to encourage the development of new single family neighborhoods at proper locations. The R-1 District will provide for residences and the schools, parks, playgrounds and public facilities and services necessary to the residential neighborhood. The several density classes are intended to permit implementation of the density ranges of the General Plan and to encourage harmonious development of residence districts of different densities.

SEC 6-200 PERMITTED PRINCIPAL USES.

- 6-201 Single family residences.
- 6-202 Public schools, parks and playgrounds.
- 6-203 Churches subject to the provisions of Section 22-107.
- 6-204 Crop and tree farming.

SEC 6-300 PERMITTED ACCESSORY USES.

- 6-301 Accessory uses and accessory buildings normally appurtenant to a permitted principal use.
- 6-302 Room with or without board to not more than two (2) paying guests.
- 6-303 Home occupations, in accordance with the provisions of Section 22-112.
- 6-304 Private Swimming Pools and necessary equipment and structures subject to the provisions of Section 22-122.

SEC 6-400 CONDITIONAL USES.

- 6-401 Public and quasi-public buildings and uses necessary to serve the R-1 District.
- 6-402 Private Schools.
- 6-403 Temporary tract offices and model homes, in accordance with the provisions of Section 22-123
- 6-404 Dwelling groups, in accordance with the provisions of Section 22-109.

SEC 6-500 MINIMUM REQUIREMENTS FOR LOT AREA, DENSITY, YARDS, HEIGHT  
 AND RELATED MATTERS SUBJECT TO THE PROVISIONS OF ARTICLE 24.

6-501

District	Lot Area Sq. Ft.	Lot Width Ft.	Yards (in feet)			
			Front	One Side	Both Sides	Rear
R-1-6	6,000	60	20	12	17	20
R-1-8	8,000	75	20	12	19	20
R-1-10	10,000	85	25	12	20	25

6-502 Lot Coverage: The main building and all accessory buildings shall not cover more than 35 percent of the lot area.

6-503 Building Height: No main building shall exceed a height of two (2) stories or thirty (30) feet, whichever is greater, and no accessory building shall exceed a height of fifteen (15) feet.

6-504 An interior lot shall have a minimum depth of one hundred (100) feet.

SEC 6-600 OTHER REQUIREMENTS

6-601 Off-streeting parking shall be provided in accordance with with the provisions of Article 21.

6-602 Site plan review pursuant to Section 26-400 is required for any use other than a single family dwelling.

6-603 No air conditioning condensation unit shall be located closer than fifteen (15) feet to the main building on an adjacent lot.

ARTICLE 7

R-3 GARDEN APARTMENT DISTRICT

SEC 7-100 PURPOSE. It is the purpose of the R-3 District to protect existing areas of medium density multi-family housing, and to encourage the development of new medium density multi-family districts at proper locations. The R-3 District is intended for medium density apartment houses and group dwellings and the schools, parks, playgrounds and public facilities necessary to the neighborhood. The density provisions of the R-3 District are intended to insure adequate lot area for dwelling units of varying sizes and to provide usable open space for families with children as well as for couples and single persons.

SEC 7-200 PERMITTED PRINCIPAL USES.

- 7-201 Single-family dwellings, multi-family dwellings, and dwelling groups subject to the provisions of Section 22-109
- 7-202 Public schools, parks and playgrounds.
- 7-203 Churches subject to the provisions of Section 22-107
- 7-204 Crop and tree farming

SEC 7-300 PERMITTED ACCESSORY USES.

- 7-301 Accessory uses and accessory buildings normally appurtenant to a permitted principal use.
- 7-302 Rental of rooms, with or without board, to not more than two persons in any dwelling unit.
- 7-303 Home occupations subject to the provisions of Section 22-112
- 7-304 Swimming pools for owners or tenants subject to the provisions of Section 22-122.

SEC 7-400 CONDITIONAL USES.

- 7-401 Public and quasi-public buildings and uses necessary to serve the R-3 District.
- 7-402 Private schools and private non-profit clubs and lodges subject to the provisions of Section 22-106
- 7-403 Hospitals and nursing homes subject to the provisions of Section 22-117
- 7-404 Temporary tract offices and model units subject to the provisions of Section 22-123

SEC 7-500 MINIMUM REQUIREMENTS FOR LOT AREA, DENSITY, YARDS, HEIGHT,  
 AND RELATED MATTERS SUBJECT TO THE PROVISIONS OF ARTICLE 24

7-501

Lot Area Sq. Ft.	Lot Width Feet	Yards (in feet)			
		Front	Minimum Side	Both Sides	Rear
6,000	60	20	6	15	20

Lot Area in Square Feet per Dwelling Unit	Area per D.U. with not more than 1 bedroom	Additional Area per D.U. for each Additional Bedroom
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For a lot not exceeding 10,000 sq. ft.	2500	500
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Lot exceeding 10,000 sq. ft. but not exceeding 20,000 sq. ft. and width not less than 70 ft.	2250	400
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Lot exceeding 20,000 sq.ft. and width not less than 80 ft.	2000	300
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7-502 Useable open space per dwelling unit: 400 sq. ft.

7-503 Building height: No main building shall exceed a height of two (2) stories or thirty (30) feet whichever is greater, and no accessory building shall exceed a height of fifteen (15) feet.

SEC 7-600 OTHER REQUIREMENTS

7-601 Off-street parking shall be provided subject to the provisions of Article 21.

7-602 Site plan review pursuant to Section 26-400 shall apply in the R-3 District.

7-603 Landscaping and screening requirements of Article 23 shall apply to R-3 Districts.

7-604 No air conditioning condensation unit shall be located closer than fifteen (15) feet to the main building on an adjacent lot.

ARTICLE 8

R-4 MULTI FAMILY-INSTITUTIONAL DISTRICT

SEC 8-100 PURPOSE. It is the purpose of the R-4 District to provide areas for relatively high density multi-family residence combined with institutional and other uses which relate to a residential environment and do not require commercial zoning. The R-4 District is intended to provide a complete and attractive environment primarily for single persons and couples who desire apartment living.

SEC 8-200 PERMITTED PRINCIPAL USES.

- 8-201 Single-family dwellings, multi-family dwellings and dwelling groups subject to the provisions of Sec 22-109.
- 8-202 Public schools, parks and playgrounds.
- 8-203 Churches subject to the provisions of Section 22-107
- 8-204 Boarding and lodging houses, non-profit lodges and clubs, fraternities and sororities.
- 8-205 Institutions of an educational or philanthropic nature.
- 8-206 Crop and tree farming

SEC 8-300 PERMITTED ACCESSORY USES.

- 8-301 Accessory uses and accessory buildings normally appurtenant to a permitted principal use.
- 8-302 Home occupations subject to the provisions of Section 22-112.
- 8-303 Swimming pools for owners or tenants or for members of permitted clubs or organizations.

SEC 8-400 CONDITIONAL USES.

- 8-401 Public and quasi-public buildings and uses necessary to serve the R-4 District.
- 8-402 Offices for the practice of the recognized professions.
- 8-403 Hospitals and nursing homes subject to the provisions of Sec. 22-117
- 8-404 Parking facilities and parking garages.
- 8-405 Mobile home parks subject to the provisions of Sec. 22-114.
- 8-406 Private schools and nursery schools, subject to the provisions of Section 22-116.

SEC 8-500 MINIMUM REQUIREMENTS FOR LOT AREA, DENSITY, YARDS, HEIGHT  
 AND RELATED MATTERS SUBJECT TO THE PROVISIONS OF ARTICLE 24

8-501

Lot Area Sq. Ft.	Lot Width Feet	Yards (in feet)			
		Front	Minimum Side	Both Sides	Rear
6,000	60	15	6	15	15

Provided that, two (2) feet shall be added to each side yard for each story in excess of two (2) stories.

8-502 Lot area in square feet per dwelling unit:

	<u>Area per dwelling unit with not more than 1 bedroom</u>	<u>Additional area per dwelling unit for each additional bedroom</u>
Lot not exceeding 10,000 sq. ft.	1200	300
Lot exceeding 10,000 sq. ft. and more than 70 feet in width	1000	200

Usable open space per dwelling unit: 200 square feet.

8-503 Lot area for non-residential uses:

The area for non-residential use shall be that required by the building, its necessary yards, off street parking and loading, and any landscaping required by Article 23, provided that no non-residential use shall occupy a lot less than 6000 sq. ft. in area or 60 feet in width. The satisfaction of this requirement shall be established as a result of the site plan review process.

8-504 Building height: No main building shall exceed a height of three (3) stories of thirty-six (36) feet whichever is greater and no accessory building shall exceed a height of fifteen (15) feet.

SEC 8-600 OTHER REQUIREMENTS.

- 8-601 Off-street parking shall be provided subject to the provisions of Article 21.
- 8-602 Site Plan Review pursuant to Section 26-400 shall apply in the R-4 District.
- 8-603 Landscaping and Screening requirements of Article 23 shall apply to R-4 Districts.
- 8-604 No air conditioning condensation unit shall be located closer than fifteen (15) feet to the main building on an adjacent lot.

ARTICLE 9

C-N NEIGHBORHOOD COMMERCIAL DISTRICT

SEC 9-100 PURPOSE. It is the purpose of the C N District to provide areas for commercial facilities to serve the needs of Manteca neighborhoods. Such areas may be of two types: rows of stores fronting on existing streets, and self-contained neighborhood shopping centers. Appropriate siting and improvement regulations are included for each type. The C-N District of either type is intended to provide for retail and service uses adequate to supply the daily needs of neighborhood residents, but not to permit the development of commercial centers of such a scope and variety as to attract substantial volumes of traffic from outside the neighborhood.

SEC 9-200 PERMITTED PRINCIPAL USES.

9-201 Any local retail business or service establishment, such as a grocer, fruit or vegetable store, bakery, drug store, barber and beauty shop, clothes cleaning and laundry pickup station, business or professional office and the like, supplying commodities or performing services for residents of the neighborhood.

9-202 Restaurants, cafes and soda fountains, not including entertainment or dancing or sale of alcoholic beverages for consumption on the premises.

9-203 Commercial parking lots for passenger vehicles, subject to the provisions of Article 21.

9-204 Any other retail business or service establishment which is determined by the Commission to be of the same general character as the above permitted retail business or service uses.

SEC 9-300 PERMITTED ACCESSORY USES.

9-301 Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities, provided that such storage facilities shall not exceed in area, thirty (30) percent of the floor area of the use to which it is accessory.

SEC 9-400 CONDITIONAL USES.

- 9-401 Public and quasi-public uses appropriate to the C-N District.
- 9-402 Auto Service stations, subject to the provisions of Section 22-120.
- 9-403 Social halls, lodges, fraternal organizations and clubs.
- 9-404 Entertainment, dancing, or sale of liquor, beer or other alcoholic beverages for consumption on the premises.

SEC 9-500 MINIMUM REQUIREMENTS FOR LOT AREA, DENSITY, YARDS, HEIGHT AND RELATED MATTERS, SUBJECT TO THE PROVISIONS OF ARTICLE 24

9-501 There shall be two types of C-N Districts for the purposes of this section: any C-N District comprised of lots facing on a public street shall be designated C-N-s; and any C-N District comprised of a unified structure or group of structures occupying a single site with common off-street parking designed as a shopping center shall be designated C-N-c.

9-502 Requirements for C-N-s Districts:

Lot Area Sq. Ft.	Lot Width Feet	Yards (in feet)		
		Front	Side	Rear
5,000	50	None, except when a C-N District occupies a block in common with an R District facing the same street, then there shall be a front yard equal to that required in the R District, and there shall be a side yard on the side of the lot abutting the R District boundary, equal to the side yard required in the R District.		None, except when a C-N District abuts an R District to the rear, then there shall be a rear yard of fifteen (15) feet.

9-503 Requirements for C-N-c Districts:

Site Area: A site for a C-N-c District shall contain not less than 2.5 acres and shall have no horizontal dimension less than 200 feet.

Setbacks: Setbacks shall be provided for the protection of surrounding "R" Districts. The size and arrangement of setback areas shall be as determined through the Site Plan Review process.

9-504 Building height: In any C-N District no principal building shall exceed two (2) stories or thirty (30) feet, and no accessory building shall exceed one (1) story of fifteen (15) feet in height except as provided in Section 24.

SEC 9-600 OTHER REQUIREMENTS

9-601 Site plan review in accordance with the provisions of Section 26-400 shall apply in the C-N District.

9-602 Off-street parking shall be provided in accordance with the provisions of Article 21.

9-603 Landscaping and screening requirements of Article 23 shall apply to the C-N District.

9-604 All uses except service stations, parking and loading facilities, plant nurseries, and open-air restaurants shall be conducted within a building.

ARTICLE 10

C.O. COMMERCIAL OFFICE DISTRICT

SEC 10-100 PURPOSE. This District is intended primarily for application to those areas of the City where it is necessary and desirable to encourage the full development of properties which lie between residential and non-residential districts and which are transition areas that have potential for development or redevelopment. This District is also intended to provide opportunities for the location of professional and commercial offices in close relationship to one another outside the commercial districts; to provide adequate space to meet the needs of such offices for off-street parking and loading space; and to protect offices from noise, disturbances, traffic hazards and other objectionable influences which would adversely affect the conduct of professional and business practices.

SEC 10-200 PERMITTED PRINCIPAL USES.

- 10-201 Medical, optical, dental offices; clinics and laboratories.
- 10-202 Administrative, executive and editorial offices.
- 10-203 Professional offices.
- 10-204 Financial offices, including banks, and real estate and other general business offices.
- 10-205 Prescription pharmacies in connection with a medical office building, medical clinic or hospital
- 10-206 Any use, except residential, permitted within the R-4 Multiple Family District.

SEC 10-300 PERMITTED ACCESSORY USES.

- 10-301 Incidental services, such as restaurants, and retail sales to serve occupants and patrons, of the permitted uses, when conducted and entered from within the building, provided there is no display or advertising visible from the exterior.

10-302 Accessory uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities, provided that such storage facilities shall not exceed, in area, thirty (30) percent of the floor area of the use to which it is accessory.

SEC 10-400 CONDITIONAL USES.

- 10-401 Public and quasi-public uses appropriate to the District, such as hospitals, convalescent hospitals and professional, business and technical schools, of a public service type, but not including corporation yards, storage or repair yards and warehouses.
- 10-402 Mortuaries.
- 10-403 Schools and studios, for arts and crafts, photography, music and dance, and nursery schools.
- 10-404 Residential Uses as Permitted in R-4
- 10-405 Drive in facilities in connection with a permitted or accessory use where customers are served without leaving a motor vehicle

SEC 10-500 MINIMUM REQUIREMENTS FOR LOT AREA, YARDS AND HEIGHT, SUBJECT TO THE PROVISIONS OF ARTICLE 24.

Lot Area in Sq. Ft.	Lot Width Feet	Yards (in feet)		
		Front	Side	Rear
5000	50	15	5 except on street side of a corner lot 15 feet, and when abutting a lot in a C or lower district, none.	10

10-501 Building height: No main building shall exceed a height of three (3) stories or thirty-five (35) Feet.

SEC 10-600 OTHER REQUIREMENTS

- 10-601 Site plan review in accordance with the provisions of Section 26-400 shall apply in the C-0 District.
- 10-602 Off-street parking shall be provided in accordance with the provisions of Article 21.
- 10-603 Landscaping and screening requirements of Article 23 shall apply to the C-0 District.

ARTICLE 11                    C-C CENTRAL COMMERCIAL DISTRICT

SEC 11-100 PURPOSE. To provide a complete and intensive commercial center for the City of Manteca. The C-C District provisions are intended to stabilize, improve, and protect the commercial characteristics of the Central Business District, as well as to provide for appropriate public and quasi-public uses.

SEC 11-200 PERMITTED PRINCIPAL USES.

- 11-201 Stores, shops and offices supplying commodities or performing services for residents of the City as a whole or the surrounding community, such as department stores, specialty shops, banks, business offices, and other financial institutions and personal service enterprises.
- 11-202 Restaurants, cocktail lounges, night clubs, theaters, and similar enterprises, provided that such uses are conducted primarily within buildings.
- 11-203 Business and technical schools, and schools and studios for photography, art, music and dance.
- 11-204 Garages, for storage of autos, and commercial parking lots.
- 11-205 Motels, in accordance with provisions of Section 22-115.
- 11-206 Any other retail business or service establishment which the Commission finds to be consistent with the purpose of this Article and which will not impair the present or potential use of adjacent properties.

SEC 11-300 PERMITTED ACCESSORY USES.

- 11-301 Accessory Uses and buildings customarily appurtenant to a permitted use, such as incidental storage facilities, provided that such storage facilities shall not exceed in area, thirty (30) percent of the floor area of the use to which it is accessory.

SEC 11-400 CONDITIONAL USES.

- 11-401 Automobile service stations, subject to provisions of Section 22-120.
- 11-402 Public and quasi-public uses appropriate to the C-C District.
- 11-403 Bakery, creamery, laundry, cleaning and dyeing establishment, furniture upholstery shops.
- 11-404 Bowling alley, dance hall, roller skating rink.
- 11-405 New car dealers with associated major auto repair facilities.
- 11-406 Garages for minor auto repair
- 11-407 Printing, lithography, and publishing
- 11-408 Drive-in facilities where customers are serviced without leaving a motor vehicle.

SEC 11-500 MINIMUM REQUIREMENTS FOR LOT AREA, YARDS AND HEIGHT  
SUBJECT TO THE PROVISIONS OF ARTICLE 24.

Lot Area Sq. Ft.	Lot Width Ft.	Yards (in feet)		
		Front	Side	Rear
5000	50	None, except when a C-C District occupies a block in common with an R District facing the same street, then there shall be a front yard equal to that required in the R District, and there shall be a side yard on the side of the lot abutting the R District Boundary, equal to the side yard required in the R District		None, except when a C-C District abuts an R District to the rear, then there shall be a rear yard of fifteen (15) feet.

Building Height: No building shall exceed three stories or thirty-five (35) feet in height.

SEC 11-600 OTHER REQUIREMENTS.

- 11-601 Site plan review subject to the provisions of Section 26-400 shall apply in the C-C District.
- 11-602 Off-street parking shall be provided in accordance with the provisions of Article 21.
- 11-603 Landscaping and screening requirements of Article 23 shall apply to the C-C District.
- 11-604 All uses except service stations, parking and loading facilities, plant nurseries, and open-air restaurants shall be conducted within a building.

ARTICLE 12

C-H HIGHWAY COMMERCIAL DISTRICT

SEC 12-100 PURPOSE. To provide for retail commercial, amusement and transient residential uses which are appropriate to thoroughfare location and dependent upon thoroughfare travel. C-H Districts are to be established in zones of two acres or larger, and shall be located only in the immediate vicinity of a thoroughfare, or the service drives thereof.

SEC 12-200 PERMITTED PRINCIPAL USES.

- 12-201 New motor vehicle dealers, new and used motor vehicle sales lots, boat and trailer and equipment sales and rental establishments, automobile service stations, repair garages for minor repair as defined herein.
- 12-202 Motels, subject to provisions of Section 22-115
- 12-203 Retail stores except those of a light industrial nature.
- 12-204 Restaurants, refreshment stands, cocktail lounges.
- 12-205 Commercial recreation facilities, such as swimming pools, bowling alleys, skating rinks, dance halls, subject to the provisions of Section 22-101.
- 12-206 Nurseries, greenhouses.
- 12-207 Any other retail business or service establishment determined by the Commission to be of the same general character as the above permitted uses.

SEC 12-300 PERMITTED ACCESSORY USES.

- 12-301 Accessory uses and buildings customarily appurtenant to a permitted use.

SEC 12-400 CONDITIONAL USES.

- 12-401 Public or quasi-public uses appropriate to the C-H District.

- 12-402 Drive-In Theatres, subject to the provisions of Section 22-108.
- 12-403 Animal hospitals and veterinary clinics subject to the provisions of Section 22-102.
- 12-404 Garages for major repairs, as defined herein.
- 12-405 Carpenter, electrical, plumbing, or heating shops, printing and publishing, or lithographic shop, furniture upholstery shops.
- 12-406 Mortuaries, crematoriums, or columbariums.
- 12-407 Mobile Home Parks subject to the provisions of Section 22-114.
- 12-408 Bakeries, creameries, soft drink bottling plants, laundries, cleaning and dyeing establishments.
- 12-409 Minor fabrication and assembly of machinery equipment and similar products when incidental to a permitted retail use.
- 12-410 Commercially operated storage facilities

SEC 12-500

MINIMUM REQUIREMENTS FOR LOT AREA, YARDS, AND HEIGHT SUBJECT TO THE PROVISIONS OF ARTICLE 24

Lot Area Sq. Ft.	Lot Width Ft.	Yards in Feet		
		Front	Side	Rear
10,000	70	None, except when a C-H District occupies a block in common with an R-District facing the same street, then there shall be a front yard equal to that required in the R-District, and there shall be a side yard on the side of the lot abutting the R-District boundary, equal to the side yard required in the R-District		None, except when a C-H District abuts an R-District to the rear, then there shall be a rear yard of fifteen (15) feet.

- 12-501 Building height: No building shall exceed a height of three (3) stories or thirty five (35) feet.

SEC 12-600

OTHER REQUIREMENTS.

- 12-601 Site plan review in accordance with the provisions of Section 26-400 shall apply in the C-H District.
- 12-602 Off-street parking shall be provided in accordance with the provisions of Article 21.
- 12-603 Landscaping and screening requirements of Article 23 shall apply to the C-H District.
- 12-604 All uses except service stations, parking and loading facilities, plant nurseries, and open-air restaurants shall be conducted within a building.

ARTICLE 13

C-G GENERAL COMMERCIAL DISTRICT

SEC 13-100 PURPOSE. It is the purpose of the C-G District to provide locations for wholesale, warehousing, and heavy commercial uses needed in Manteca, but not suited to other commercial districts.

SEC 13-200 PERMITTED PRINCIPAL USES.

- 13-201 Wholesale business, storage, or warehousing.
- 13-202 Automobile, truck, trailer, boat, and farm implement establishments including sales, rental and major repairs.
- 13-203 Truck service stations.
- 13-204 Building material sales yards not including concrete mixing.
- 13-205 Public utility buildings and service yards.
- 13-206 Radio and Television Broadcasting stations.
- 13-207 Contractor's equipment storage yards or storage and rental of equipment commonly used by contractors.
- 13-208 Carpenter, electrical, plumbing, or heating shops; printing and publishing, or lithographic shops; furniture upholstering shops.
- 13-209 Mortuaries, crematoriums or columbariums.
- 13-210 Animal hospitals and veterinary clinics, subject to the provisions of Section 22-102.
- 13-211 Nurseries, green houses.
- 13-212 Bakeries, creameries, soft drink bottling plants, laundries, cleaning and dyeing establishments.
- 13-213 Commercially operated storage facilities
- 13-214 Any other commercial use or service establishment determined by the Commission to be of the same general character as the above permitted uses.

SEC 13-300 PERMITTED ACCESSORY USES.

- 13-301 Accessory uses and buildings customarily appurtenant to a permitted use.
- 13-302 Residential quarters only for a watchman or guard employed on the premises and his family.

SEC 13-400 CONDITIONAL USES.

- 13-401 Public or quasi-public uses appropriate to the C-G District.
- 13-402 Commercial recreation facilities, subject to the provisions of Section 22-101
- 13-403 Restaurants, refreshment stands, cocktail lounges.

SEC 13-500 MINIMUM REQUIREMENTS FOR LOT AREA, YARDS AND HEIGHT SUBJECT TO THE PROVISIONS OF ARTICLE 24

Lot Area Sq. Ft.	Lot Width Ft.	Yards (in feet)		
		Front	Side	Rear
10,000	70	None, except when a C-G District occupies a block in common with an R-District facing the same street, then there shall be a front yard equal to that required in the R-District, and there shall be a side yard on the side of the lot abutting the R-District boundary, equal to the side yard required in the R-District.		None, except when a C-G District abuts an R-District to the rear, then there shall be a rear yard of fifteen (15) feet.

- 13-501 Building height: No building shall exceed a height of three (3) stories, or thirty-five (35) feet.

SEC 13-600 OTHER REQUIREMENTS.

- 13-601 Site plan review in accordance with the provisions of Section 26-400 shall apply in the C-G District.
- 13-602 Off-street parking shall be provided in accordance with the provisions of Article 21.
- 13-603 Landscaping and screening requirements of Article 23. shall apply to the C-G District.
- 13-604 No materials, supplies, products or equipment shall be stored or permitted to remain on any part of the site unless such storage area is screened from view by a decorative wall or other approved screening at least six (6) feet in height and not more than ten (10) feet in height no stored articles shall extend above the height of such screening.

ARTICLE 14

I-P INDUSTRIAL PARK DISTRICT

SEC 14-100 PURPOSE. It is the purpose of the I-P District to provide areas where research, manufacturing and related service uses requiring a high-quality environment may be located for their mutual advantage and protection, and for the benefit of the economic base of the City. It is intended that I-P Districts be characterized by high standards of cleanliness, quiet, open space, and design quality, and that they not be devoted to retail commerce or service uses.

SEC 14-200 PERMITTED PRINCIPAL USES.

- 14-201 Administrative, executive and financial offices.
- 14-202 Laboratories, research experimental, film or testing.
- 14-203 Manufacture, assembly, or packaging of products from previously prepared materials such as cloth, plastic, paper, leather, precious or semi-precious metals or stones, but not including such operations as saw and planing mills, nor manufacturing uses involving primary production of wood, metal or chemical products from raw materials.
- 14-204 Manufacture of electric and electronic instruments and devices, such as television, radio and phonograph equipment, and optical and photographic equipment; processing of photographic film but not film manufacture.
- 14-205 Business service establishments, including printing, cartography, blueprinting and similar uses.
- 14-206 Wholesale business, storage, or warehousing.
- 14-207 Any other research or manufacturing use which the Planning Commission finds to be consistent with the purpose of the I-P District, similar to the above principal uses, and will not impair the present or potential use of adjacent properties.
- 14-208 Offices and yards of contractors engaged in carpenter, plumbing, electrical, heating and air conditioning, roofing, paving, business or other business of a similar nature

SEC 14-300 PERMITTED ACCESSORY USES.

14-301 Accessory uses and building customarily appurtenant to a permitted use.

SEC 14-400 CONDITIONAL USES.

14-401 Public and quasi-public uses necessary and appropriate to the I-P District.

14-402 Manufacture of food products, pharmaceuticals, and the like, but not including production of fish or meat products, sauerkraut, vinegar, or the like, or the rendering or refining of fats and oils.

14-403 Light metal appliance and steel fabricating shops and machine shops.

SEC 14-500 DEVELOPMENT STANDARDS SUBJECT TO PROVISIONS OF ARTICLE 24

14-501 A. Required Yards and Landscaped Areas

1. On primary portal streets the front yard setback shall be fifty feet (50') from the nearest property line and the first thirty feet (30') nearest the property line shall be maintained as a landscaped area, except for approved driveways and walkways. The remaining required yard area may be used for off-street parking only, and any area not so used shall be maintained as a landscaped area in the same manner as the first thirty feet (30').
2. The front yard setback on all streets other than primary portal streets shall be forty feet (40') and the first twenty feet (20') nearest the property line shall be maintained as a landscaped

area, except for approved driveways and walkways. The remaining required yard area may be used for off-street parking only, and any areas not so used shall be maintained as a landscaped area in the same manner as the first twenty feet (20)'. .

3. The side yard setback shall be twenty (20) feet except where such side yard is adjacent to a street, the side yard setback shall be the same as for front yards and the regulations with respect to the use of the yard area shall also be the same. No driveway or off-street parking or loading shall be located within any required interior side yard and such area shall be maintained as a landscaped area, except for approved walkways.
4. The rear yard setback shall be twenty (20) feet and such area shall be maintained as a landscaped area. Where a rear yard abuts upon a street, such rear yard shall be subject to the same regulation as a front yard.
5. All landscaping and screening shall conform to the requirements of Article 23, and all landscaped areas shall be free of dust, weeds, and litter.

14-502 B. Height

No structure shall exceed two (2) stories or thirty-five (35) feet in height.

14-503 C. Lot Area

The minimum lot area shall be 20,000 square feet.

14-504 D. Lot Coverage

The maximum lot coverage shall be as follows:

1. Fifty percent (50%) for one (1) story structures.
2. Thirty-five percent (35%) for two (2) storied structures.

SEC 14-600 OTHER REQUIREMENTS.

- 14-601 All uses permitted by this article, except for administrative, executive and financial offices, shall be subject to review in accordance with the performance standards procedure in Article 20.
- 14-602 All uses shall be conducted wholly within a completely enclosed building except for off-street parking and loading facilities.
- 14-603 Manufacturing and industrial processes shall use only gas or electricity as a fuel; provided, however, that oil burning equipment may be installed for standby purposes only.
- 14-604 Site Plan Review required for all uses, as provided in Section 26-400.
- 14-605 Off-street parking and loading facilities shall be provided in accordance with the provisions of Article 21.
- 14-606 No materials, supplies, products or equipment shall be stored or permitted to remain on any part of the site unless such storage area is screened from view by a decorative wall or fence, a minimum of six (6) feet to a maximum of ten (10) feet in height. Any stored articles which project above the height of such screening will only be allowed after close review of products to be manufactured and stored on any given Industrial Park site.

ARTICLE 15

M MANUFACTURING DISTRICT

SEC 15-100 PURPOSE. To encourage sound industrial development by providing and protecting an environment exclusively for such development, subject to regulations necessary to insure the purity of the air and waters in Manteca, and the protection of nearby residential, commercial and industrial uses of the land from hazards and noise or other disturbances.

SEC 15-200 PERMITTED PRINCIPAL USES.

- 15-201 Any manufacturing, processing, assembling, research, wholesale, or storage use except those listed below as Conditional Uses.
- 15-202 Restaurants and service stations.
- 15-203 Public and quasi-public uses such as corporation yards.
- 15-204 Railroad yards and freight stations, and trucking and motor freight stations.

SEC 15-300 PERMITTED ACCESSORY USES.

- 15-301 Incidental services, such as restaurants to serve employees, when conducted and entered from the building of the use to which they are accessory.
- 15-302 Other uses and buildings customarily appurtenant to a permitted use.

SEC 15-400 CONDITIONAL USES. Any of the following manufacturing uses, subject to review in accordance with the performance standards procedure in Article 20. Special distance standards separating such uses from residential or commercial districts may be established for any conditional use as a condition of a Conditional Use Permit.

- 15-401 Alcoholic beverages or perfume.
- 15-402 Aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, creosote, hydrogen and oxygen, industrial alcohol, nitrates of an explosive nature, potash, plastic materials and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulphuric acids, matches
- 15-403 Asphalt or cement mixing and charcoal or fuel briquettes manufacture.
- 15-404 Automobile and metal appliance manufacturing and assembly, structural steel fabricating shops, machine shops, forges, and foundries.
- 15-405 Automobile salvage and wrecking operations, and industrial metal and waste rag, glass or paper salvage operations provided that all operations are conducted within a solid screen not less than eight (8) feet high.
- 15-406 Brick, pottery, stone or monument works.
- 15-407 Coal, coke and tar products, including use in the manufacture of other products; explosives, fertilizers, gelatin, animal glue and size, soap including the reduction of animal wastes as a part of the manufacturing process.
- 15-408 Flour or feed mill.
- 15-409 Meat packing, or slaughter house, but not stock yards..
- 15-410 Nitrating of cotton or other materials; magnesium foundry; reduction, refining, smelting and alloying of metal or metal ores; refining petroleum products such as gasoline, kerosene, naphtha, or lubricating oil; distillation of wood or bones; storage, curing or tanning of raw, green or salted hides or skins.
- 15-411 Rubber; manufacture and fabrication.
- 15-412 Storage of fireworks or explosives, except where incidental to a permitted use.

- 15-413 Sugar refinery, cotton gin, fruit or vegetable packing plant, freezing plant or cannery.
- 15-414 Turpentine, paint and varnish manufacture
- 15-415 Any other use which is of the same general character as the above conditional uses.

SEC 15-500 MINIMUM REQUIREMENTS FOR LOT AREA, YARDS AND HEIGHT  
SUBJECT TO THE PROVISIONS OF ARTICLE 24.

Lot Area Sq. Ft.	Lot Coverage Max. Percent	Yards (in feet)		
		Front	Side	Rear
20,000	None	25	10 feet, except when adjoining R-District, then not less than 50 feet	50

- 15-501 Height Limit: None, except within two hundred feet of any R-District, no structure shall exceed three (3) stories or fifty (50) feet in height.

SEC 15-600 OTHER REQUIREMENTS

- 15-601 All the industrial uses and any other use which, in the opinion of the Zoning Administrator, is liable to exceed the performance standards of Article 20, shall be subject to the performance standards review procedure of that Article.
- 15-602 Off-street parking and loading facilities shall be provided in accordance with the provisions of Article 21.
- 15-603 In any M-District directly across the street from any R-District, the parking and loading facilities shall be distant at least twenty (20) feet from said street, and the structures at least fifty (50) feet from said street.
- 15-604 Site Plan Review required for all uses as provided in Section 26-400.
- 15-605 Landscaping and screening requirements of Article 23 shall apply to the M District.

ARTICLE 16

P-U-D PLANNED UNIT DEVELOPMENT DISTRICT

SEC 16-100

PURPOSE. It is the purpose of the P-U-D, Planned Unit Development District, to allow a mixture of uses, or unusual density, building intensity, or design characteristics which would not normally be permitted in a single use district. This variation is allowable only through the approval by the City Council, as provided herein, of a Unit Development Plan showing the design of the District, the interrelationship of uses, and their relation to the surrounding area.

SEC 16-200

GENERAL PROVISIONS FOR INITIATION OF A P-U-D DISTRICT

A Planned Unit District may be established in accordance with the provisions set forth herein. A site area of any size may be designated as a P-U-D District provided that the findings set forth in Section 16-300 can be made in each case.

16-201 Any and all compatible land uses are permitted in a P-U-D District provided such use or uses have been designated on a Unit Development Plan for a P-U-D District and approved by the City Council, upon recommendation of the Planning Commission.

16-202 An application for the creation of a P-U-D District shall be filed with the Planning Commission upon a form provided by the City and shall be accompanied by a Unit Development Plan as specified herein. The Unit Development Plan shall consist of as many of the following as are appropriate to the size and nature of the proposed P-U-D, and in any case, provide all data required by the Planning Commission in order to be able to arrive at the findings set forth in Section 16-300 herein.

- 16-202.1 A map showing the street system and lot design, if any, proposed within the District. Areas proposed to be dedicated or reserved for interior circulation, parks, school sites, public buildings and other such uses, must be shown.
- 16-202.2 A map showing the topography of the proposed P-U-D District, with contour intervals sufficient to meet all the requirements of the City.
- 16-202.3 A land use plan for the proposed district, precisely indicating the area or areas to be used for each particular land use.
- 16-202.4 A professionally prepared site plan for each building site, or sites, in the proposed P-U-D District; said site plan shall be drawn to scale and shall show the location of all proposed buildings, including notation of minimum distances between buildings, and between buildings and building site, and/or use boundaries.
- 16-202.5 An off-street parking and loading plan showing the ratio between off-street parking and loading spaces and building floor areas, and/or the ratio of parking spaces to anticipated employees, or other criterion required by the Commission. Such plan shall be supported by data demonstrating the adequacy of the parking for the demand generated by the use to which it pertains.
- 16-202.6 A circulation diagram indicating the proposed movement of vehicles, goods, and pedestrians within the P-U-D District, and to and from any adjacent public thoroughfares.

16-202.7 Any special engineering features and traffic regulating devices needed to facilitate or insure the safety and efficiency of the circulation pattern shall be shown.

16-202.8 A professionally prepared landscaping and tree planting plan.

16-202.9 Professionally prepared elevations and/or perspective drawings of all proposed major structures. Such drawings need not be the result of final architectural plans, but must be in detail sufficient to enable the Commission to determine, within reasonable limits, the height, bulk and arrangement of the proposed buildings and their general appearance.

16-203 An application for a P-U-D Zone shall be accompanied by a development schedule indicating the date on which construction is to begin, the anticipated rate of development, and the anticipated date of completion. The Development schedule, upon the recommendation of the Planning Commission, and when approved by the City Council shall become a part of the Unit Development Plan and shall be adhered to by the owner of the property in the P-U-D District and his successors in interest.

16-204 Before an application for the creation of a P-U-D District may be accepted for filing, the applicant shall pay a filing fee of \_\_\_\_\_ Dollars for four (4) acres or less, plus \_\_\_\_\_ Dollars for each additional acre or fraction thereof.

SEC 16-300 FINDINGS. Before recommending the approval of a Unit Development Plan, the Planning Commission shall hold a public hearing thereon as provided in Section 26-601 and shall find that said Plan clearly results in a more desirable use of land, and a better physical environment than would be possible under any single zoning district or combination of zoning districts.

16-301 In addition to such general findings, the Planning Commission shall make the following specific findings:

- 16-301.1 That any P-U-D District is proposed on property which has a suitable relationship to one or more thoroughfares; and that said thoroughfares are adequate to carry any traffic generated by the development.
- 16-301.2 That the plan for the proposed development presents a unified and organized arrangement of buildings and service facilities which are appropriate in relation to adjacent or nearby properties and that adequate landscaping and/or screening is included if necessary to insure compatibility.
- 16-301.3 That the natural and scenic qualities of the site are protected, with adequate available public and private open spaces designated on the Unit Development Plan.
- 16-301.4 That the development of the subject property, in the manner proposed by the applicant, will not be detrimental to the public welfare, will be in the best interests of the City and will be in keeping with the general intent and spirit of the Zoning Ordinance of Manteca, with the Manteca General Plan, including all relevant Elements thereof, and with any applicable specific Plan adopted by the City.

SEC 16-400 ESTABLISHMENT OF A P-U-D DISTRICT. Upon making the findings set forth in Section 16-300 herein, the Planning Commission may by resolution, recommend to the City Council the establishment of the P-U-D District. The Planning Commission may attach conditions, including one or both of the following to its resolution recommending establishment of a P-U-D District:

1. A condition requiring that all or a specific proportion of any community facilities or amenities included in the Unit Development Plan shall be in place and completed prior to the occupancy of any dwelling unit.

2. A condition requiring the establishment of a homeowners association for the purpose of operating and maintaining any common facilities or spaces included in the Unit Development Plan and requiring all property owners to maintain membership in such association.

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Upon receipt of a recommendation from the Planning Commission, the City Council shall hold a public hearing thereon as provided in Section 26-602.

16-401 If, on the basis of the public hearing and its consideration of the recommendation of the Planning Commission, the City Council is able to concur in the findings of the Commission and accept the recommendation, the Council may, by ordinance, establish the P-U-D District in accordance with the Unit Development Plan.

16-402 If, on the basis of the public hearing and its consideration of the Planning Commission's recommendation, the Council is unable to concur in the findings or accept the recommendation, the Council may reject the application for the establishment of the P-U-D District, or it may refer the matter back to the Planning Commission for further consideration.

SEC 16-500 PERMITS. Upon the approval of a P-U-D District as provided herein, no Building Permit, Zoning Conformance Approval, Business License, or any other type of permit, shall be issued for any use or structure in a P-U-D District unless such use or structure conforms in all respects to the Unit Development Plan as approved by the City Council.

SEC 16-600 ADMINISTRATION OF PLANNED UNIT DEVELOPMENT

16-601 Inspection by Zoning Administrator. From time to time, the Zoning Administrator shall compare the actual development accomplished in any P-U-D District with the approved Unit Development Plan and shall report his findings to the Planning Commission.

16-602 Follow-up. If, in the opinion of the Planning Commission, the owner of the property in any P-U-D District is failing to conform to the approved Unit Development Plan, the Commission may initiate proceedings to remove the P-U-D District designation from the Zoning Map or may initiate proceedings for an amendment to the Unit Development Plan.

16-603 Changes in Unit Development Plan. Upon the recommendation of the Planning Commission, and for good cause shown by the property owner, the City Council may amend the Unit Development Plan. Changes in the Unit Development Plan shall be considered as changes in the Zoning Map and shall be made in accordance with the provisions of Article 28.

ARTICLE 17

P-C PLANNED COMMUNITY DISTRICT

SEC 17-100 PURPOSE. It is the purpose of the P-C District to apply to large tracts of land, a degree of planning which is more precise than the General Plan, yet, at the same time, more flexible than a final development plan. It is intended to permit and encourage developers and the City jointly to be involved in early planning for large areas, primarily those surrounding the present urban area of the City. Further, it is intended to aid the City in adopting measures and policies for compatible development of adjacent tracts of land and to give the developer reasonable assurance that his later, more detailed, development plans will be acceptable to the City. It is also the intent that the P-C District be an interim planning step between the General Plan and the Planned Unit Development, with some increments of the P-C District becoming Planned Unit Development Districts at the appropriate time.

SEC 17-200 GENERAL PROVISIONS FOR INITIATION OF A P-C DISTRICT. A Planned Community District may be established in accordance with the provisions set forth herein. A P-C District may be established on land suitable for development and of sufficient size to be planned and developed in a manner consistent with the intent of this Ordinance and this Section. No P-C District shall be less than fifty acres however. All land in each P-C District shall be held in one ownership or be under unified control unless otherwise authorized by the City Planning Commission. For purposes of this Section, written consent and agreement of all owners in the District to the required Planned Community Program shall constitute unified control.

A P-C District may be initiated by one or more owners or by a developer representing said owners. Application shall be as

specified in this Section and shall be accompanied by the documents specified. Before an application for creation of a P-C District may be accepted for filing, the applicant shall pay a filing fee of \_\_\_\_\_ (\$ ) Dollars for each one-hundred acres and \_\_\_\_\_ (\$ ) Dollars for each additional forty (40) acres or fraction thereof.

SEC 17-300 PLANNED COMMUNITY PROGRAM. Each application for a P-C District shall be accompanied by a Planned Community Program consisting of a General Development Plan and a General Development Schedule. When the application involves land subdivision, the applicant may also submit a tentative subdivision map for the first increment of development and/or for a Planned Unit Development subject to the provisions of Article 16.

17-301 A General Development Plan shall consist of a map or maps drawn to a suitable scale, showing at least the following: the boundaries of the proposed district, and of each development unit therein; the topography of the land; any major grading intended; the existing and proposed uses of the land; the approximate location of major and collector streets, any public uses proposed, such as schools, parks, playgrounds, trails, or other recreational facilities; and, for residential uses, the approximate location, type and density of dwellings. The plan shall also include proposals for provision of sanitation, water supply and other public services and utilities. The plan may include recommendations for desirable uses in the area surrounding said development.

17-302 A Development Schedule including:

- (1) A legal description of the district boundary.
- (2) The anticipated timing for each development unit of the district, and the size, in acres, of each such unit.

SEC 17-400

ADDITIONAL MATERIAL. The Planned Community Program shall contain additional data for specific types of uses as follows:

17-401 Residential Development. For P-C Districts or sections thereof for which residential development is proposed, the Planned Community Program shall contain at least the following information:

- 17-401.1 The approximate number of dwelling units existing and/or proposed by type of dwelling. This may be stated as a range with the maximum and minimum number of units of each type.
- 17-401.2 The approximate total population existing and anticipated in the entire development and in each unit thereof. This may be stated as a range with a maximum and minimum number of families or persons.
- 17-401.3 The area included in the entire development and each unit thereof and the total density, i.e., the number of persons or number of families proposed per gross acre.
- 17-401.4 A general indication of architectural character, and site utilization for each type of dwelling proposed to be included in the development.
- 17-401.5 Public facilities such as parks and schools proposed to be established.
- 17-401.6 A general indication of the design and improvement standards intended for each class of residential street.

17-402 Commercial Development. For proposed commercial development the Planned Community Program shall contain at least the following information:

- 17-402.1 The approximate office, retail sales floor area, and total area for existing and proposed commercial development.
- 17-402.2 The types and locations of uses proposed.
- 17-402.3 The general standards of height, open space, buffering, landscaping, pedestrian and vehicular

circulation, off-street parking and loading, signs,  
and nuisance controls intended for the development.

- 17-403 Industrial Development. For proposed industrial development the Planned Community Program shall contain at least the following information:
- 17-403.1 The area for such use.
  - 17-403.2 The types of uses to be included in the development.
  - 17-403.3 The anticipated employment in the entire development and in each major section thereof.
  - 17-403.4 The methods proposed to control dangerous or objectionable elements, as described in Article 28, which may be caused or emitted by the proposed uses.
  - 17-403.5 The approximate standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading, signs, and nuisance controls intended for the development.
- 17-404 Other Development. For proposed institutional, recreational or other public or quasi-public development, the Planned Community Program shall contain the following information:
- 17-404.1 General types of uses in the entire development and each major section thereof.
  - 17-404.2 Applicable information on enrollment, residence, employment, attendance, or other social or economic characteristics of development.
  - 17-404.3 The approximate standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading, and signs intended for the development.

SEC 17-500

FINDINGS REQUIRED. The Planning Commission, after public hearings as provided in Section 26-602 of this Ordinance, may recommend the establishment of a P-C District, provided that it finds the Planned Community Program submitted with the application, or as later

amended, and presented at the hearing establish that:

- 17-501 The Proposed Planned Community is in harmony with the Manteca General Plan and the purposes of this Ordinance.
- 17-502 Development Plans for the first increment of the community will be prepared within one (1) year and construction can reasonably be expected to be underway within two (2) years of establishment of the P-C District.
- 17-503 All development proposed will create an environment of desired quality and stability in harmony with the the surrounding area as it now exists and is likely to develop in the future.
- 17-504 Proposed public facilities and utilities are adequate to serve the needs of the community to be created and are acceptable to the public authorities having jurisdiction thereof.
- 17-505 Streets and thoroughfares proposed are suitable and adequate for anticipated traffic.
- 17-506 All uses can be justified economically in the location or locations shown.

If all of the above findings are not made, the Planning Commission shall reject the application for a P-C District.

SEC 17-600 ESTABLISHMENT OF A P-C DISTRICT. Upon making the findings set forth in Section 17-500 herein, the Planning Commission may by resolution recommend to the City Council the establishment of the P-C District. Upon receipt of a recommendation from the Planning Commission, the City Council shall hold a public hearing thereon as provided in Section 26-602.

- 17-601 If on the basis of the public hearing and its consideration of the recommendation of the Planning Commission, the City Council is able to concur in the findings of the Commission and accept the recommendation, the Council may, by ordinance, establish the P-C District in accordance with the Planned Community Program. If, on the basis of the public hearing and its consideration of the

Planning Commission's recommendation, the Council is unable to concur in the findings or accept the recommendation, the Council may reject the application for the establishment of the P-C District, or it may refer the matter back to the Planning Commission for further consideration.

SEC 17-700 PERMITS. Upon the approval of a P-C District as provided herein no Building Permit, Zoning Conformance Approval, Business License, or any other type of permit, shall be issued for any use or structure in a P-C District unless such use or structure conforms to the Planned Community Program as approved by the City Council and to the incremental development plans or Unit Development Plans under the provisions of Article 16, Planned Unit Development.

SEC 17-800 ADMINISTRATION OF THE PLANNED COMMUNITY DISTRICT.

- 17-801 Inspection by Zoning Administrator. From time to time, the Zoning Administrator shall compare the actual development accomplished in any P-C District with the approved Development Plans and shall report his findings to the Planning Commission.
- 17-802 Follow-Up. If, in the opinion of the Planning Commission, the owner of the property in any P-C District is failing to conform to the approved Planned Community Program or approved Development Plan, the Commission may initiate proceedings to remove the P-C District designation from the Zoning Map or may initiate proceedings for an amendment to the Planned Community Program.
- 17-803 Modifications of the General Development Plan. From time to time it may be necessary and desirable to modify the approved Planned Community Program comprised of the General Development Plan and Development Schedule. Modifications may be initiated by City Council, the City Planning Commission, or by property owner, his authorized agent or developer.

Requests for modifications shall be submitted to the Planning Commission in written form and shall be accompanied by such additional maps, statements, or other information as may be required to support the proposed modification. Any proposed modification shall be considered in the same manner as the original establishment of the District as set forth in this Article.

ARTICLE 18      N-E NEIGHBORHOOD ENHANCEMENT DISTRICT

SEC 18-100      PURPOSE. The N-E District is designed for use in the close-in, older residential neighborhoods in Manteca, where, due to past practices there is now an incompatible land use mixture, including significant parcels of vacant land.

The N-E District has the purpose of up-grading such mixed use neighborhoods by encouraging compatible new development on vacant land parcels, the protection of existing sound development, and the rehabilitation of any deteriorated development, either through the preparation, with owner and resident participation, of a Neighborhood Enhancement Plan, or by means of a special Compatibility Review Procedure.

SEC 18-200      NEIGHBORHOOD CONDITION SURVEY

18-201      In order to initiate the establishment of one or more N-E Districts, the Planning Commission shall direct the Zoning Administrator to make a survey of the close-in older residential areas which exhibit the characteristics of a mixture of uses, and/or deterioration and arrested development, together with parcels of vacant land.

18-202      Upon completion of the survey, the Zoning Administrator shall report to the Planning Commission as to the locations and extent of his findings of either one or both of the following sets of conditions:

18-202.1      Areas where mixed uses or deteriorated structures are interspersed with extensive areas of vacant land offering a potential for substantial new development.

18-202.2      Areas where mixed uses or deteriorated structures are combined with small and scattered vacant parcels offering a potential for selective in-filling.

SEC 18-300      ALTERNATIVE N-E DISTRICT PROCEDURES

Establishment of an N-E District shall invoke one or other of the following procedures as appropriate, or the two procedures may, at the direction of the Planning Commission, be combined.

18-301 The Neighborhood Enhancement Plan.  
The Neighborhood Enhancement Plan is intended to be employed, as outlined below, for those areas described in Section 18-202.1, above.

18-302 The Compatibility Review Procedure.  
The Compatibility Review Procedure is intended to be employed as outlined below for those areas described in Section 18-202.2, above.

SEC 18-400 INITIATION OF THE N-E DISTRICT

18-401 Upon receipt of the report of the Zoning Administrator, the Planning Commission shall determine whether to initiate one or more N-E District proceedings. In each case in which the Commission decides to proceed, it shall, by resolution, (1) indicate the proposed boundaries of the District (2) determine whether a neighborhood enhancement plan, a compatibility review procedure, or both shall be operable in each case, and (3) set a time and place for public hearing.

18-402 Upon initiation of proceedings as set forth in Section 18-401 above, the Planning Commission shall call a public hearing at the designated location for the purpose of explaining the purposes and operation of a N-E District, and to determine the degree of local interest in and support for such a District, and any suggestions regarding the desired future character of the neighborhood.

18-403 Upon completion of the public hearing the Commission shall determine in each case on the basis of the public interest expressed, whether the initiation of an N-E District is likely to prove beneficial. If the finding is affirmative, the Commission shall proceed as set forth in Section 18-500 or 18-600 below; should the finding be negative, the matter shall be terminated.

SEC 18-500

N-E DISTRICT PROCEDURE INVOLVING A NEIGHBORHOOD ENHANCEMENT PLAN.

When so instructed by the Planning Commission, the Zoning Administrator shall prepare a Neighborhood Enhancement Plan which shall consist of a detailed plan of land uses and related regulations in substantial conformity with the General Plan or any Specific Plan for the neighborhood, and designed to:

- 18-500.1 Indicate permitted land uses for each parcel of land within the N-E District.
  - 18-500.2 Contain a schedule of density, coverage, height, and other pertinent requirements designed to insure the compatibility of any permitted use in relation to its surrounding uses.
  - 18-500.3 Contain regulations and proposals pertinent to the future character of the neighborhood when fully developed, including standards for rehabilitation of buildings and sites, open space for parks and recreation, buffering, and aesthetic needs, with attention to street trees, off-street parking areas when needed, etc.
  - 18-500.4 Indicate when compatibility review procedures, as provided herein would supplant or supplement the provision of the Neighborhood Enhancement Plan.
- 18-501 The Zoning Administrator shall provide opportunity for participation in Plan preparation by neighborhood residents and property owners.
- 18-502 Upon completion of the Neighborhood Enhancement Plan, the Planning Commission shall cause the Plan to be reproduced and widely distributed in the neighborhood, and shall set a date for a public hearing on adoption of the Plan and establishment of the N-E District, as provided herein.

- 18-503 Upon completion of the public hearing and provided that the Planning Commission is satisfied that said Plan will carry out the purposes of the N-E District, the Commission shall recommend the adoption of the Plan and establishment of the N-E District to the City Council.
- 18-504 Upon receipt of a recommendation from the Planning Commission for the establishment of a Neighborhood Enhancement District involving a Neighborhood Enhancement Plan, and upon satisfying itself that the proposed Neighborhood Enhancement Plan is in substantial conformity with the Manteca General Plan and any other adopted plan for the area, the City Council shall adopt the Neighborhood Enhancement Plan and establish the N-E District as provided herein.
- 18-505 Upon adoption by the City Council of the Neighborhood Enhancement Plan and establishment of the N-E District, the zoning heretofore applying to such area shall cease, and the zoning regulations thereafter applying to such zoning district neighborhood shall be as set forth in the Neighborhood Enhancement Plan. The N-E District with Neighborhood Enhancement Plan shall operate as a distinct new district.

SEC 18-600

N-E DISTRICT PROCEDURE INVOLVING COMPATIBILITY REVIEW.

When so instructed by the Planning Commission, the Zoning Administrator shall prepare a schedule of criteria for Compatibility Review. Such criteria shall include among other things:

- 18-600.1 The proposed use of property in terms of its operating characteristics such as population density, production of noise, odors or dust, generation of automobile or truck traffic or parking demand, hours of operation, type of product sold or manufactured or service offered.
- 18-600.2 The proposed structure or alterations of an existing structure in terms of its height, size, relation to adjoining structures, and suitability for its intended use.

- 18-600.3 The site plan, and in particular, location and adequacy of driveways, parking, and loading areas, landscaping and other site improvements, location and screening of any exterior areas intended for storage or processing.
- 18-600.4 Lighting and signs in terms of their suitability to neighboring uses, and any potential interference with the peace and comfort of adjoining uses.
- 18-601 The Zoning Administrator shall provide opportunity for participation in formulation of Compatibility Review Criteria by neighborhood residents and property owners.
- 18-602 Upon completion of the Compatibility Review Criteria, the Planning Commission shall publish the list of criteria and distribute it widely in the neighborhood, and shall set a date for a public hearing on adoption of the Review Criteria and establishment of the N-E District as provided herein.
- 18-603 Upon completion of the public hearing, and provided that the Planning Commission is satisfied that the Compatibility Review, based on the Review Criteria, will carry out the purposes of the N-E District, the Commission shall recommend adoption of the Review Criteria and establishment of the N-E District to the City Council.
- 18-604 Upon receipt of a recommendation from the Planning Commission for the establishment of an N-E District involving Compatibility Review, and upon satisfying itself that the proposed Compatibility Review Criteria are suitable for the area, and will carry out the purposes of the N-E District, the City Council shall adopt the Compatibility Review Criteria and establish the N-E District as provided herein. The N-E District with compatibility review shall operate as an overlay or combining district.

18-605 Upon establishment of the N-E District and adoption of the Compatibility Review Criteria, no new Building Permit or Zoning Conformance Approval shall be issued until the proposed use or structure, or change of use has been reviewed by the Zoning Administrator for conformity with the Compatibility Review Criteria and a finding of conformity has been issued. A finding of non-conformity by the Zoning Administrator may be appealed to the Planning Commission in the manner provided for appeal of a Site Plan Review decision as set forth in Section 26-407.

ARTICLE 19

O-S OPEN SPACE DISTRICT

SEC 19-100 PURPOSE. It is the purpose of the O-S District to provide for the control, protection and use of open space lands which form a part of the open space system of the City of Manteca. It is the further purpose of the O-S District to limit the use of such lands to appropriate open space uses and related uses so long as the lands shall remain in the O-S District, and, in the event of an application for the reclassification of any such lands to other than open space zoning, to insure sufficient time prior to reclassification to enable the City or other responsible agency to negotiate for the purchase or other acceptable arrangement to continue the land in open space use.

SEC 19-200 LAND TO BE INCLUDED. All lands designated as open space in the Open Space Element of the Manteca General Plan may be included in the O-S District. Such lands may include but are not limited to the following:

- 19-201 Public parks, playgrounds and school grounds.
- 19-202 Private school grounds and church grounds of a predominantly open character.
- 19-203 Golf courses and country clubs.
- 19-204 Privately and jointly owned open spaces reserved for open space use as an incident of Planned Development Projects.
- 19-205 Any other publicly or privately owned open space which in the opinion of the Manteca City Planning Commission functions as a part of the open space system of the City of Manteca and is included in the Open Space Element of the Manteca General Plan.

SEC 19-300 PERMITTED PRINCIPAL USES.

- 19-301 Active and passive recreation including any structures incidental to such use existing at the time of inclusion in the O-S District.

- 19-302 Educational and cultural uses including any structures incidental to such uses existing at the time of inclusion in the O-S District.
- 19-303 Crop and tree farms including any structures incidental to such uses existing at the time of inclusion in the O-S District.
- 19-304 Open Space as a reserve for fire protection, seismic safety, water conservation, protection of view or similar appropriate purpose.

SEC 19-400 PERMITTED ACCESSORY USES.

- 19-401 Uses normally incidental and accessory to a principal use.

SEC 19-500 CONDITIONAL USES.

- 19-501 An addition to an existing structure which will increase the coverage of the structure, or any new structure, except minor recreational or horticultural structures such as playground equipment, trellises, fences and the like.
- 19-502 Any commercial use which may be conducted on open space land without substantially detracting from its value as open space.

SEC 19-600 RECLASSIFICATION. The procedure for the reclassification of land set forth in Article 28 shall apply to property in the O-S District subject to the following modification:

- 19-601 Following a public hearing the Planning Commission shall determine whether it is in the public interest of the City of Manteca to retain the subject property in open space use as against permitting its reclassification to the use applied for. The decision on this question

shall be made by resolution and the decision of the Planning Commission shall be transmitted to the City Council together with a report setting forth reasons for said decision.

19-602 Following receipt of the recommendation of the Planning Commission, the City Council shall hold a public hearing. Following such hearing the Council may decide by resolution either to:

1. Seek means to retain the subject property in open space use, or
2. Permit the reclassification of the subject property.

19-603 Should the Council's decision be the first alternative, all further proceedings for the reclassification of the property shall be halted for a period of not to exceed ninety (90) days from the date of Council action, during which time the City Council shall actively seek to negotiate arrangements, which may include purchase or other acceptable means, to retain the property in open space use. The period set forth herein may be extended by mutual agreement of the Council and the applicant for reclassification.

19-604 If, at the end of the ninety (90) days, or such longer period as may be agreed upon, no satisfactory arrangement has been concluded, the matter shall be remanded to the Planning Commission for consideration of the reclassification applied for. The Commission shall thereafter proceed in accordance with the provisions of Article 28. Should the Council's decision be the second alternative as listed in 19-602 above, the matter shall thereupon forthwith be returned to the Planning Commission which shall consider the reclassification applied for in accordance with the procedure set forth in Article 28.

ARTICLE 20      PERFORMANCE STANDARDS AND PERFORMANCE STANDARDS PROCEDURE

SECTION 20-100   PURPOSE OF PERFORMANCE STANDARDS

This Article is intended to permit objective and precise measurement of the impact of nuisances; to establish permissible limits for each nuisance; to ensure that all uses will provide necessary control measures to protect the community from hazards and nuisances; to protect any industry from arbitrary exclusion; and to establish a procedure to secure these purposes.

SECTION 20-200   GENERAL

No land or building in any District shall be used or occupied in such a manner as to create any dangerous, injurious, noxious or otherwise objectionable condition such as fire, explosive, or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness, electrical or other disturbance; glare; liquid or solid refuse or wastes; or other substances, conditions or elements which would affect adversely the surrounding area or adjoining premises. No use shall be undertaken or maintained unless it conforms to the regulations of this Section in addition to the regulations set forth for the District in which such use is situated.

20-201      Locations Where Determinations are to be Made for Enforcement of Performance Standards. Measurements necessary for enforcement of performance standards set forth in Sections 20-300,

shall be taken at the following points:

20-201.1 At the lot line of the establishment or use in any district except an M District.

20-201.2 In the M District, five hundred (500) feet from the establishment or use, or at the boundary of the

District, if closer to the establishment or use, or at any point within an adjacent non-industrial district.

SECTION 20-300 PERFORMANCE STANDARDS FOR CONTROL OF DANGEROUS AND  
OBJECTIONABLE CONDITIONS

20-301 Noise. The maximum sound pressure level radiated by any use or facility at the points of measurement specified in Section 20-201, shall not exceed the values in the designated octave bands given in Table I, after applying the corrections shown in Table II, except that normal household appliances or equipment in use during the hours of 7 a.m. to 7 p.m. shall not be subject to these regulations. The sound pressure level shall be measured with a Sound Level Meter and associated Octave Band Analyzer conforming to standards prescribed by the American Standards Association. (American Standard Sound Level Meters for Measurement of Noise and Other Sound Z24. 3-1944, American Standards Association, Inc., New York, N.Y., and American Standard Specification for an Octave-Band Filter, set for the Analysis of Noise and Other Sounds, Z24. 10-1953, or latest approved revision thereof, American Standards Association, Inc., New York, N.Y., shall be used).

TABLE I

Maximum permissible sound pressure levels at the points of measurement specified in Section 22-203 for noise radiated continuously from a facility between the hours of 7 p.m. and 7 a.m.

<u>Frequency Band Curves Per Second</u>	<u>Sound Pressure Level Decibels re 0.0002 dyne/cm<sup>2</sup></u>
20 - 75	69
75 - 150	60
150 - 300	56
300 - 600	51
600 - 1200	42
1200 - 2400	40
2400 - 4800	38
4800 10000	35

If the noise is not smooth and continuous and is not radiated between the hours of 7 p.m. and 7 a.m., one or more of the corrections in Table II shall be applied to the decibel levels given in Table I.

TABLE II

<u>Type or Location of Operation or Character of Noise</u>	<u>Correction In Decibels</u>
1. Daytime operation only (7 a.m. to 7 p.m.)	+5
2. Noise source operates less than:	
a. 20% of any one hour period	+ 5*
b. 5% of any one hour period	+10*
c. 1% of any one hour period	+15*
3. Noise of impulsive character (hammering, etc.)	-5
4. Noise rising or falling in pitch or volume (hum, screech, etc.)	-5
* Apply one of these corrections only.	

20-302

Vibration. No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at the points of measurement specified in Section 20-201 nor shall any vibration produced exceed 0.002g peak at up to fifty (50) cps frequency, measured at the point of measurement specified in Section 20-201 using either seismic or electronic vibration measuring equipment. Vibrations occurring at higher than fifty (50) cps frequency or a periodic vibration shall not induce accelerations exceeding .001g. Single impulse periodic vibrations occurring at an average interval greater than five (5) minutes shall not induce accelerations exceeding .01g.

20-303

Odors. No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detectable when diluted in the ratio of one volume of odorous air to four volumes of clean air at the points of measurement specified in Section 20-201 or at the point of greatest concentration. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safe-guard system should fail. There is hereby established as a guide in determining such quantities of offensive odors Table III, "Odor Thresholds", in Chapter 5, "Air Pollution Abatement Manual", copyright 1959, by Manufacturing Chemists' Association, Inc., Washington, D.C., and

said manual, and/or table as subsequently amended.

20-304

Glare.

20-304.1 Direct Glare. Direct glare is defined for the purpose of this Ordinance as illumination visible at the points of measurement specified in Section 20-201 caused by direct or specularly reflected rays from incandescent, fluorescent, or arc lighting, or from such high temperature processes as welding, or petroleum or metallurgical refining.

No such direct glare shall be permitted with the exception that parking areas and walkways may be illuminated by luminaries so hooded or shielded that the maximum angle of the cone of direct illumination shall be sixty (60) degrees if the luminary is not less than six (6) feet above the ground. Such luminaries shall be placed not more than sixteen (16) feet above ground level and the maximum illumination at ground level shall not be in excess of three (3) footcandles.

20-304.2 Indirect Glare. Indirect glare is defined for the purpose of this Ordinance as illumination visible at the points of measurement specified in Section

20-201 caused by diffuse reflection from a surface such as a wall or roof of a structure. Indirect glare shall not exceed that value which is produced by an illumination of the reflecting surface not to exceed:

.3 foot-candles (maximum)

.1 foot-candles (average)

20-304.3 Deliberately induced sky-reflected glare, as by casting a beam upward for advertising purposes. is specifically prohibited.

20-305 Fire and Explosion Hazards. All activities involving, and all storage of, inflammable and explosive materials shall be provided at any point with adequate safety devices against the hazard of fire and explosion and adequate fire-fighting and fire suppression equipment and devices standard in the industry. Burning of waste materials in open fires is prohibited.

20-306 Heat. For the purposes of this Ordinance, heat is defined as thermal energy of a radioactive, conductive or convective nature. Heat emitted at any or all points shall not at any time cause a temperature increase on any adjacent property in excess of ten (10) degrees F., whether such change be in the air or on the ground, in a natural stream or lake, or in any structure on such adjacent property.

20-307 Radioactivity or Electric Disturbance. No activities shall be permitted which emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.

20-308 Smoke, Fumes, Gases, Dust, Particulate Matter. No emission shall be permitted at any point which would violate the current regulation for such emission as established by Federal and State air quality standards.

20-309 Liquid or Solid Wastes. No discharge shall be permitted at any point into any public sewer, private sewage system, or stream or into the ground, except in accord with standards approved by the State and County Departments of Health and local ordinances, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements. There shall be no accumulation outdoors of solid wastes conducive to the breeding of rodents or insects, unless stored in closed containers.

SECTION 20-400 PERFORMANCE STANDARDS PROCEDURE

20-401 Compliance with the Performance Standards Procedure as set forth herein is required in the following cases:

20-401.1 Prior to the issuance of a building permit for any industrial use in the M District.

20-401.2 Prior to the issuance of a Building Permit for a use in any district, which the Building Inspector shall have reasonable grounds to believe may fail to conform to these standards.

20-401.3 For any existing use, whether or not previously issued a Certificate of Conformance, when the Building Inspector shall have reason to believe such use is not conforming to these standards.

20-402 Procedure in the Issuance of a Building Permit. No Building Permit shall be issued in case 401.1 or case 401.2 above until a Certificate of Compliance with Performance Standards has been issued by the Zoning Administrator.

20-402.1 Application for a Certificate of Compliance with Performance Standards shall be submitted on a form prescribed by the City of Manteca. The applicant shall also submit a plan of the proposed construction or development, including a description of the proposed machinery, processes and products, and specifications for mechanisms and techniques to be used in limiting the creation of dangerous and objectionable conditions so as to comply with the limits set forth in Section 20-300, all in accordance with rules prescribed by the Zoning Administrator setting forth the type and form of information required in such plans and specifications. The fee for such application shall be a base amount of dollars, no part of which shall be refundable. If

the Zoning Administrator determines that it is necessary to make special tests or investigations in connection with the application, he shall require a deposit of an amount of money sufficient to cover the costs of such test or investigations. Any portion of the deposit unused for such tests or investigations shall be returned to the applicant. If the amount of the deposit is insufficient to cover the costs of such tests or investigations, the additional amount shall be paid by the applicant prior to issuance of the Zoning Conformance Approval.

20-402.2 Report by Expert Consultants. Should the Zoning Administrator require expert advise in determining whether or not to issue a Certificate of Compliance, he may refer the application for investigation and report to expert consultants qualified to advise as to whether a proposed use will conform to the applicable performance standards specified in Section 20-300. Such consultants shall report as promptly as possible. A copy of such report shall be furnished to the applicant. All costs incurred by such a requirement shall be made a part of the application fee as set forth above.

20-402.3 Review by Administrator. Within twenty (20) days after the Zoning Administrator has received the application, or the consultants' report if such was required, or within such longer period as may be agreed to by the applicant, the Zoning Administrator

shall determine whether the proposed use will conform to the applicable performance standards, and on such basis shall issue a Certificate of Compliance, or may require a modification of the proposed plans, construction, specification, equipment or operation, or may deny the application for a Certificate of Compliance. A copy of the Certificate of Compliance shall be transmitted to the Building Inspector who may thereupon issue a Building Permit provided all other requirements have been met. A Building Permit so authorized and issued shall be conditioned upon, among other things, (a) the applicant's completed buildings and installations conforming in operation to all applicable performance standards, and (b) the applicant paying the fees for services of the expert consultant or consultants deemed reasonable and necessary by the Zoning Administrator to advise him as to whether or not the applicant's completed buildings and installation in operation are meeting the applicable performance standards. Issuance of a Certificate of Compliance shall not free the applicant of responsibility for continued compliance with any and all performance standards.

20-403

Procedure in the case of an existing use. The owner or operator of every use in the City of Manteca shall be responsible for maintaining a continuing level of performance in conformity with the Performance Standards set forth in Section 20-300.

20-403.1 The Building Inspector shall investigate any purported violation of performance standards, and if he finds a probable violation, shall notify the Zoning Administrator. The Zoning Administrator shall investigate the alleged violation, and for such investigation may employ qualified experts. If he finds that a violation occurred or exists, a copy of said findings shall be forwarded to the owner or operator of the use in question, and to the Planning Commission. The services of any qualified experts, employed by the Zoning Administrator to advise in establishing a violation, shall be paid for by the violator, if said violation is established, otherwise such costs shall be paid by the City.

20-403.2 Upon receipt of a report from the Zoning Administrator that a violation of the Performance Standards exists, the Planning Commission may hold a public hearing at which the owner or operator in question and any interested party may appear. Upon the completion of such hearing, or if no hearing is held, on receipt of the Zoning Administrator's report, the Planning Commission shall issue an order requiring that the operation be brought into conformity with the Performance Standards of

Section 20-300. Such order may permit the continued operation of the activity while the necessary corrections are being made, subject to reasonable conditions if necessary, or the order may require that the operation shall cease until conformity is assured. The order shall specify a reasonable time for the accomplishment of the necessary work. Continued operation in violation of any of the terms of such order shall constitute a violation of the zoning ordinance subject to punishment as set forth in Article 27.

ARTICLE 21 OFF-STREET PARKING AND LOADING REQUIREMENTS

SEC 21-100 PURPOSE. The purpose of the Off-Street and loading Requirements is to reduce street congestion and traffic hazards in Manteca by incorporating adequate, attractively designed facilities for off-street parking and loading as an integral part of every use of land in the City.

SEC 21-200 OFF-STREET PARKING -- GENERAL REGULATIONS

21-201 There shall be provided on the same site with any use except as modified by Section 21-300, off-street parking spaces for vehicles in accordance with the requirements herein. Where existing buildings not now meeting these requirements are proposed to be enlarged or increased in capacity in excess of tenpercent (10%), in any district except a single-family district, off-street parking shall be provided as required herein for the entire floor area of the structure.

21-202 Floor Area. "Floor Area" in the case of office, merchandising or service types of uses means the gross area used or intended to be used by tenants, or for service to the public as customers, patrons, clients, or patients including areas occupied by fixtures and equipment used for display or sales of merchandise. It does not include areas used principally for non-public purposes, such as storage and incidental repair.

SEC 21-300 ALTERNATIVES AND EXCEPTIONS TO ON-SITE PARKING.

21-301 For any new site, structure, or building other than residential, required off-street parking, which due to the size or location of the parcel, cannot be provided on the premises, may be located not more than three hundred (300) feet distance from a building site.

21-302 In Lieu Payments: In lieu of furnishing the parking spaces required by the provisions of this Section, when within an established "Parking and Business Improvement Area," the requirements may be satisfied by payment to City's Parking and Business Improvement Fund, prior to the issuance of a Building Permit, a sum per required parking space as determined by the City Council.

Ordinance No. 107  
Adopted 08/07/1978

21-303 Off-Street Parking and Non-Conforming Structures: No building as it exists at the time of the effective date of this Ordinance shall be deemed to be non-conforming solely by reason of the lack of off-street parking spaces, provided that any portion of the premises being used for off-street parking in connection with any such building shall not be reduced below the requirements of this Section.

21-304 Cooperative Parking Facilities. Requirements for the provision of parking facilities, with respect to two or more establishments on the same or different sites may be satisfied by the permanent allocation of the requisite number of spaces for each use in a common parking facility, located not farther than three hundred (300) feet measured along the shortest available route of pedestrian access from the site of any such participating use.

SEC 21-400

OFF-STREET PARKING -- NUMBER OF SPACES REQUIRED. When the calculation required in this section shall result in the requirement of a fractional space, such fraction, if one-half or greater, shall require an additional space; if less than one-half, it shall be ignored.

Automobile or machinery sales and service garages	1 for each 400 sq.ft. of floor area
Banks, post offices, business and professional offices, except medical and dental offices	1 for each 300 sq.ft. of floor area
Barber and beauty shops, dry cleaners, and laundromats	1 for each 200 sq.ft. of floor area
Bowling alleys	5 for each <u>alley</u>
Cemetaries, columbaria and crematories	1 for each 1.5 employees in the maximum shift plus space on the property for the number of vehicles in the average funeral procession

Children's homes	1 for each 4 beds, plus 1 for each 1.5 employees in the maximum shift
Churches	1 for each 5 seats
Convalescent hospitals, hospitals, nursing homes and charitable and religious institutions providing sleeping accommodations	1 for each 3 beds, plus 1 for each 1.5 employees on the maximum shift, and 1 for each 2 staff doctors
Dance Halls	1 for each 50 sq. ft. of floor area
Dwellings, single-family, or duplex	2 for each dwelling unit, one of which shall be a carport or a garage
Dwellings, multiple	1.5 for each dwelling unit at least one of which shall be in a carport or garage
Funeral homes, mortuaries	1 for each 5 seats of the aggregate number of seats provided in all assembly rooms of the mortuary
Furniture and appliance stores, household equipment or furniture repair shops	1 for each 400 sq. ft. of sales floor area
Homes for the aged	1 for each 3 beds and 1 for each 1.5 employees in the maximum shift
Hotels, motels, motor hotels, and private clubs providing sleeping accommodation	1 for each living or sleeping unit plus 1 for the owner or manager
Libraries, museums, art galleries, and similar uses	1 for each 1.5 employees plus 1 for each 200 sq. ft.
Manufacturing plants, research or testing laboratories, bottling plants, processing plants, and packaging plants	1 for each 1.5 employees on the maximum shift
Medical and dental offices, clinics	1 for each 100 sq. ft. of floor area
Public buildings and grounds other than schools and administration offices	1 for each 1.5 employees on the maximum shift, plus spaces required for visitors in an amount determined by the zoning administrator.

Restaurants, bars and nightclubs	1 for each 205 seats Adopted 08/07/1978
Retail stores, shops, supermarkets, food stores, etc., other than furniture and appliance stores as aforementioned	1 for each 300 sq.ft. of sales floor area
Rooming and lodging houses	1 for each bedroom
Schools - elementary and junior high	1 for each 1.5 employees on the maximum shift
- High schools and colleges	1 for each 1.5 employees on the maximum shift, plus 1 for each 2 students
- Business schools, beauty schools and other special schools	1 for each 1.5 employees on the maximum shift, plus 1 for each 2 students
The number of spaces required for any school may be increased by the Zoning Administrator to provide for visitor parking should he deem it necessary.	
Sport arenas, auditoriums, exhibition halls, theaters, lodge or assembly halls, and meeting rooms	1 for each 5 seats of maximum seating capacity or if there are no fixed seats, 1 for each 60 sq. ft. of floor area
Mobile homes	2 for each space
Wholesale establishments, warehouses, service and maintenance centers, communication equipment buildings	1 for each 1.5 employees on the maximum shift
Unspecified uses of buildings, structures or premises	The number of spaces shall be fixed by the Zoning Administrator in accordance with the general purposes and standards herein.

SEC 21-500

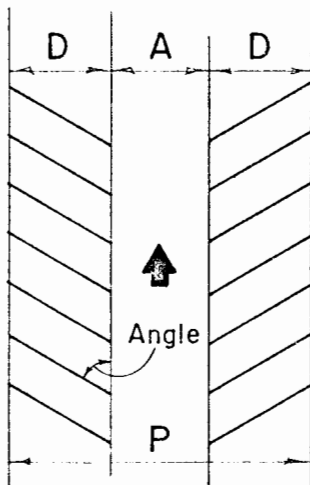
STANDARDS FOR PARKING FACILITIES. All off-street parking facilities shall conform with the following standards:

21-501 Spaces. Each parking space shall be not less than 180 square feet in area, eighteen (18) feet in length, and nine (9) feet in width, exclusive of aisles and access drives, except that when the long dimension of a space adjoins a wall or fence, the minimum width shall be ten (10) feet. Parking spaces shall be designed and arranged within parking facilities in accordance with the minimum specifications set forth by the Zoning Administrator. The Zoning Administrator may permit not more than two (2) of the required spaces to be located in an access drive, when such location will not impair access to remaining spaces.

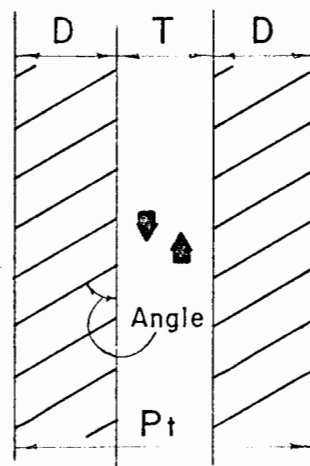
1. MINIMUM ACCESS DRIVE FROM STREET TO PARKING FACILITY SHALL BE 12'-0" FOR ONE-WAY AND 20'-0" FOR TWO-WAY.
2. 5% OF PARKING FACILITY SHALL BE LANDSCAPED.
3. PARKING FACILITY SHALL BE SERVED BY A DRIVEWAY SO THAT NO BACKING MOVEMENTS OR OTHER MANEUVERING WILL BE REQUIRED WITHIN A STREET, OTHER THAN ON ALLEYS.

		A	D	L	T	P	P <sub>t</sub>	P <sub>h</sub>
ANGLE IN DEGREES	0°	12.0	8.5	23.0	19.0	29.0	36.0	—
	30	12.0	17.8	18.0	20.0	47.0	55.0	40.0
	35	13.0	18.8	15.7	20.0	49.0	56.0	43.0
	40	13.0	19.8	14.0	20.0	51.0	58.0	45.8
	45	13.0	20.5	12.7	20.0	51.0	58.0	47.6
	50	14.0	21.1	11.7	20.0	54.0	60.0	50.4
	55	16.0	21.5	11.0	20.0	58.0	62.0	53.8
	60	19.0	21.8	10.4	20.0	61.0	62.0	58.2
	70	20.0	21.9	9.6	22.0	62.0	64.0	60.8
	90	26.0	21.0	9.0	26.0	68.0	68.0	—

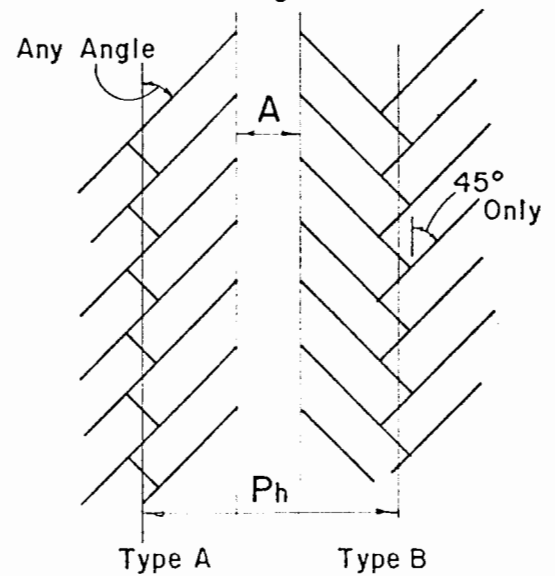
One-way



Two-way



Herringbone

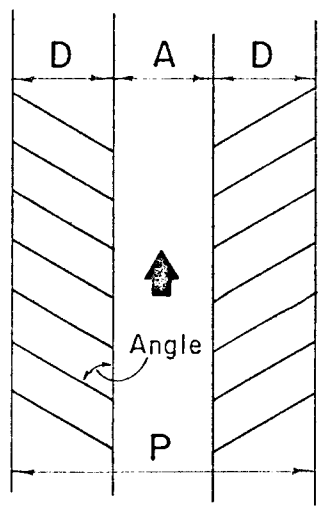


NO.	REVISED	BY	Parking and Aisle Dimensions for 9' x 20' Parking Stalls  <b>CITY OF MANTECA</b> OFFICE OF PLANNING	APPROVED BY:
DRAWN BY:				DIRECTOR
CHECKED BY:				DRAWING NO.
SCALE:				DATE:

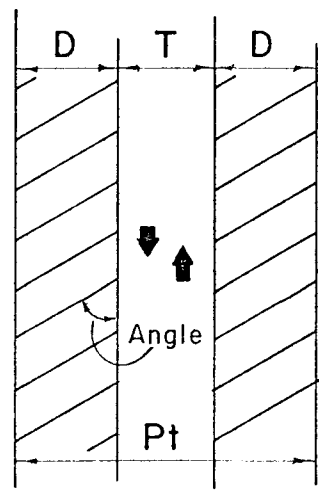
1. MINIMUM ACCESS DRIVE FROM STREET TO PARKING FACILITY SHALL BE 10'-0" FOR ONE-WAY AND 20'-0" FOR TWO-WAY.
2. 5% OF PARKING FACILITY SHALL BE LANDSCAPED.
3. PARKING FACILITY SHALL BE SERVED BY A DRIVEWAY SO THAT NO BACKING MOVEMENTS OR OTHER MANEUVERING WILL BE REQUIRED WITHIN A STREET, OTHER THAN ON ALLEYS.

		A	D	L	T	P	Pt	Ph
ANGLE IN DEGREES	0°	12.0	8.5	23.0	19.0	29.0	36.0	—
	30	12.0	17.7	20.0	20.0	47.4	55.4	38.8
	35	12.0	18.5	17.4	20.0	49.0	57.0	40.8
	40	12.0	19.2	15.6	20.0	50.4	58.4	42.8
	45	12.0	19.8	14.1	20.0	51.6	59.6	44.6
	50	13.0	20.2	13.0	20.0	54.4	60.4	47.0
	55	15.0	20.5	12.2	20.0	56.0	61.0	50.2
	60	18.0	20.6	11.5	20.0	59.2	61.2	54.2
	70	20.0	20.3	10.6	22.0	60.6	62.6	57.2
	90	26.0	18.0	10.0	26.0	62.0	62.0	—

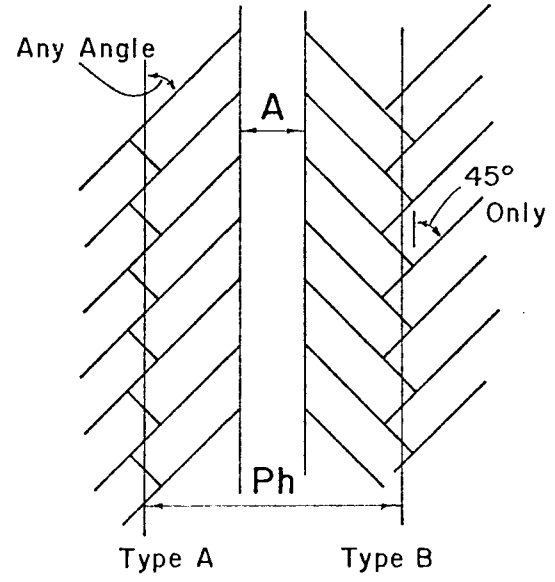
One-way



Two-way



Herringbone



NO.	REVISED	BY	Parking and Aisle Dimensions for 10' x 18' Parking Stalls  <b>CITY OF MANTECA</b> OFFICE OF PLANNING	APPROVED BY:
DRAWN BY:				DIRECTOR
CHECKED BY:				DRAWING NO.
SCALE:				DATE:

- 21-502 Aisles. Access to each off-street parking space shall be from a driveway or aisle, which is sufficient for readily turning and maneuvering vehicles.
- 21-503 Access. Each parking space shall be accessible from a street or alley or from an aisle or drive connecting with a street or alley. No off-street parking facility for five or more spaces in an R District shall be designed so that vehicles must back across a sidewalk in order to gain access to a street or alley. Where a parking facility does not abut a public or private street, alley, or access easement, there shall be provided an access drive of not less than twenty (20) feet in width, except as follows:
- (a) Drives furnishing access to parking facilities serving ten (10) or fewer dwelling units shall not be less than fifteen (15) feet in width.
  - (b) Where separated one-way access drives are proposed, these shall consist of two (2) drives each of which shall not be less than twelve (12) feet in width.
- 21-504 Pavement. The parking area, aisles, and access drives shall be paved so as to provide a durable, dustless surface and shall be so graded and drained as to dispose of surface water without damage to private or public properties, streets or alleys. Such pavement shall be two (2) inches of asphalt pavement, or shall provide equivalent service and protection.
- 21-505 Border Barricades. Every parking facility containing five (5) or more spaces that is not separated by a wall from any street, landscaped area or property line upon which it abuts, shall be provided with a suitable concrete, asphalt, timber or other approved barrier, not less than two (2) feet from such street, landscaped area or property line.

- 21-506 Screening. Every parking facility containing five (5) or more spaces abutting a city street shall be separated from such street by a decorative wall, view-obscuring fence, permanently maintained compact evergreen hedge, berm, or a combination of the preceding treatments, not less than thirty (30) inches and not more than forty-two (42) inches in height. Every parking facility abutting property located in an R District shall be separated from such property by a decorative wall, view-obscuring fence, permanently maintained compact evergreen hedge, a berm, or a combination of any of the preceding treatments, six (6) feet in height measured from the grade of the finished surface of such parking area along the abutting residential property; except that such screening shall not be less than thirty (30) inches in height, and shall not exceed forty-two (42) inches in height adjacent to any required front or exterior side yard area.
- 21-507 Lighting. A parking facility serving an establishment which remains open during hours of darkness shall be provided with adequate illumination. Any lights provided to illuminate a parking facility shall be arranged so as to reflect the light away from any adjacent properties, streets, or highways.
- 21-508 Setback in R Districts. Every parking facility abutting property located in an R District shall provide a ten (10) foot setback from the street for a distance of not less than fifty (50) feet from such district boundary, and said area shall be landscaped in accordance with the provisions of Article 23.
- 21-509 Repair Work. No repair work or servicing of vehicles shall be conducted on a public parking area, other than emergency service such as changing a tire or starting a motor.
- 21-510 More Than One Use On a Site. If more than one use is located on a site, the number of parking spaces provided shall be equal to the sum of the requirements prescribed in this Section for each use.

21-511 Off-Street Parking Facilities to Serve One Use.  
Off-street parking facilities for one use shall not be considered as providing required off-street parking facilities for any other use except as provided for in Section 21-602.

SEC 21-600

OFF-STREET PARKING -- POWER OF THE ZONING ADMINISTRATOR TO MODIFY REQUIREMENTS. The provisions of this section as to number of spaces may be modified by the Zoning Administrator in the following cases only (any other request for modification shall be submitted as, and meet the tests for a variance):

21-601 Up to ten (10) percent of the required parking spaces in parking facilities providing not less than twenty (20) spaces, may be reduced in size to eight (8) feet by sixteen (16) feet for the accommodations of sub-compact cars. The number of spaces required may be modified for uses such as elderly housing or retirement homes where it can be demonstrated that automobile use or ownership is significantly lower than for other dwelling or lodging houses.

21-602 When a common off-street parking facility, located within three hundred (300) feet of the uses served will provide twenty (20) or more parking spaces, the total number of parking spaces required for all the uses served may be reduced by not more than twenty-five percent (25%) upon a finding by the Zoning Administrator that the typical use of the off-street parking facility would be staggered to such an extent that the reduced number of spaces would be adequate to serve all uses sharing the facility.

SEC 21-700

OFF-STREET PARKING PERMIT PROCEDURE AND FEES. Before any work may proceed on a new or an existing parking facility, a plan shall be submitted to the Planning Department for review and approval, conditional approval or denial. Said plans shall be accompanied by a fee to be determined by the value of the work to be performed, based on the rates established in the Building Code. A permit shall be issued upon approval, and payment of the required fee.

- 21-701 Site Plan Approval. All parking facilities shall be subject to site plan approval as provided herein and all areas not used for parking spaces and access drives shall be landscaped in accordance with the standards of Article 23. Such landscaped spaces shall constitute not less than five (5) percent of the area of the site.
- 21-702 Off-Street Parking Compliance. All parking facilities existing at the time of the adoption of this Ordinance, and as defined herein, shall conform to Section 21-504 and 21-505 within six (6) months of the date of this Ordinance; and shall conform to the remaining subsections in Section 500 within two (2) years of the date of this Ordinance.

SEC 21-800

OFF-STREET LOADING-BERTH REQUIREMENTS. For every building or part thereof, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt or distribution by vehicles of material and merchandise, the following regulations shall apply, provided that commercial or other establishments within the AB 103 Parking District shall not be subject to these requirements.

21-801 For motels, hotels, restaurants, public and private business and administrative offices, post offices, hospitals, sanitariums, nursing homes, and charitable and religious institutions and clubs used for human habitation:

	<u>Loading Berths Required</u>
For less than 5,000 sq.ft. of gross floor area	0
For 5,000 to 50,000 sq.ft. of gross floor area	1
For 50,000 to 150,000 sq.ft. of gross floor area	2
For each additional 150,000 sq.ft. of gross floor area	1

21-802 For commercial and industrial establishments including retail stores, personal service establishments, commercial service enterprises, warehouses, storage facilities, manufacturing plants and other industrial uses:

	<u>Loading Berths Required</u>
For less than 12,500 sq.ft. of gross floor area	1
For 12,500 to 20,000 sq.ft. of gross floor area	2
For 20,000 to 30,000 sq.ft. of gross floor area	3
For 30,000 to 50,000 sq.ft. of gross floor area	4
For 50,000 to 75,000 sq.ft. of gross floor area	5
For each additional 25,000 sq.ft. of gross floor area	1

21-803 Professional offices, public buildings other than administrative offices, schools, and colleges, places of public assembly, charitable and religious institutions and clubs not used for human habitation, and public utility and public service structures and installations, when any of the foregoing requires the recurring receipt, deliver, or distribution of goods or equipment by truck: One loading berth, plus such additional berths as may be prescribed by the Zoning Administrator.

21-804 Railroad stations, railroad freight stations and yards, airports, and heliports: as prescribed by the Zoning Administrator.

21-805 Mortuaries: one berth for each 5,000 square feet or major fraction thereof of gross floor area.

- 21-806 Cemeteries, columbariums and crematories: one berth plus the number of additional berths prescribed by the Zoning Administrator.
- 21-807 Any other use which requires the recurring receipt or distribution of goods or equipment by truck: one berth plus the number of additional berths prescribed by the Zoning Administrator.

SEC 21-900

OFF-STREET LOADING FACILITIES: STANDARDS AND REGULATIONS

All off-street loading facilities shall conform to the following standards:

- 21-901 Each loading berth shall be not less than forty-five (45) feet in length and twelve (12) feet in width exclusive of aisle or maneuvering space, and shall have an overhead clearance of not less than fourteen (14) feet, except that for mortuaries, cemeteries, columbariums and crematories, a loading berth used exclusively for ambulances or hearses shall be not less than twenty-four (24) feet in length and ten (10) feet in width and shall have an overhead clearance of not less than eight (8) feet.
- 21-902 Such space may occupy all or any part of any required yard or court space, except front and exterior side yards, and shall not be located closer than fifty (50) feet to any lot in any R District, unless enclosed on all sides by a wall not less than eight (8) feet in height.
- 21-903 Sufficient room for turning and maneuvering vehicles shall be provided on the site.
- 21-904 Each loading berth shall be accessible from a street or alley or from an aisle or drive connecting with a street or alley.
- 21-905 Entrances from and exits to streets and alleys shall be designed to minimize traffic congestion and shall be placed at locations approved by the Zoning Administrator.

- 21-906 The loading area, aisles, and access drives shall be paved so as to provide a durable, dustless surface and shall be so graded and drained so as to dispose of surface water without damage to private or public properties, streets, or alleys. Such surface shall be 2" of asphalt, or other surface providing equivalent service and protection.
- 21-907 Bumper rails shall be provided at locations approved by the Zoning Administrator where needed for safety or to protect property.
- 21-908 If the loading area is illuminated, lighting shall be deflected away from abutting residential sites so as to cause no annoying glare.
- 21-909 No repair work or servicing of vehicles shall be conducted in a loading area.
- 21-910 Landscaping and screening are required in accordance with the standards of Article 23.
- 21-911 Location of Off-Street Loading Facilities. Off-street loading facilities prescribed in Section 21-800 shall be located on the same site with the use for which the berths are required or on an immediately adjoining area.
- 21-912 More than One Use on a Site. If more than one use is located on a site, the number of loading berths provided shall be equal to the sum of the requirements prescribed in this article for each use. If more than one use is located on a site and the gross floor area of each use is less than the minimum for which loading berths are required but the aggregate gross floor area is greater than the minimum for which loading berths are required, off-street loading berths shall be provided as if the aggregate gross floor area were used for the use requiring the greatest number of loading berths.
- 21-913 Off-Street Loading Facilities to Serve One Use. Off-street loading facilities for one use shall not be considered as providing required off-street loading facilities for any other use except as provided in Section 21-1001.

21-914 At the time of initial occupancy, major alteration, or enlargement of a site, or of completion of construction of a structure or of a major alteration or enlargement of a structure, there shall be provided off-street loading facilities for trucks in accordance with the schedule of off-street loading berth requirements prescribed in Section 21-800. For the purposes of this section the terms "major alteration" or "enlargement" shall mean a change of use or an addition which would increase the number of loading berths required by not less than ten (10) percent of the total number required. The number of loading berths provided for a major alteration or enlargement of a site or structure shall be in addition to the number existing prior to the alteration or enlargement, unless the pre-existing number is greater than the number prescribed in Section 21-800, in which instance the number in excess of the prescribed minimum shall be counted in calculating the number provided to serve the major alteration or enlargement.

SEC 21-1000

OFF-STREET LOADING - POWER OF THE ZONING ADMINISTRATOR TO MODIFY OR INCREASE REQUIREMENTS. The provisions of this section as to number of spaces may be modified or increased by the Zoning Administrator in the following cases only: (Any other request for modification shall be submitted as and meet the tests for a variance.)

21-1001 The number of off-street loading spaces may be reduced by not more than ten percent (10%) when a common loading facility is provided within three hundred (300) feet of the uses served, upon a finding by the Zoning Administrator that the typical use of the off-street loading facility would be staggered to such an extent that the reduced number of spaces would be

adequate to serve all uses sharing the facility.

21-1002 Off-street loading berths in addition to those prescribed in the schedule of off-street loading berth requirements shall be provided if the Zoning Administrator finds that such additional berths are necessary to ensure that trucks will not be loaded, unloaded, or stored on public streets. A finding of the Zoning Administrator shall be based on an investigation of the anticipated frequency of truck pick-ups and deliveries and of the truck storage requirements of the use for which the off-street loading berths are required.

21-1003 Space allocated to required off-street loading berths may be used to satisfy the requirements for off-street parking spaces provided the Zoning Administrator shall find that the timing of their use is such as to create no conflict.

ARTICLE 22      SPECIAL PROVISIONS APPLYING TO PARTICULAR USES

SECTION 22-100    The purpose of these special provisions is to avoid ambiguity by spelling out insofar as possible those conditions which will enable diverse uses to be accommodated harmoniously within the City of Manteca.

- 22-101      Amusement center, bowling alley, dance hall and similar places of amusement shall provide parking with ingress and egress designed so as to minimize traffic congestion, shall not be less than twenty (20) feet away from any property line and shall provide a minimum six(6) foot high solid board fence or masonry wall separating the entire area from abutting residential property.
- 22-102      Animal hospital and veterinarian office shall be located no closer than one hundred (100) feet to any residential district, or restaurant, hotel, or motel in any district, and shall be subject to the Performance Standards Procedure of Section 20-400.
- 22-103      Cemetery, crematory, mausoleum, columbarium shall provide entrance on a major or secondary thoroughfare with ingress and egress so designed as to minimize traffic congestion, shall provide adequate off-street parking space and shall provide a minimum six (6) foot high view obscuring wall, or evergreen hedge, or provide a minimum of twenty (20) feet of permanently maintained, landscaped strip on all property lines abutting any residential district.

22-104 Circus or carnival involving temporary assemblages of over three hundred (300) people may be permitted in any district except an R-District provided that such establishment may not be located on a street developed with residences within five hundred (500) feet of such residences. A Conditional Use Permit shall be required for all such uses.

22-105 Club, country; golf course

22-105.1 No building shall be located within twenty (20) feet of any property line.

22-105.2 Facilities such as restaurants and bars may be permitted.

22-105.3 Golf fairways, swimming pools, tennis courts, and the like shall be located not less than twenty-five (25) feet from any property line, and adjoining property in an R or C District shall be effectively protected by a wall, hedge and/or heavy screen planting.

22-106 Clubs, community buildings, social halls, lodges, and fraternal organizations in R-Districts.

22-106.1 All buildings shall be a minimum of ten (10) feet from the side lot lines, and twenty-five (25) feet from the rear lot line.

22-106.2 There shall be no external evidence of any incidental commercial activities nor access to any space used for such activity other than from within the main building.

22-106.3 Any such use must be able to provide access without causing undue traffic on local residential streets.

22-107 Church, hospital, convalescent hospital or other religious or charitable institution in any R-District shall be located on a parcel of not less than one (1) acre, shall maintain a ten (10)foot wide minimum landscaped strip or solid six (6) foot fence on all property lines abutting said R-District, and shall have side yard and rear yard setbacks of at least twenty (20) feet and a front yard setback of at least twenty (20) feet.

22-108 Drive-in theaters shall be located only on major or secondary thoroughfares, shall provide ingress and egress so designed as to minimize traffic congestion, shall be located not less than two hundred (200) feet from any R-District, and so screened from such district that any noise shall not disturb residents and shall maintain lighted signs and other lights only in such a way as not to disturb neighboring residents. The projection screen shall not be visible from any major or secondary thoroughfare.

22-109 Dwelling Groups. A dwelling group shall be subject to Site Plan approval, and shall conform to the following conditions and requirements:

- 22-109.1 The area of the lot on which the dwelling group is to be erected shall be at least equal to the aggregate of the minimum lot areas otherwise required for the individual dwellings in the group.
- 22-109.2 Each dwelling in the group shall front either on a street, or other permanent open space at least fifty (50) feet in every dimension.
- 22-109.3 The distance between principal buildings shall be not less than the aggregate side yards required for principal buildings on adjoining lots in the district in which the group is located.
- 22-109.4 Every dwelling in the dwelling group shall be within sixty (60) feet of an access roadway or drive, having a right-of-way at least twenty (20) feet wide, providing vehicular access from a public street, and within two hundred (200) feet, measured along the route of vehicular access, from a public street.
- 22-109.5 Except as modified in this section, such dwelling group shall conform to all the requirements of this Ordinance for the district in which it is to be located.

22-110 Fertilizer Plants and Yards shall be no closer than one thousand (1000) feet to any residential district, shall provide automobile parking and truck loading area together with ingress and egress so designed as to minimize traffic hazard and congestion, and

shall be subject to the Performance Standards Procedure of Section 20-300.

22-111      Heliports or landing strips for aircraft. A heliport may be located in any district for emergency use only. Such heliport shall be subject to the Performance Standards Procedure of Section 20-300 and shall be subject to the securing of a Use Permit.

22-112      Home Occupations. A home occupation is an activity carried on in a dwelling, which is clearly incidental and secondary to the use of the dwelling as a residence; it shall not change the residential character thereof and there shall be no display of stock in trade. The home occupation shall be conducted entirely within the dwelling unit, and there shall be no use of any accessory building or yard space or activity outside the main building not normally associated with residential use. A "home occupation" shall be operated and maintained only by a resident of the dwelling in which such home occupation occurs and there shall be no employees. The "home occupation" shall not:

- 22-112.1 Involve the use of more than one(1) room or the equivalent of twenty (20) percent of the ground floor area of the dwelling unit, whichever is greater.
- 22-112.2 Involve the use of equipment powered by motors of more than a total of one (1) horsepower capacity or the equivalent thereof.
- 22-112.3 Generate vehicular or pedestrian traffic in excess of that associated with the residential use.
- 22-112.4 Create any radio or television interference or create noise audible beyond the boundaries of the site.
- 22-112.5 Emit odor or gaseous, liquid, or solid waste.
- 22-112.6 Have any sign or advertising devices other than one (1) non-illuminated name plate not more than one and one-half (1-1½) square feet in area, which may be used to identify the occupant and his "home occupation"; said name plate to be affixed flat against the outside wall of the dwelling.
- 22-112.7 Involve commercial retail sales on the premises.
- 22-112.8 Involve the use of commercial vehicles for delivery to or from the premises, other than a vehicle not to exceed one (1) ton, owned by the occupant of the home.

22-112.9 There shall be no external alteration of the appearance of the dwelling unit in which the home occupation is conducted.

22-112.10 The following uses shall not be deemed to be home occupations:

- a. Medical or chiropractic clinics
- b. Barber or beauty shops
- c. Pet grooming
- d. Real estate offices
- e. Photography studio except limited developing for sale elsewhere
- f. Child care for more than four (4) children
- g. Music lessons for classes of four (4) or more
- h. T.V., radio or appliance repair, other than hand held tools or appliances.
- i. Cabinet shop, furniture manufacturer or upholstery repair
- j. Automotive repair or maintenance or other automotive services
- k. Bicycle, lawn mower, or small engine repair or maintenance
- l. Welding

22-113 Kennels (commercial) for dogs and cats; riding academies and public stables shall be located not less than two hundred (200) feet from any property line, shall provide automobile and truck

ingress and egress, shall provide parking and loading spaces, so designed as to minimize traffic hazard and congestion; and shall be subject to Performance Standards Procedure of Section 20-300.

22-114

Mobile Home Park. A mobile home park shall conform to the following design, equipment and operational requirements:

22-114.1 General Provisions.

- a. Minimum Mobile Home Park Site Area: Ten (10) acres with a minimum frontage of 250 feet on a collector street, or more important street.
- b. Minimum Size of Space: Mobile home space shall have not less than 3,600 square feet with a minimum width of forty (40) feet and a minimum depth of seventy (70) feet;
- c. Maximum Density for the Mobile Home Park: Seven (7) units per gross acre;
- d. Sanitary Sewer and Water: Each mobile home space shall be provided with connections to the City sewer and water services;
- e. Drainage Facilities and Utility Services: All storm drainage facilities shall be placed underground in conformance with City Standards. All

utility distribution facilities (including but not limited to electric, communication and cable television lines) installed in and for the purpose of supplying service to any mobile home park shall be placed underground, except as follows:

Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal mounted terminal boxes, and meter cabinets and concealed ducts.

The developer is responsible for complying with the requirements of this Section, and shall make the necessary arrangements with the utility companies involved for the installation of said facilities. The Planning Commission may waive the requirements of this Section if topographical, soil or any other conditions make underground installation of said facilities unreasonable or impractical.

- f. Not more than ten (10%) of the spaces in a mobile home park may be reserved for transient use by recreation vehicles. Such spaces may be reduced to 1800 square feet in area and for purposes of calculating density, two recreation vehicle spaces shall be counted as one mobile home space. Reduced size recreation vehicle spaces shall be used for transient occupancy only, and no mobile home shall occupy such a space.

#### 22-114.2 Yard and Setback Standards.

The following minimum standards with respect to setback, side and rear yard, shall apply to the perimeters of a mobile home park.

- a. Yard setbacks shall be measured perpendicular to the property line or from a future street or highway line as shown on the Manteca General Plan or adopted precise street plan line;
- b. Yard setback provisions shall apply to main and accessory structures;
- c. Each mobile home park shall have a front yard setback of twenty (20) feet extending for the full width of the parcel devoted to said use;
- d. Each mobile home park shall have a rear and side yard setback of not less than fifteen (15) feet, except where the side or rear yards abut the street, in which event the setback shall be not less than twenty (20) feet;
- e. Walls and Screening. Appropriate decorative screening of not less than six (6) feet in height shall be constructed along all boundaries adjoining other properties. Three (3) foot screening shall be constructed along all boundaries adjoining a street or road. The screening herein required shall be designed so as to effectively screen the property, and may be constructed of solid or other material such as, but not necessarily limited to, block masonry, Plaster wooden fencing and wooden fencing.

22-114.3 The following standards shall apply to the interior facilities of a mobile home park:

- a. Park and Recreational Space: A minimum of two hundred and fifty (250) square feet of net usable area per unit shall be provided for a combination of both indoor and outdoor community recreation and service facilities. Indoor facilities shall be provided on a basis of fifty (50) square feet per unit for the first one hundred and fifty (150) units and ten (10) square feet for each additional unit. If the development of the park is to be done in phase construction, then the community center area must be developed during the construction of Phase No. 1;
- b. Parking Requirements: There shall be two (2) paved parking spaces for each mobile home space. One (1) parking space shall be included in each mobile home space and the remaining required parking spaces shall be conveniently distributed throughout the park to serve tenant and guest needs.
- c. Interior Access Drives: Access drives shall be paved to a width of not less than twenty-five (25) feet from shoulder to shoulder. Access drives shall be thirty-three (33) feet in width if car parking is permitted on one side and forty-one (41) feet in width if car parking is permitted on both sides.

1. All drives shall be paved with asphaltic concrete on adequate subbase material with concrete curbs and gutters. All such construction and improvement shall be in accordance with standards established by the Department of Public Works.
  2. No access drive shall intersect a public street closer than one hundred (100) feet to any public street intersection.
  3. All dead end drives shall have a minimum outside turning radius of thirty-eight (38) feet;
  4. All corners shall have a minimum fifteen (15) foot radius;
  5. Curbs and gutters shall be installed on both sides of all access drives;
  6. All access drives shall be adequately lighted;
  7. Each mobile home space shall front on an access drive;
  8. Stop signs shall be provided at all intersections with public streets.
- d. Setback Requirements (Interior):
1. There shall be not less than ten (10) feet of space between adjoining mobile homes. Where residential mobile homes are located near any permitted building or structure, other than another mobile home, the minimum space between the mobile home and said building or structure shall be twenty (20) feet;

2. Front yard: There shall be a minimum front yard of ten (10) feet extending for the full width of the mobile home space;
  3. Side and Rear Yards: There shall be a minimum side and rear yard of 5 feet from all space lines. Where the side or rear yard abuts an access road, public parking area or walk, said side or rear yard shall not be less than ten (10) feet.
- e. Storage Areas: Individual storage areas for each mobile-home site shall be provided as part of the development. Service vehicles and equipment used for maintenance of the mobilehome park shall be stored in enclosed areas. Storage space for travel trailers, boats, and boat trailers shall be provided at a ratio of one (1) 300 square foot space for each four (4) mobilehome sites. Such areas shall be adequately screened and fenced.
  - f. Management Office: Each mobile home park shall maintain a permanent management office building. The management office shall provide suitable facilities for mail distribution.
  - g. Pedestrian Walkway: Pedestrian walkways shall be required for interior pedestrian movement and shall be separate from drives for vehicular traffic.
  - h. Patio Area: Each mobile home site shall have a patio area not less than three hundred (300) square feet in area. Such patio shall be paved with concrete or other approved material, or may be a raised wood deck.

22-114.4 Landscaping: A comprehensive landscape plan shall be required which will indicate open space, ground cover, recreational areas, tree plantings and shrubbery and proposed types of plantings.

22-115

Motels.

- 22-115.1 No vehicular entrance to, or exit from any motel, shall be within one hundred (100) feet along a street from any school, public playground, church, hospital, library or institution for dependents or for children, which is on the same side of the street and within the same block as the entrance or exit in question.
- a. Any motel site shall have a minimum area of twenty thousand (20,000) square feet and shall contain not less than one thousand (1,000) square feet per sleeping unit for 1-story units, eight hundred (800) square feet per sleeping unit for 2-story units, or six hundred (600) square feet per sleeping unit for units over two stories. The buildings shall not occupy in the aggregate more than thirty (30) per cent of the area of the lot. All areas not used for access, parking, circulation, buildings, and services shall be completely and permanently landscaped and the entire site shall be maintained in good condition.
  - b. Buildings shall be located not less than ten (10) feet from all lot lines.

22-116 Nursery Schools, day care center for more than five (5) children  
shall maintain a minimum six (6) foot high solid board fence  
around any play area abutting a residential district.

A nursery school shall not be located on any lot of less than  
ten thousand (10,000) square feet in area, and shall not be  
so located as to develop excessive traffic on local residential  
streets.

22-117 Nursing Homes.

22-117.1 Approval must be obtained from proper agencies  
concerning health and safety conditions, and said  
home must be licensed by such agencies.

22-117.2 An off-street loading area for an ambulance shall  
be provided and shall be screened from the street  
and from neighboring properties.

22-117.3 If an incinerator is provided, it shall be located  
on the rear one-half of the property and the  
stack shall not be closer than thirty (30) feet to  
any neighboring dwelling. The effluent from such  
stack shall comply with the Performance Standards  
of Article 20.

22-118 Quarries, Gravel Pits and Excavations.

22-118.1 The following extractions from or deposits on the  
earth of rock, stone, gravel, sand, earth, minerals,  
or building or construction materials shall be  
permitted in any district:

- a. Excavations for the foundation or basement of a building or swimming pool for which a Building Permit has been issued, or deposits on the earth of any building or construction materials to be used in a structure for which such Building Permit has been issued.
- b. Grading in a subdivision which has been approved by the City in accordance with the Manteca Subdivision Ordinance and the Manteca Grading Ordinance.

22-118.2 The Planning Commission shall have the power to grant and revoke Conditional Use Permits, in accordance with Section 26 valid for specified periods of time, to permit extractions from or deposits on the earth of rock, stone, gravel, sand, earth, minerals or building or construction materials other than those listed in 22-118.1 above.

- a. The City Engineer shall make such inspections as he deems necessary or as are required by the Planning Commission to ensure that all work is in accordance with the Conditional Use Permit. The actual cost to the City of all inspection services shall be paid for by the applicant.

- b. The conditions under which a Conditional Use Permit for excavation from or deposit on the earth of said materials may be issued, shall include requirements deemed necessary to protect the public health, safety, comfort, convenience or general welfare; insurance against liability arising from production or activities or operations incident thereto; provisions to insure completion of the work, and cleaning up and planting in accordance with approved plans; designation of area in which work may be done; designation of slope to which excavation may be made, and/or the grade of fill slopes; provisions for controlling dust; hours during which operations may proceed; precautions which must be taken to guide safe traffic movements by vehicles in and around said operation; enclosure by fences of exterior boundaries of property; and any other conditions deemed necessary by the Planning Commission.
- c. A bond, satisfactory to the City Engineer, may be required to insure compliance with all Permit conditions.

22-119        Retail Sales for Guests only. Community buildings, private clubs, lodges, social or recreational establishments may engage in retail sales for guests only, provided that:

22-119.1 There shall be no external evidence of any commercial activity, nor any access to any space used for commercial activity other than from within the main building.

22-119.2 There be no adverse impact to adjacent existing residential development due to excessive traffic generation or noise or other circumstances.

22-120        Service Stations

22-120.1 When service stations are Conditional Uses, they shall be permitted only where:

- a. They do not interfere with pedestrian movement, nor retail store frontage.
- b. They will not be a nuisance to residences or other surrounding uses.
- c. They will not cause traffic hazards or undue traffic congestion.

22-120.2 The Site Plan Review shall provide spaces for any material or equipment such as tires, rental trailers, or other merchandise, kept outside for sale or rental, and shall include provisions for the upkeep and screening of such spaces if necessary.

22-120.3 No gasoline service station, shall have an entrance or exit for vehicles within forty (40) feet of intersecting major thoroughfares or within one hundred (100) feet of a school, public playground, church, hospital, public library or institution for dependents or for children, which is on the same side of the street and in the same block as the entrance or exit in question.

22-121 Stables (private) and paddocks shall be located on the rear half of the lot and not closer than twenty (20) feet to any property line, nor closer than forty (40) feet from any dwelling on the same or adjoining property.

22-122 Swimming pool (private). (Not including swimming pools as facilities of private clubs), as regulated herein, shall mean any outdoor pool, pond, lake or tank over thirty (30) square feet in area, greater than one and one-half (1 1/2) feet deep and intended for wading or swimming. No such swimming pool shall be allowed in any R-District except as an accessory use and unless it complies with the following conditions and requirements:

22-122.1 The pool is intended and is to be used solely for the enjoyment of the occupants and guests of the occupants of the principal use of the property on which it is located.

- 22-122.2 The pool may not be located closer than five (5) feet to any property line of the property on which located, nor closer than six (6) feet to the main building on the lot.
- 22-122.3 The swimming pool, or the entire property on which it is located, shall be so walled or fenced as to prevent uncontrolled access by children from the street or from adjacent properties; and where located less than thirty (30) feet from any property line shall be screened by a masonry wall or solid fence not less than six (6) feet in height on the side facing such property line. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device designed to keep and be capable of keeping the door or gate securely closed when not in actual use, with the latching placed four (4) feet above ground level or otherwise made inaccessible to children from the outside; but the door of any dwelling occupied by human beings and forming any part of the enclosure hereinabove required need not be so equipped. All these gates or doors shall be kept closed or latched when the pool or body of water is not in use.
- 22-122.4 Swimming pool filtration equipment shall not be closer than fifteen (15) feet to the main building on an adjoining lot.

22-123      Tract Office (Temporary) and Model Units in any district shall be located on the property to which they are appurtenant. A conditional use permit may be granted which shall be limited to a one (1) year period, prior to the expiration of which time the applicant may request a further extension of time. Thirty (30) days after the expiration of the Conditional Use Permit, or any extension thereof, all commercial activity shall cease and the temporary office building, if any, shall be removed at the owner's expense.

22-124      Travel Trailers, Boat or Horse Trailers, Recreation Vehicles, Boats. The following provisions regulating the placing of a trailer or recreation vehicle on a residential lot shall apply only to lots on which a building permit for a main building is issued after the effective date of this ordinance.

22-124.1 Trailers. It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, any mobile home, except a travel trailer, upon any lot, piece or parcel of land within the residential zones of the City, except in a mobile home park.

22-124.2 It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, a travel trailer, recreation vehicle or camper upon any lot, or parcel of land within the residential zones of the City, except in a mobile home park or a travel trailer park, with the following exceptions.

- a. One such vehicle may be kept wholly within a structure lawfully existing on the premises; or
- b. One such facility may be placed, kept or maintained upon any lot, within the residential zones of the City provided that it shall be located no closer to any street line than the front yard dimension required herein for the lot on which it is placed, and provided further that no part of any travel trailer, recreation vehicle, or camper shall be maintained, kept or placed closer than three (3) feet to any building used for human habitation.
- c. Notwithstanding any provisions contained herein, such vehicle may be located anywhere on the lot, except in a clear vision zone of a corner lot as defined in Section 24-702 hereof, for a period not to exceed twenty-four (24) hours for loading and unloading purposes or for the temporary storage not to exceed seven (7) days of such vehicle owned by a bona fide guest of the occupants of the premises.

22-124.3 It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, any mobile home, travel trailer, recreation vehicle or camper upon any lot, or parcel of land within the nonresidential zones of the City other than in a mobile home park or trailer park or in a properly approved storage or sales yard, except as follows:

- a. A Use Permit may be issued for a mobile office (designed solely for such purpose) to be used as a temporary office for a period not exceeding one year; such Use Permit may be extended, upon application prior to its expiration, for not more than one additional year.
- b. A travel trailer may be occupied by a night watchman or security guard for not more than ninety (90) days, provided that no other adequate quarters are available.

22-124.4 Boat Trailers, Horse Trailers, Utility Trailers, and Boats. It shall be unlawful for any person to place, keep or maintain, or permit to be placed, kept or maintained, any boat, boat trailer, horse trailer, or utility trailer, upon any lot, or parcel of land within the residential zones of the City with the following exceptions:

- a. Such vehicles may be kept wholly within a structure lawfully existing on the premises; or
- b. Such vehicles may be kept upon any lot, within the residential zones of the City provided that no part of any boat or trailer shall be located closer than fifteen (15) feet to any street line.

- c. Notwithstanding any provisions contained herein, such boat or trailer may be located anywhere on the lot, except in a clear vision zone of a corner lot as defined in Section 24-702 hereof, for a temporary period not to exceed twenty-four (24) hours for loading and unloading purposes, or for the temporary storage not to exceed seven (7) days of such vehicle owned by a bona fide guest of the occupants of the premises.

22-125

Trucks and Truck Trailers

It shall be unlawful for any person to place or permit to be placed, any truck or truck trailer in any residential zone of the City, except for pickup or delivery service, or to carry out a service function or as part of the operation of a legally existing non-conforming use, provided that in no case shall such truck or truck trailer be parked at any location in the residential zone longer than required for such pickup or delivery service or service function, other than within the grounds of a legally existing non-conforming use located within the residential zone and of which operation the truck or truck trailer is a part.

22-126

Yard and Garage Sale

A garage, yard, or similar sale may be conducted on any developed parcel, in a residential district, subject to the following restrictions:

- a. No more than two (2) such activities may be conducted on any one parcel in any one calendar year.
- b. Each activity period shall be for no more than three (3) days, unless additional time is approved by the Zoning Administrator.
- c. All related signs shall conform to Sign Ordinance #438, Section 5.4.

SECTION 23-100 LANDSCAPING

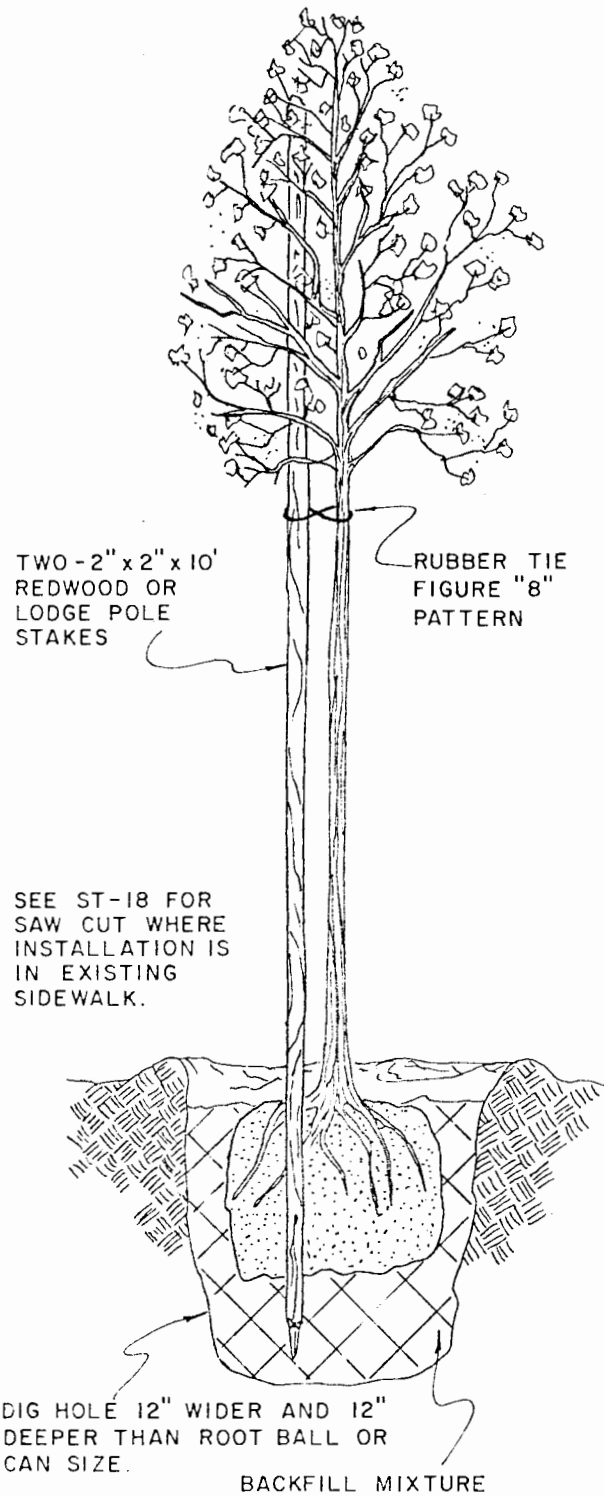
Landscaping refers to planting and related improvements such as pools, walkways, rock work, sculpture, etc. provided for the purpose of beautifying and enhancing a property, for the control of erosion and the reduction of glare.

- 23-101            When an area is required to be landscaped under the terms of this Ordinance, the requirement may be met by the installation and maintenance as set forth below, of a combination of living shrubs, trees, vines, lawn or other ground cover, water surfaces and paved or gravelled surfaces provided that such gravelled area shall not cover more than ten (10) percent of the area required to be landscaped.
  
- 23-102            Plant materials shall be selected from among those species and varieties known to thrive in the Manteca climate. The Zoning Administrator may require the substitution of any plant material which he has reason to believe will not survive successfully under the particular conditions of the site in question.
  
- 23-103            Whenever street trees are required to be installed, such street trees shall conform to the street tree planting plan of the City of Manteca in terms of variety, size and spacing, or if the plan is not applicable, shall be selected from a list of approved street trees supplied by the Manteca Parks and Recreation Department.
  
- 23-104            Landscaping required by this ordinance shall mean the installation of planting and related improvements on the front portion of the lot between the building and the street, except for necessary walks and driveways, and such other areas as may be determined through Site Plan Review.

SECTION 23-200    SCREENING

Screening refers to a wall, fence, hedge, informal planting, or berm, provided for the purpose of buffering a building or activity from neighboring areas or from the street. When required, screening may be provided by one or more of the following means:

- 23-201            A solid masonry wall meeting the standards of the Manteca Building Inspector.
  
- 23-202            A solid board fence of approved design with wood posts not less than four (4) inches by four (4) inches and solid board cover not less than one (1) inch in thickness. Masonry piers may be substituted for wood posts. Posts or piers shall be spaced not more than six (6) feet on centers.
  
- 23-203            An opaque evergreen trimmed hedge, the thickness of which shall not be less than forty (40) percent of its required or intended height.
  
- 23-204            An opaque evergreen informal screen planting, the thickness of which shall not be less than fifty (50) percent of its required or intended height.
  
- 23-205            An earth berm may be used in combination with any of the above types of screening, but not more than two-thirds (2/3) of the required height of such screening may be provided by the berm.
  
- 23-206            Height and Location of Screening. Unless otherwise specified screening required by this Ordinance shall be not less than six(6) feet in height. except that adjacent to the front yard



1. MINIMUM TREE SIZE TO BE 15 GALLON CONTAINER OF EQUIVALENT BARE ROOT SIZE.
2. MINIMUM TREE HEIGHT SHALL BE 7'-0" MEASURED FROM TOP OF CONTAINER TO TOP OF TREE.
3. MIX BACKFILL MIXTURE WITH ONE CUBIC FOOT PEAT MOSS OR REDWOOD SAWDUST, PLUS ONE CUP 6-10-10 COMMERCIAL FERTILIZER.
4. TREES SHALL BE WATERED AT TIME OF PLANTING.
5. EACH TREE SHALL HAVE TWO (2) 2"x2"x10' REDWOOD OR LODGE POLE STAKES, A MINIMUM 2' IN THE GROUND.
6. IN THE CASE OF NEW CONSTRUCTION A LANDSCAPE PLAN SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR APPROVAL. ALL LANDSCAPING SHALL BE COMPLETED PRIOR TO FINALIZATION OR OCCUPANCY OF THE NEW STRUCTURE.
7. RESIDENTIAL: THE CITY SHALL PLANT TREES AT AN APPROPRIATE TIME. COMMERCIAL: THE DEVELOPER SHALL WATER ALL TREES AND SHRUBS UNTIL ACCEPTANCE OF ALL IMPROVEMENTS BY THE CITY.
8. ALL TREES SHALL BE PLACED A MINIMUM OF 8' FROM SEWER LATERALS AND WATER SERVICES, AND A MINIMUM OF 20' FROM ELECTROLIERS.
9. SEE STANDARD ST-17 TREE WELL LOCATION DETAIL FOR LOCATION OF TREES ON COMMERCIAL STREETS.
10. SEE STANDARD ST-18 STANDARD STREET TREE PLANTING FOR LOCATION OF TREES ON RESIDENTIAL STREETS.
11. ALL LAWN AND LANDSCAPE AREAS SHALL HAVE A SPRINKLER SYSTEM OF ADEQUATE SIZE TO SUPPLY WATER TO ALL AREAS.
12. SHRUBBERY SHALL BE INSTALLED AT A RATIO OF 75% 5 GALLON SIZE AND 25% 1 GALLON SIZE.
13. ANY CHANGES TO THE APPROVED LANDSCAPE PLAN SHALL BE APPROVED BY THE PLANNING DEPARTMENT PRIOR TO ACTUAL CHANGE.

NO.	REVISED	BY	<b>LANDSCAPE STANDARD</b>  <b>CITY OF MANTECA</b> OFFICE OF PLANNING	APPROVED BY:
DRAWN BY:				DIRECTOR
CHECKED BY:				DRAWING NO.
SCALE:				DATE:



or street-side yard of an adjoining lot in an R or C-0 District such screening shall be not less than thirty (30) inches nor more than forty-two (42) inches in height. All screening shall follow the lot line of the lot to be screened, or the inside edge of the sidewalks, or shall be so arranged within the boundaries of the lot as to substantially hide from adjoining properties the building, facility or activity required to be screened.

23-207 Prescribed screening need not be placed along a lot line so long as a building wall, solid fence, or freestanding wall of the required height exists immediately abutting and on the other side of the lot line.

SECTION 23-300      STANDARDS FOR INSTALLATION AND MAINTENANCE

23-301 All planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. Whenever necessary, planting shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. All landscaped areas shall be provided with an appropriate automatic irrigation system.

23-302 Heights of plant screens or hedges specified herein indicate the height which may be expected within three (3) years of planting. The height at time of planting shall be such that

in accordance with good landscape practice the full required height may be achieved within a three (3) year period.

23-303 Masonry or wood screening walls shall be maintained in good repair including painting, if required, and shall be kept free of litter or advertising.

23-304 The standards set forth herein for location and height of landscaping or screening may be modified as directed by the Zoning Administrator whenever it appears that such landscaping or screening would constitute a danger to traffic by reason of impairment of vision at a street or driveway intersection.

23-305 Along a lot line in or adjacent to an R District, except as specified in Section 23-206, required screening shall not be higher than six (6) feet. Necessary trimming or pruning shall be employed to maintain this height.

SECTION 23-400 EXISTING TREES

Existing trees over six (6) inches in diameter, measured three (3) feet above the base of the trunk, shall be retained whenever possible.

ARTICLE 24 GENERAL PROVISIONS AND EXCEPTIONS

The regulations of the zoning ordinance shall be subject to the following general provisions and exceptions.

SEC 24-100 EXISTING LOTS OF RECORD

In any district for which a minimum lot area is established, a lot of record having less than the required area and/or width may be used subject to the following requirements:

- 24-101 If a lot is narrower than the width specified for the district in which it is situated, the side yards may be reduced by an amount proportional to the amount by which the lot width falls below the district requirement, provided that no side yard may be reduced to less than four (4) feet in width.
- 24-102 The depth of the rear yard of any such lot shall be ten (10) feet or twenty (20) percent of the depth of the lot whichever is greater.

SEC 24-200 FRONT YARD PROVISIONS

- 24-201 On a site situated between sites improved with buildings, the minimum front yard shall be the average depth of the front yards on the improved sites adjoining the side lines of the site.
- 24-202 Where a site is not situated between sites improved with buildings and where sites comprising forty (40) percent of the frontage on a block is improved with buildings, the depth of the minimum front yard shall be the average of the existing front yard depths in the block.
- 24-203 In computing average front yard depth, a depth no greater than ten (10) feet more than the required front yard for the District in question shall be used in lieu of any greater existing front yard depth.
- 24-204 On a site which is not rectangular or approximately rectangular in shape, the required front yard shall be the shortest distance between the structure and the front lot line.

SEC 24-300 SIDE AND REAR YARD PROVISIONS

- 24-301 On a corner lot adjacent to a key lot in an "R" District, the street side yard on the rear fifty (50) feet of said corner lot shall be not less than the front yard required on the key lot.
- 24-302 On the street side of a corner lot, the minimum side yard, shall not be less than ten (10) feet.
- 24-303 The minimum width of a corner lot shall be ten (10) percent greater than the minimum lot width established for the district in which the lot is situated.
- 24-304 Where the side or rear lot line of a lot occupied by a use other than a residential use adjoins a lot in an "R" District, there shall be a side or rear yard on such lot adjoining the "R" District which shall be not less than that required in said "R" District.
- 24-305 Covered patios when attached to the main building shall conform to all required main building setbacks.
- 24-306 Owners of two adjoining lots may petition the Zoning Administrator for the elimination of the side yard along the common lot line, provided that a single side yard twice the required side yard width is provided on each lot. Such modification may be authorized only when the Planning Commission finds it to be conducive to the unified development of a group of lots, and that the proposed development fully protects the property values and light and air of all adjacent lots not included in the modified group.
- 24-307 On a site which is not rectangular or approximately rectangular in shape, the required side and rear yards shall be computed in a manner prescribed by the Zoning Administrator, provided that no main building shall be closer than ten (10) feet to the rear lot line.

- 24-308 In a district other than an "R" District, any dwelling located above a non-residential use shall maintain the same front, side and rear yards as are required for such non-residential use.
- 24-309 In any district in which a rear yard is required, if the rear of the lot abuts an alley, one-half the width of the alley to a maximum of ten (10) feet may be considered as a part of the rear yard.
- 24-310 On a corner or reversed corner lot the rear yard otherwise required may be reduced by fifty (50) percent.

SEC 24-400 PROJECTIONS INTO REQUIRED YARDS

The following architectural features may project into required yards or courts, provided that no projection shall extend into a public utility easement.

- 24-401 Cornices, canopies, eaves or other architectural features may project a distance not exceeding two (2) feet into any yard, provided such projection shall not exceed one-half (1/2) the otherwise required yard width or depth.
- 24-402 Fire escapes may project a distance not exceeding four (4) feet, six (6) inches into any yard, provided that they are not closer than two (2) feet to any property line.
- 24-403 An uncovered stair and any necessary landings may project a distance not to exceed six (6) feet into a required front or rear yard, or four (4) feet into a required side yard, provided such stair and landing, except for a railing, shall not extend above the floor level of the first floor of the building, and provided that no stair or landing shall be closer than two (2) feet to any property line.
- 24-404 Bay windows, balconies, and chimneys may project a distance not exceeding three (3) feet into any required yard, provided that such features do not occupy, in the aggregate more than one-third (1/3) of the length of the building wall on which they are located and provided such projections shall not exceed one-half (1/2) the otherwise required yard width or depth.

24-405 On a rectangular lot, an "L" shaped building in which the offset forms two sides a minimum length of ten (10) feet each, may extend into the rear yard a distance of not less than fifteen (15) feet from the rear lot line.

SEC 24-500 PROVISIONS FOR ACCESSORY BUILDINGS

24-501 A detached accessory building shall be constructed only on a lot on which exists a permitted main building to which said accessory building is related, except that in the case of new construction on a lot, the accessory building may be built and used for utility purposes for not more than one (1) year in connection with the construction of the main building provided a Building Permit is taken out for the entire project including both buildings prior to beginning any construction.

24-502 A detached accessory building, not more than one story in height, may occupy not more than fifty (50) percent of a required rear yard subject to the following regulations:

24-502.1 No detached accessory building shall be closer to the main building than six (6) feet.

24-502.2 On a corner lot no detached accessory building except a patio structure shall be located so as to encroach on the half of the lot nearest the street.

24-502.3 On a corner lot adjacent to a key lot, no accessory building shall be located nearer to the rear lot line than a distance equal to the side yard required on such key lot.

24-502.4 On a through lot having frontage on two more or less parallel streets, no detached accessory building shall be located on the one fourth of the lot nearest either street.

24-502.5 No accessory building shall be closer to a side property line than five (5) feet, nor closer to a rear property line than five (5) feet.

SEC 24-600 HEIGHT PROVISIONS

Height limitations established by this Ordinance shall not apply to the following structures, provided that no structure in excess of the height limit of the district in which it is situated may be used for eating or sleeping, or for advertising.

- 24-601 To church spires, belfries, cupolas and domes, monuments, water towers, fire and hose towers, observation towers, distribution and transmission towers, lines and poles, windmills, chimneys, smokestacks, flag poles, radio towers, masts and aerials; to parapet walls extending not more than four (4) feet above the limiting height of the building.
- 24-602 To places of public assembly in churches, schools, and other permitted public and semi-public buildings, provided that these rooms are located on the ground floor of such buildings and provided that for each one (1) foot by which the height of such building exceeds the maximum height otherwise permitted in the District, its side and rear yards shall be increased in width or depth by an additional foot over the side and rear yards required for the highest building otherwise permitted in the District.
- 24-603 To elevator and stair penthouses, water tanks, monitors and scenery lofts, provided no linear dimension of any such structure exceeds fifty (50 percent of the corresponding street lot line frontage; or to towers and monuments, fire towers, hose towers, cooling towers, gas holders or other structures, where the manufacturing process requires a greater height. Provided, however, that any structure above the height otherwise permitted in the District shall occupy no more than twenty-five (25) percent of the area of the lot and shall be distant not less than twenty-five (25) feet from every interior lot line.

SEC 24-700 OTHER EXCEPTIONS

- 24-701 Fences, walls, and retaining walls not more than six (6) feet in height may occupy any required yard or other open space, except that fences and walls shall be no higher than three (3) feet, six (6) inches when located in the required front yard setback area, the required setback area along the side street of a corner lot and along the rear or side property line of a reversed corner lot where it abuts the front yard of the adjoining key lot.
- 24-702 On a corner lot in any district there shall be no fence, wall, or hedge higher than three (3) feet, six (6) inches, nor any obstruction, other than a post, building column or tree not more than two (2) feet in diameter, between the height of three (3) feet, six (6) inches and ten (10) feet above the top of the curb or if no curb exists, above maximum street grade within the front or street side yard of such lot.
- 24-703 Notwithstanding any other regulations herein, open weave chain link fences no higher than four (4) feet may occupy the required front yard area, or the required setback area along the side street of a corner lot and along the rear or side property line of a reversed corner lot where it abuts the front yard of the adjoining key lot. Vision through the chain link fence shall remain totally unobstructed at all times.

SEC 24-800 ACCESSORY USES PERMITTED IN ANY DISTRICT

In any district there may be kept on a lot with a principal permitted use, a total of not more than six (6) small animals or fowl, for home consumption and not for commercial use. Not more than three (3) of such animals may be dogs or cats over ten weeks of age, and there shall not be any roosters, quacking ducks, turkeys, geese, pea fowl, guinea fowl or goats, sheep or hogs.

SEC 24-900 CONDITIONAL USES PERMITTED IN ANY DISTRICT

The Planning Commission may issue a Conditional Use Permit for any of the following uses in any district when it is deemed to be necessary in the public interest. In issuing a Use Permit the Commission shall consider the welfare of the surrounding area and shall establish such restrictions and conditions on the Use Permit as it shall deem necessary.

- 24-901 Power stations, pumping stations, reservoirs, tanks and other structures necessary for the operation of a public utility.
- 24-902 Heliports only when required for emergency service.
- 24-903 Cemeteries.
- 24-904 In any district other than an R-E District a Use Permit may be issued for the commercial raising of small animals, or fowl, or for general animal husbandry or dairying and uses customarily accessory thereto, but not including the raising of hogs, on parcels which exceed one acre in area.

ARTICLE 25

NON-CONFORMING USES

SEC 25-100

PURPOSE

The purpose of the regulation of non-conforming uses is to control, reduce, or eliminate conflicts arising from the presence in any district of uses or structures not conforming to district regulations. Where the degree of conflict is sufficiently great as to constitute an impairment of public welfare, peace or safety, it is the intent of this Article to provide an equitable process for the removal of such uses or structures.

SEC 25-200

DEFINITIONS

25-201

Non-Conforming Use. A non-conforming use is one which was originally legal but which does not presently conform to the provisions of the district in which it is situated. Any previously existing use for which district regulations now require a Use Permit, shall be deemed to be non-conforming until such a permit is secured.

25-202

Non-Conforming Structure. A non-conforming structure is one which was legal at the time of construction, but which does not presently conform to the provisions of the district in which it is situated. Any previously existing structure, including a sign or sign structure, for which district regulations now require a Use Permit, shall be deemed to be non-conforming until such a permit is secured.

SEC 25-300

REGULATION OF NON-CONFORMING USES AND STRUCTURES

All non-conforming uses or structures other than those listed in Section 25-400 below shall be subject to the following regulations:

25-301

A non-conforming use or structure shall not be enlarged, extended or moved to a different portion of the lot or parcel of land occupied by such use, except that a non-conforming structure may be reconstructed in such a way as to make it conforming.

- 25-302 A non-conforming use shall not be changed to another non-conforming use without approval by the Planning Commission and then only to a use which, in the opinion of the Commission is of the same or of a more restricted nature.
- 25-303 A non-conforming use of a structure shall not be re-established if such use has been discontinued for a period of six (6) months or more, or has been changed to, or replaced by, a conforming use. Intent to resume use of a non-conforming structure shall not confer the right to do so.
- 25-304 A non-conforming use of land, involving no structure, other than fences, signs and buildings less than four hundred (400) square feet in area, shall not be re-established if such use of land has been discontinued for a period of three (3) months or more, or has been changed to, or replaced by, a conforming use. Intent to resume a non-conforming use of land shall not confer the right to do so.
- 25-305 A non-conforming structure which is damaged by fire, flood, or act of God to an extent exceeding 50 percent of its value, as determined by the County Assessor, shall not be restored or reconstructed except in such a manner and for such a use as will conform to the regulations for the district in which it is situated.
- 25-306 Notwithstanding any of the foregoing regulations, nothing in this Section shall be deemed to prevent normal maintenance and repair of any use or structure or the carrying out upon the issuance of a building permit of major structural alterations or demolitions necessary in the interest of public safety. In granting such a building permit, the Building Inspector shall state the precise reason why such alterations were deemed necessary.

SEC 25-400

USES SUBJECT TO MANDATORY DISCONTINUANCE

In any residential District, any non-conforming use of open land, including but not limited to, such uses as a parking lot, junk yard, or open storage yard for materials or equip-

ment, is deemed sufficiently objectionable, undesirable, and out of character in the district in which such use is located as to depreciate the value of other property and uses permitted in the district, and impair the proper and orderly development and general welfare of such district and the community. Therefore each such non-conforming use shall be discontinued at the end of three (3) years after the effective date of this ordinance, which time period is specified for the purpose of permitting the amortization of the value of such use. The time period shall be measured from the date of adoption of this Ordinance or from the date of adoption of any subsequent amendment thereof which has the effect of making any existing use non-conforming.

SEC 25-500

NON-CONFORMITY BY REASON OF NON-COMPLIANCE WITH PERFORMANCE STANDARDS OR ABSENCE OF A CONDITIONAL USE PERMIT

25-501

Any use which is non-conforming at the time of the adoption of this Ordinance by reason of non-compliance with performance standards established herein in Article 20 shall adopt measures necessary to conform therewith within five (5) years of the adoption of this Ordinance.

25-502

Any use which is non-conforming by reason of failure to secure a Use Permit shall be subject to the regulations of Section 25-400 until such time as a Use Permit is secured.

SEC 25-600

CONSTRUCTION APPROVED PRIOR TO ORDINANCE

A building, structure or part thereof which does not conform to the regulations for the District in which it is situated but for which a building permit was issued prior to the enactment of this Ordinance, may be completed providing work is pursued continuously and without delay. Such building, structure or part thereof shall be deemed to be a non-conforming use and shall thereafter be subject to the restrictions set forth herein.

ARTICLE 26

ADMINISTRATIVE PROCEDURES AND PERMITS

SEC 26-100 ZONING CONFORMANCE APPROVAL

- 26-101 The purpose of Zoning Conformance Approval is to insure compliance with the provisions of this ordinance. From and after the effective date of this ordinance no Building Permit shall be issued unless the Zoning Administrator shall find the proposed structure and the intended use thereof to be in full conformance with the general provisions of this ordinance and the district in which the structure is to be situated.
- 26-102 From and after the effective date of this ordinance no Business License shall be issued unless the Zoning Administrator shall find the proposed activity to be in full conformance with the general provisions of this ordinance, and the district regulations for the district in which the proposed activity is to be conducted.
- 26-103 The Zoning Administrator shall evidence his finding of Zoning Conformance by affixing his signature to the Building Permit application or the Business License application, as the case may be.
- 26-104 The officer responsible for issuing a Building Permit or Business License, as the case may be, shall not issue such permit or license until the finding of zoning conformance has been made, and the approval attested by the signature of the Zoning Administrator as provided in Section 26-103 above.

SEC 26-200 ZONING ADMINISTRATOR

- 26-201 Creation of Zoning Administrator. In order to achieve improved coordination in the administration of the Zoning Ordinance; to increase the efficiency of the zoning enforcement proceedings; to reduce the time consumed in processing applications for the various permits and reviews prescribed herein and to relieve the Planning Commission of certain routine functions in order that it may give its attention to its primary responsibility of comprehensive planning, there is hereby created in the Department of City Planning, a Zoning Administrator.

The Zoning Administrator shall be the Director of Planning or shall be his deputy, and be under his direction. He shall have the powers and duties set forth below. The Zoning Administrator shall:

- 26-201.1 Accomplish all administrative actions required by the Ordinance, including the giving of notice, preparing reports, reviewing all applications required by this ordinance, receiving and processing appeals, receiving and accounting for fees, and issuing approvals of Zoning Conformance as set forth in Section 26-100
- 26-201.2 Conduct site plan reviews as provided in Section 26-400.
- 26-201.3 Issue certificates of compliance with Performance Standards in conformance with Article 20.
- 26-201.4 Supervise staff members assigned to zoning administration.
- 26-201.5 Maintain the Zoning Ordinance, Zoning Map, and all records of zoning actions and cases.
- 26-201.6 Interpret the Zoning Ordinance to members of the public, to City departments and other branches of City government, including preliminary negotiation with and advice to applicants for zoning administration action, subject to the policy of the Planning Commission and City Council.
- 26-201.7 Report quarterly to the Planning Commission on the conduct of his office including number of cases handled and their disposal, and recommendations for changes and improvements in Ordinance regulations and procedures.

26-202 Appeal. Any person who is dissatisfied with a ruling or interpretation of the Zoning Administrator may appeal the matter to the Planning Commission. Such appeal shall be made in writing to the Zoning Administrator who will cause the matter to be placed on the next available agenda of the Planning Commission.

SEC 26-300 VARIANCES

The purpose of the variance is to allow variation from the strict application of the terms of this Ordinance where:

By reason of the exceptional narrowness, shallowness or unusual shape of a parcel of property on the effective date of this Ordinance;

Or by reason of exceptional topographic conditions, or other extraordinary situation or condition of such parcel;

Or by reason of the use or development of property immediately adjoining the parcel in question;

the literal enforcement of the requirements of this Ordinance would involve practical difficulties or would cause undue hardship unnecessary to carry out the spirit and purpose of this Ordinance. In no case shall a variance be granted to permit a use other than a use permitted in the district in which the property in question is situated.

- 26-301 Application. Application shall be made by the property owner to the Planning Commission on a form provided by the City of Manteca and shall be accompanied by maps, drawings and information required to demonstrate that the conditions set forth in this section apply to subject property, together with any other data necessary to permit the Planning Commission to make the findings required herein.
- 26-302 Fee. The fee shall be            dollars, no part of which shall be refundable.
- 26-303 Investigation and Report. The Zoning Administrator shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the Planning Commission.
- 26-304 Public Hearing. The Planning Commission shall hold at least one public hearing on each application for a variance as prescribed in Section 26-601

- 26-305 Action of Planning Commission. The Commission shall act on a variance application within twenty (20) days, and may approve, conditionally approve or deny an application for a variance. In granting a variance the Commission may impose such requirements and conditions as it deems necessary to enable it to make the required findings. The Commission shall grant a variance only if it is able to find:
- 26-305.1 That there are peculiar and unusual conditions inherent in the property in question sufficient to cause a hardship, and that such conditions are not common to all or most of the properties in the immediate area.
  - 26-305.2 That a hardship peculiar to the property and not created by any act of the owner exists. In this context, personal, family or financial difficulties, loss of prospective profits, and neighboring violations are not hardships justifying a variance;
  - 26-305.3 That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and in the vicinity, and that a variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his neighbors;
  - 26-305.4 That the authorizing of such variance shall not be of substantial detriment to adjacent property, and will not materially impair the purposes of this Ordinance or the public interest.
- 26-306 Recurrent Conditions. No variance shall be granted if the Planning Commission finds that the condition of the specific piece of property, or the intended use of said property, for which variance is sought, is so general or recurrent in nature as to make reasonably practicable the formulation of a general regulation for such condition.

26-307 Appeal Period. When eleven (11) days have elapsed following the granting of a variance by the Zoning Administrator or the Planning Commission, and provided there has been no appeal and the requirements of other applicable ordinances are complied with, the Zoning Administrator shall approve the project for Zoning Conformance in accordance with Section 26-100.

26-308 Appeal to City Council.

26-308.1 Within ten (10) days following the decision of the Planning Commission on a variance application, the decision may be appealed to the City Council by the applicant or any other interested party. An appeal shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Planning Commission or wherein the decision is not supported by the evidence in the record.

26-308.2 Within seven (7) working days of the filing of an appeal, the Zoning Administrator shall transmit to the City Clerk the variance application, and all other data filed therewith, the minutes of the public hearing, the report of the Zoning Administrator, and the findings and decision of the Planning Commission.

26-308.3 The City Clerk shall set the matter for public hearing at a regular meeting of the Council not less than eleven (11) or more than twenty (20) days after the filing of the appeal, and shall publicize the public hearing in the manner set forth in Section 26-601- . The Clerk shall also notify the applicant, if said appeal is filed by other than the applicant.

- 26-309 Action of the City Council. The City Council may affirm, reverse, or modify a decision of the Planning Commission on a variance application, provided that if a decision denying a variance is reversed or a decision granting a variance is modified, the City Council, on the basis of the record transmitted by the Zoning Administrator, and such additional evidence as may be submitted, shall make the findings prerequisite to the granting of a variance as prescribed in Section 26-305. A variance which has been the subject of an appeal to the City Council shall become effective immediately after it is granted by the Council, and the Zoning Administrator may issue an Approval of Zoning Conformance as set forth in Section 26-100.
- 26-310 Lapse of Variance. A variance shall lapse and shall become void one (1) year following the date on which the variance became effective unless prior to the expiration of one (1) year a building permit is issued and construction is commenced and diligently pursued toward completion on the site which was the subject of the variance application, or a business license is issued authorizing occupancy of the site or structure which was the subject of the variance application. A Variance not exercised within one year may be renewed for an additional period of one year provided that prior to the expiration of one (1) year from the date when the variance originally became effective, an application for renewal of the variance is made to the Zoning Administrator. The Planning Commission may grant or deny an application for renewal of a variance. Such action may be appealed in the same manner as a decision on an original variance.
- 26-311 Enforcement. Violation of a variance, or of any conditions attached thereto, shall constitute a violation of this ordinance and shall be cause for enforcement action in accordance with Article 27.

- 26-312 Transferrability. Unless specified otherwise at the time the variance is granted, the variance applies to subject property for an indefinite time and is transferrable to any future owner thereof.
- 26-313 New Application. Following the denial or revocation of a variance, no application for the same or a substantially similar variance on the same site shall be filed within one (1) year unless it can be shown that there has been a change in the property or environs substantially affecting the variance case.

SEC 26-400 SITE PLAN REVIEW

The purpose of Site Plan Review is to secure compliance with this Ordinance and to promote the orderly and harmonious development of the City of Manteca. No approval of Zoning Conformance shall be issued until Site Plan Review has been obtained for any use requiring such review under applicable District Regulations.

- 26-401 Application. Application shall be made on a form prescribed for this purpose by the City of Manteca.
- 26-402 Accompanying Maps and Drawings Required. The application shall be accompanied by such maps and supporting documents, including site plans, height and bulk of structures, nature and extent of landscaping and other drawings, as are necessary to enable the Zoning Administrator or the Planning Commission to make the determinations set forth below.
- 26-403 Responsibility for Site Plan Review. Site plan review as prescribed below shall be conducted by the Zoning Administrator except in any case where a street dedication or the securing of a Use Permit may be required for the project in question, in which case the site plan review shall be conducted by the Planning Commission. The Zoning Administrator may, on his own motion, refer any site plan review within his responsibility to the Planning Commission for action. In carrying out site plan review, the Planning Commission shall follow the procedure and be guided by the principles set forth in Section 26-405 below.

- 26-404 Public Hearing. The Zoning Administrator may hold a public hearing on an application for Site Plan Review. In any case assigned to or referred to the Planning Commission a public hearing may be held as set forth in Section 26-601.
- 26-405 Action of the Zoning Administrator. The Zoning Administrator shall review the exhibits, and based on these documents, evidence submitted at the public hearing if one is held, and the considerations set forth below, may approve the project as applied for, approve the project with modifications or disapprove the project. In taking action, the Zoning Administrator shall consider the following:
- 26-405.1 It is the intent of this Section that any control exercised be the minimum necessary to achieve a satisfactory quality of design in the individual building appropriate to its intended use, and harmony of the development with its surroundings; satisfactory design quality, appropriateness and harmony will involve, among other things:
1. The harmony and proportion of the overall design.
  2. The siting of the structure on the property, as compared to the siting of other structures in the immediate neighborhood.
  3. The bulk and height of the proposed structure as compared to the bulk and height of other structures in the immediate neighborhood.
- 26-405.2 Landscaping as defined herein may be required on the site and shall be in keeping with the character or design of the site. Existing trees shall be preserved wherever possible.
- 26-405.3 Ingress, egress, internal traffic circulation, off-street parking facilities, and pedestrian ways shall be so designed as to promote safety and convenience.

26-405.4 Dedications and Improvements.

- A. In developments bordering on or traversed by an existing street, or a required street as shown on the City's Adopted Street Plan, the applicant shall be required to:
- (1) Dedicate all necessary rights-of-way to widen a bordering or traversing local, collector or arterial street to its ultimate width as established by the City Street Plan as adopted by the City of Manteca; provided, however, that the maximum street width for dedication purposes shall not exceed 84 feet.
  - (2) Set back all facilities the required distance from planned right-of-way lines along a local, arterial or collector street as shown on any master, official, or precise plan of streets and highways.
  - (3) Install at applicant's expense, all curbs, gutters, sidewalks, parking lane and the outside traveling lane along one side of a bordering, or along both sides of a traversing local, collector, or arterial street shown on the City's Adopted Street Plan.
  - (4) Install utilities and drainage facilities to the full extent of the service requirements generated by the development as determined by the City.
- B. Unless otherwise permitted by the City, all improvements and paving shall be completed by the applicant within ninety (90) days after commencement of the development; and where the City must, as shown on the City's Adopted Street Plan, install paving, the City shall complete said paving within one hundred eighty (180) days after the commencement of the development, or within ninety (90) days after completion of the improvements by the applicant, whichever is longer.

- C. All improvements shall be to City of Manteca standards existing at the time the Site Plan is approved.
- D. Prior to the approval of the Building Site Plan, the Public Works Director shall evaluate the extent of ultimate public right-of-way improvements. When either the estimated total cost of the public right-of-way improvements exceeds one thousand dollars or site development conditions may occur which would jeopardize the health or safety of the public within the ultimate public right-of-way the applicant will be required to execute a development agreement between himself and the City. The development agreement shall specify the period within which the applicant or his agent or contractor shall complete all improvement work, and providing that if he shall fail to complete such work within such period, the City may complete the same and recover the full cost and expense thereof from the applicant. The agreement shall provide for inspection of all improvements by the City Engineer. Such agreement may provide (a) for the construction of the improvements in units; (b) for an extension of time on the conditions therein specified. The applicant shall file with the aforesaid agreement, to insure his full and faithful performance thereof, a bond for such sum as is by the City Engineer deemed sufficient to cover the cost of said improvements and incidental expenses to cover replacement or repair of existing streets and other improvements damaged in the construction of the development. Such bond shall be executed by a Security Company authorized to transact a security business in the State of California and must be approved by the City Attorney as to form and by the City Engineer as to sufficiency. Applicant shall reimburse City

for all cost of City in connection with the inspection by City Engineer of the improvement work to be done and performed by the developer. Applicant shall advance to City a cash amount representing two percent of the improvement bond prior to execution of the development agreement. Any balance due City or refund due applicant shall be paid to City or to applicant, as case may be, upon the completion and acceptance of the improvements.

26-406 Zoning Conformance Approval. When eleven days have elapsed following Site Plan Review Approval by the Zoning Administrator or Planning Commission, and provided there has been no appeal, and all other applicable requirements of this and other Ordinances have been met, the Zoning Administrator shall approve the project for Zoning Conformance as provided in Section 26-100 of this Ordinance. The Building Inspector shall thereafter insure that development is undertaken and completed in conformity to the approved plans.

26-407

Appeals.

26-407.1 Within ten (10) days following the date of a decision of the Zoning Administrator, or the Planning Commission as the case may be, on a Site Plan Review application, the decision may be appealed to the next higher authority which shall be the Planning Commission in the case of a decision by the Zoning Administrator, or the City Council in the case of a decision by the Planning Commission. Appeal may be filed by the applicant or by any other interested party. An appeal shall be made on a form provided by the City and shall be filed with the Zoning Administrator. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Zoning Administrator or Commission, or wherein the decision is not supported by the evidence in the record.

26-407.2 Within seven (7) working days of the filing of an appeal, Ordinance 537  
the Zoning Administrator shall transmit to the Planning Commission or to the City Clerk, as the  
Adopted 07/1978  
case may be, the Site Plan Review application, and  
all data filed therewith, the minutes of the public  
hearing, if one was held, and the findings and decision  
of the responsible authority.

26-407.3 A public hearing on any case appealed, shall be held  
in the manner set forth in Section 26-601.

26-408 Action of Appeal Body. The appeal body may affirm,  
reverse or modify a decision of the authority appealed  
from, provided that if a decision denying a Site Plan  
Review Approval application is reversed, or a decision  
granting a Site Plan Review Approval application is  
modified, the appeal body on the basis of the record  
transmitted by the Zoning Administrator and such additional  
evidence as may be submitted, shall be guided by the  
considerations set forth in Section 26-405. A Site Plan  
Review application which has been the subject of an  
appeal to the City Council shall become effective  
immediately after it is granted by the Council, and the  
Zoning Administrator shall thereupon grant Zoning  
Conformance approval provided all other requirements of  
this and any other applicable ordinances are met.

26-409 Lapse of Site Plan. A site plan shall lapse and become  
void one (1) year following the date on which the site  
plan became effective unless prior to the expiration of  
one (1) year a building permit is issued and construction  
is commenced and diligently pursued toward completion  
on the site which was the subject of the site plan  
application. A site plan not exercised within one  
(1) year may be renewed for an additional period  
of one (1) year provided that prior to the expiration  
of one (1) year from the date when the site plan  
originally became effective, an application for  
renewal of the site plan is made to the Zoning Administrator.  
The Zoning Administrator may grant or deny an application  
for renewal of a site plan. Such action may be appealed  
in the same manner as a decision on an original site plan.

26-410 Enforcement. Violation of a site plan, or of any conditions attached thereto, shall constitute a violation of this ordinance and shall be cause for enforcement action in accordance with Article 28.

26-411 Transferrability. Unless specified otherwise at the time the site plan is granted, the site plan applies to subject property for an indefinite time and is transferrable to any future owner thereof.

26-412 New Application. Following the denial or revocation of a site plan, no application for the same or a substantially similar site plan on the same site shall be filed within one (1) year unless it can be shown that there has been a substantial change in the property or environs which affect the site plan case.

SEC 26-500 CONDITIONAL USE PERMITS.

The purpose of the Conditional Use Permit is to insure the proper integration of uses which, because of their special nature, may be suitable only in certain locations and only provided such uses are arranged or operated in a particular manner. In considering an application for a conditional use, the Planning Commission shall give due regard to the nature and condition of all adjacent uses and structures, and to the general and specific requirements of Article 22. The Commission may approve, conditionally approve or deny an application for a conditional use. In granting conditional approval the Commission may impose such requirements and conditions, in addition to those specified in Article 22, with respect to size, location, construction, maintenance, operation, and duration as may be deemed necessary for the protection of adjacent properties and the public interest. In addition to the review described herein, any proposed Conditional Use shall be subject to site plan review in accordance with the procedures and standards set forth in Section 26-400. No additional fee shall be charged for such site plan review.

- 26-501 Application. Application for a Conditional Use Permit shall be made by the property owner or certified agent thereof to the Planning Commission on a form prescribed for this purpose by the City of Manteca and shall be accompanied by such additional documents or supporting material as may be required for review of the proposed use, including, where appropriate, the plans, drawings and information to permit a site plan review in accordance with the procedure in Section 26-400.
- 26-502 Fee. The fee for a Conditional Use Permit shall be dollars, no part of which shall be refundable in the event the application is not granted.
- 26-503 Investigation and Report. The Zoning Administrator shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the Planning Commission.
- 26-504 Public Hearing. The Planning Commission shall hold at least one public hearing on each application for a Conditional Use Permit as prescribed in Section 26-601.
- 26-505 Findings. The Planning Commission shall approve a Conditional Use Permit, only when it has found that the proposed structure or use, subject to any conditions which it may have attached, will conform to the requirements and the intent of this Ordinance and the Manteca General Plan, and that such use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the public welfare of the community.
- 26-506 Appeal Period. When eleven days have elapsed after approval of a Conditional Use by the Planning Commission, and provided there has been no appeal and requirements of other applicable ordinances are complied with, the Zoning Administrator shall thereupon grant Zoning Conformance Approval provided all other requirements of this and any other applicable ordinances are met.
- 26-507 Appeal to City Council.
- 26-507.1 Within ten (10) days following the date of a decision of the Planning Commission on a Use Permit application, the decision may be appealed to the City Council by the applicant or by any other interested party. An appeal shall be made on a form prescribed

by the Commission and shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Commission or wherein its decision is not supported by the evidence in the record.

26-507.2 Within seven (7) working days of the filing of an appeal, the Zoning Administrator shall transmit to the City Clerk the Use Permit application and all other data filed therewith, the minutes of the public hearing, the report of the Zoning Administrator and the findings and decision of the Commission.

26-507.3 The City Clerk shall set the matter for public hearing in conformance with Section 26-601.

26-508 Action of City Council. The City Council may affirm, reverse, or modify a decision of the Planning Commission, provided that if a decision denying a use permit is reversed or a decision granting a use permit is modified, the Council, on the basis of the record transmitted by the Zoning Administrator and such additional evidence as may be submitted shall make the findings prerequisite to the granting of a use permit prescribed in Section 26-505. A use permit that has been the subject of an appeal to the City Council shall become effective immediately after it is granted by the Council, and the Zoning Administrator may thereupon issue an Approval of Zoning Conformance provided all other requirements of this and any other applicable ordinances are met.

26-509 Revocation.

26-509.1 Upon violation of any applicable provision of this Ordinance, or, if granted subject to one or more conditions, upon failure to comply with the conditions, the Zoning Administrator shall notify the permittee that revocation proceedings have begun. The Planning Commission shall then hold a public hearing within thirty (3) days, in accordance with the procedure prescribed in Section 26-602, and if not satisfied that the regulation, general provision or condition is being complied with, may revoke the use

permit or take such action as may be necessary to ensure compliance with the regulation, general provision, or condition. Within ten (10) days of the date of a decision by the Commission revoking a use permit, the decision may be appealed to the City Council which shall review the decision in accordance with the procedure prescribed in Section 26-507.

26-509.2 In any case where a Conditional Use Permit has not been used within one (1) year after the date of granting thereof, or if a use for which a Use Permit was granted shall be discontinued for a period of one (1) year, then without further action, the permit shall be null and void.

26-510 New Application. Following the denial of a use permit application no application for a use permit for the same or substantially the same conditional use on the same site shall be filed within one (1) year from the date of denial of the Use Permit unless it can be shown that there has been a change in the property or environs substantially affecting the Use Permit case.

26-511 Use Permit to Run With Land. A Use Permit granted pursuant to the provisions of this Article shall run with the land and shall be valid for the successors in interest of the original grantee.

#### SEC 26-600 PUBLIC HEARINGS

Whenever a public hearing is required to be held by the terms of this ordinance, the following regulations shall be adhered to:

26-601 Hearing before the Planning Commission or City Council, other than a hearing listed in Section 602 below.

26-601.1 Location: a hearing before the Planning Commission or City Council shall be held in the Council Chambers of the Manteca City Hall or in such other location as the body holding the hearing shall direct.

26-601.2 Timing: a hearing before the Planning Commission or City Council shall be held not less than fourteen (14)

nor more than twenty-five (25) days following receipt by the Planning Commission Secretary or City Clerk of the application or action for which the hearing is required.

26-601.3 Notice: a hearing before the Planning Commission or City Council shall be noticed by mailing notices to all residences within three hundred (300) feet of the boundaries of the property in question, as these residences are listed on the last equalized assessment role of the County Assessor. Such notices shall be mailed out not less than eleven (11) days prior to the date of hearing.

26-602 Hearing on an Application for Reclassification of Property or for Change in Zoning Ordinance texts.

26-602.1 Location: a hearing for a matter of the nature described in this section, shall be held in the City Council chambers of the Manteca City Hall, or in such other locations as the body holding the hearing shall direct.

26-602.2 Timing: such a hearing shall be held not less than fourteen (14) nor more than twenty-five (25) days following receipt of the application or proposal for zoning change.

26-602.3 Notice: a hearing for a matter of the nature described in this section shall be noticed by publication in a newspaper of general circulation in the City of Manteca not less than eleven (11) days prior to the date of hearing. If the hearing concerns a reclassification of property, in addition to such newspaper notice, mailed notices shall be sent to all property owners within a three hundred (300) foot radius of the questioned property, and as they appear on the last equalized assessment role of the County Assessor. Such notices shall be mailed not less than eleven (11) days prior to the date of the hearing.

- 26-603 Content of Hearing Notice. A hearing notice whether posted, mailed or published, shall contain at least the following information:
- 26-603.1 The address or location of the property in question.
  - 26-603.2 The nature of the matter being considered.
  - 26-603.3 The time and location of the public hearing.
  - 26-603.4 The fact that any interested person may testify either in person or in writing delivered to the proper address prior to the date and time of the hearing.
  - 26-603.5 The address and telephone number of the City office where further information may be requested and the address to which written communications shall be directed.
- 26-604 Failure of the City to give notice as prescribed herein, or of any resident to receive such notice, shall not be deemed to invalidate any related proceedings or decision.

ARTICLE 27      ENFORCEMENT, PENALTIES

SEC 27-100      All department officials and public employees of the City of Manteca vested with the duty or authority to issue permits shall conform to the provisions of this ordinance and shall issue no permit, certificate, or license for uses, buildings, or purposes in conflict with the provisions of this ordinance; any such permit, certificate, or license issued in conflict with the provisions of this ordinance, intentionally or otherwise, shall be null and void. It shall be the duty of the Building Inspector of the City of Manteca, and the Zoning Administrator, to enforce the provisions of this ordinance pertaining to the erection, construction, reconstruction, moving, conversion, alteration or addition to any building or structure and the use of any land, building or premise.

SEC 27-200      Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this ordinance, and any use of any land, building or premise established, conducted, operated or maintained contrary to the provisions of this ordinance, shall be and the same is hereby declared to be unlawful and a public nuisance; and the City Attorney of the City of Manteca shall, upon order of the City Council, immediately commence action or proceedings for the abatement and removal and enjoinder thereof in the manner provided by law, and shall take such other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate and remove such building or structure, and restrain and enjoin any person, firm or corporation from setting up, erecting, building, maintaining, or using any such building or structure or using property contrary to the provisions of this ordinance. The remedies provided for herein shall be cumulative and not exclusive.

SEC 27-300 Any person, firm or corporation, whether as principal, agent, employee, or otherwise, violating or causing the violation of any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred (\$500.00) dollars, or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment. Such person, firm or corporation shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of this ordinance is committed or continued by such person, firm or corporation, and shall be punishable as herein provided.

ARTICLE 28                    AMENDMENTS - RECLASSIFICATIONS AND ORDINANCE TEXT - CONFLICTING  
ORDINANCES, VALIDITY, ENACTMENT

SEC 28-100    AMENDMENTS. This ordinance may be amended by changing the boundaries of a District, or by changing any other provisions of the text thereof, whenever the public necessity and convenience and general welfare require such amendment.

28-101    APPLICATION FOR RECLASSIFICATION. Reclassification may be initiated by the City Council or the Planning Commission or by an application of one or more owners of property affected by the proposed amendment, which application in the case of an individual applicant, shall be accompanied by a fee of                    dollars, no part of which shall be returnable to the applicant.

28-101.1    Accompanying Maps and Data. An application for a reclassification shall be made to the Planning Department and shall be accompanied by maps, drawings, and data necessary to demonstrate that the proposed amendment is in conformance with the Manteca General Plan and that public necessity, convenience and general welfare require the adoption of the proposed amendment. An accurate legal description and map of the land, and existing buildings shall be submitted with an application for reclassification of property.

28-102    APPLICATION FOR TEXT AMENDMENT. Amendment may be initiated by the City Council or the Planning Commission or by an application of one or more owners of property affected by the proposed amendment, which application in the case of an individual applicant, shall be accompanied by a fee of                    dollars, no part of which shall be returnable to the applicant.

28-102.1    Accompanying Data. An application for an amendment shall be made to the Planning Department and shall be accompanied by necessary data to demonstrate that the proposed amendment is in conformance with the Manteca General Plan and that public necessity, convenience and general welfare require that adoption of the proposed amendment.

28-103    Action by the Zoning Administrator. Upon receipt of an application for amendment of the zoning ordinance text or reclassification of property, the Zoning Administrator shall:

28-103.1 Schedule a public hearing before the Planning Commission in accordance with the provisions of Section 26-602.

28-103.2 Investigate the proposed amendment and report his findings to the Planning Commission at the public hearing.

28-104 Public Hearing. The Planning Commission shall hold a public hearing in accordance with the provisions of Section 26-602.

28-105 ACTION BY THE PLANNING COMMISSION AT CONCLUSION OF HEARING.

If, at the conclusion of the hearing, the Planning Commission shall find the amendment to be in conformance with the Manteca General Plan and any applicable Precise Plan, and consistent with the public necessity, convenience, and general welfare, it may recommend amendment of this Ordinance. The recommendation shall be by resolution of the Planning Commission carried by the affirmative votes of a majority of the members present; failure of such a resolution to win the necessary affirmative votes shall be deemed to be a denial of the application. Denial of an application shall, except in the case of an amendment initiated by the City Council, terminate the proceedings unless such decision is appealed to the City Council as provided in Section 28-200.

28-106 Modification by Planning Commission. After a public hearing, the City Planning Commission may modify any proposed amendment by changing the wording of a proposed text amendment, reducing or enlarging the area, or changing the proposed district classification initially considered, if it shall deem such modification necessary or desirable in the light of the required findings set forth in Section 28-105.

28-107 The recommendation of the Planning Commission shall be submitted to the City Council and shall be accompanied by a report of findings, summary of hearings, and all data submitted with the application.

SEC 28-200 APPEAL FROM ACTION BY THE PLANNING COMMISSION DENYING AN APPLICATION

In the event that the City Planning Commission denies a proposed amendment any person aggrieved by such decision may, within ten (10) days, appeal said determination to the City Council by filing a written notice with

the City Clerk. Only such evidence and plans as were submitted to and ruled upon by the Commission may be accepted in an appeal. If additional evidence or modifications in plan are introduced, the case shall be returned to the Commission for new recommendation.

SEC 28-300 ACTION BY CITY COUNCIL

After receipt of a recommended amendment from the Planning Commission or upon appeal as provided above, and before adopting any amendment, the City Council shall set the matter for public hearing in accordance with the provisions of Section 26-602.

28-301 In order to amend the Ordinance, the City Council shall find the following:

28-301.1 That the proposed amendment is in conformity with the Manteca General Plan and any applicable Precise Plan.

28-301.2 That the public necessity, convenience and general welfare require or clearly permit the adoption of the proposed amendment.

28-302 If the City Council proposes to amend the Zoning Ordinance in a form substantially different from said amendment as recommended by the Planning Commission, the City Council shall refer said matter back to the Planning Commission for report and recommendation before adoption. The failure of the Planning Commission to report within thirty (30) days after referral shall be deemed to be approval of the proposed change.

SEC 28-400 EFFECT OF DENIAL OF APPLICATION

In case an application for a reclassification is denied, said application shall not be eligible for reconsideration by the Planning Commission for one (1) year subsequent to such denial except that a new application affecting all or part of the same property which is determined by the Planning Commission to be substantially different from the application denied, may be eligible for consideration within one (1) year of the denial of the original application.

SEC 28-500 REPEALING CONFLICTING AMENDMENTS. All ordinance and parts of ordinances of said City of Manteca in conflict with this ordinance to the extent of such conflict and no further, are hereby repealed.

SEC 28-600 VALIDITY. If any section, subsection, sentence, clause, or phrase of this ordinance, is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Manteca hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof irrespective of the fact, any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SEC 28-700 ENACTMENT.  
PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MANTECA  
This \_\_\_\_\_ day of \_\_\_\_\_, 1977, by the following vote:

AYES:	COUNCILMEN:
NOES:	COUNCILMEN:
ABSENT:	COUNCILMEN:

APPROVED:

\_\_\_\_\_  
Mayor of said City

ATTEST:

\_\_\_\_\_  
City Clerk thereof