

ORDINANCE 2024-XX

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, AMENDING SECTION 17.20.020 OF CHAPTER 17.20 RELATING TO ZONING DISTRICTS AND AMENDING SECTION 17.22.020 OF CHAPTER 17.22 RELATING TO ALLOWED USES AND REQUIRED ENTITLEMENTS AND AMENDING SECTION 17.26.020 OF CHAPTER 17.26 RELATING TO DEVELOPMENT STANDARDS AND ADDING SECTIONS 17.26.050, 17.26.060, 17.26.070, AND 17.26.080 TO CHAPTER 17.26 RELATING TO DEVELOPMENT STANDARDS BY ZONING DISTRICT AND ADDING SECTIONS 17.52.160 AND 17.52.170 TO CHAPTER 17.52 RELATING TO PARKING AND ADDING SECTIONS 17.58.110, 17.58.120, 17.58.130 AND 17.58.140 TO CHAPTER 17.58 RELATING TO PERFORMANCE STANDARDS OF TITLE 17 OF THE MANTECA MUNICIPAL CODE

WHEREAS, California Government Code Section 65800, et seq. authorizes the adoption and administration of zoning laws, ordinances, rules and regulations by cities as a means of implementing the General Plan; and,

WHEREAS, the draft General Plan Housing Element Policy H-1-2: "Mixed-Use Development" calls for mixed-use development opportunities within appropriate zoning designations in the downtown, and encourages diversity in the type, density, size, affordability, and tenure of residential development in Manteca, and an adequate supply of mixed-use and residentially zoned land of appropriate densities to accommodate existing and anticipated housing needs through 2031." and,

WHEREAS, the draft General Plan Housing Element Policy H-3-3 calls to, "ensure parking standards for affordable and special needs housing and housing near public transit promote development at or near maximum densities, focusing on unit sizes or development types with parking demand below current requirements.;" and,

WHEREAS, the General plan Land Use Element Policy LU-1-B calls to, "Provide for a Downtown zone that permits the vibrant mixing of residential, commercial, office, business-professional, and institutional uses within the Central Business District." and,

WHEREAS, the General Plan Land Use Element Policy LU 6-4 calls to, "Encourage the development of projects that include residential uses to help create an economically healthy and vibrant Downtown throughout the day and night." and,

WHEREAS, the General Plan Land Use Element Policy LU 6 calls to, "increase

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the presence of mixed-use development to revitalize Downtown and aging commercial centers and create vibrant centers in new growth areas.” and,

WHEREAS, in order to accomplish these Policies and Goals, the City has prepared Municipal Code Amendment, MCA-2024-63 (Zoning Code Text Amendments) to the City’s Municipal Code, attached as exhibits “A” and “B”; and,

WHEREAS, the City Council hereby finds and determines that the proposed Zoning Code Updates, the “Project”, are subject to CEQA Guidelines and it was determined that a Supplemental EIR is the appropriate level of environmental review and that the SEIR will supplement the previously certified City of Manteca (City) General Plan Update EIR and Revised Addendum to the General Plan Update EIR (State Clearinghouse #2020019010); and,

WHEREAS, General Plan Land Use Element Implementation Measure, LU-1-B, directs that, the City shall “Regularly review and revise, as necessary, the Zoning Ordinance to [...] ensure consistency with the General Plan in terms of zoning districts and development standards.”; and,

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meeting of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

THE CITY COUNCIL OF THE CITY OF MANTECA DOES ORDAIN AS FOLLOWS:

SECTION 1: Amendment. Table 17.20.020-1 of Section 17.20.020 of Chapter 17.20 of Title 17 of the Manteca Municipal Code relating to Zoning Districts is hereby amended to read as follows:

TABLE 17.20.020-1 ZONING DISTRICTS		
Zoning District Symbol	Zoning District Name/Description	General Plan Land Use Designation Implemented by Zoning District
Agricultural and Residential Zoning Districts		
A	Agricultural Zoning District. This designation provides for agricultural uses (such as vineyards, orchards, and row crops), single-family homes directly related to the agricultural use of the property, limited industrial uses directly related to agriculture, and similar and compatible uses.	Agricultural

R-E	Residential Estate Zoning District. This designation allows for large lots and flexible placement of single-family detached housing. Uses include quasi-agricultural activities, including raising and boarding livestock. The agricultural use areas that remain on the residential parcel shall be subject to an easement dedicated to the City that allows continued agricultural use, but prohibits any further nonagricultural-related development.	Very Low Density Residential
R-1	One-Family Dwelling Zoning District. This designation allows for substantial flexibility in selecting dwelling unit types and parcel configurations to suit site conditions and housing needs. The types of dwelling units include small lots and clustered lots as well as conventional large-lot detached residences.	Low Density Residential
R-2	Limited Multiple-Family Dwelling Zoning District. The medium-density residential use includes single-family homes and smaller-scale multi-family developments, including garden apartments, townhouses, and cluster housing.	Medium Density Residential
R-3	Multiple-Family Dwelling Zoning District. The high-density residential use includes multi-family apartment-style housing. The multi-family dwelling sites are typically located with direct access to arterial streets, bicycle paths, and other transit options.	High Density Residential
Commercial, Office, Industrial, and Mixed-Use Zoning Districts		
CMU	Mixed-Use Commercial Zoning District. This designation is characterized by interconnected streets, wide sidewalks, outdoor public spaces and activities, and accommodates a mix of primarily retail and service commercial uses complemented by office and/or residential uses. By allowing compatible land uses near each other, the CMU zoning district aims to improve accessibility, walkability, and overall quality of life for residents, employees, and visitors.	Commercial Mixed Use
DMU	Mixed-Use Downtown Zoning District. This designation allows retail and service commercial, office, and multiple-family residential uses designed to improve the vibrancy and maintain the pedestrian-scale character of the Downtown.	Downtown
BIP	Business Industrial Park Zoning District. This designation creates large sites for office park environment that includes multi-tenant buildings. It will be well suited for research and development facilities and light industrial uses, as well as professional and medical offices. Warehouses will be permitted but limited in size.	Business Industrial Park

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SECTION 2: Amendment. Section 17.22.020 and Table 17.22.020-1 of Chapter 17.22 of Title 17 of the Manteca Municipal Code relating to Allowed Uses and Required Entitlements is hereby amended to update the zoning districts symbols table, update the CMU column, and add a DMU column to read as follows:

Table 17.22.020-1 (Allowed Uses and Required Entitlements for Manteca's Base Zoning Districts) below identifies allowed uses and corresponding requirements for planning entitlements for all Base Zoning Districts within the City of Manteca other than Special Purpose Zoning Districts [see Chapter 17.28 (Special Purpose Zoning Districts)]. Definitions for the land uses listed herein (use classifications) are provided in Chapter 17.24 (Allowed Use Definitions). See additional use requirements in Article IV (Standards for Specific Land Uses). In the table below, an "A" indicates that the land use is permitted by right, a "C" indicates that the land use is permitted in the designated Zoning District upon issuance of a Conditional Use Permit [pursuant to Section 17.10.130 (Conditional Use Permit)], an "M" indicates that the land use is permitted in the designated Zoning District upon issuance of a Minor Use Permit, and an "N" indicates that the use is not allowed. Except as otherwise provided for in this Title, uses not shown in the table are not permitted.

Zoning district names for the Zoning District symbols used in the table are as follows:

A	Agricultural Zoning District
R-E	Residential Estate Zoning District
R-1	One-Family Dwelling Zoning District
R-2	Limited Multiple-Family Dwelling Zoning District
R-3	Multiple-Family Dwelling Zoning District
CMU	Mixed-Use Commercial Zoning District
DMU	Mixed-Use Downtown Zoning District
BIP	Business Industrial Park Zoning District
CN	Neighborhood Commercial Zoning District
CG	General Commercial Zoning District
CM	Commercial Manufacturing Zoning District
M1	Light Industrial Zoning District
M2	Heavy Industrial Zoning District
OS	Open Space Zoning District
P	Park Zoning District
PQP	Public/Quasi-Public Zoning District

Table 17.22.020-1 Allowed Uses and Required Entitlements for Manteca's Base Zoning Districts

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Land Use / Zoning District	CMU	DMU
Residential Uses		
Adult Day Care Home	M	M
Caretaker Housing	A	A
Dwelling, Multi-Family	A	A
Dwelling, Second Unit ¹	A	A
Dwelling, Single-Family	N	N
Dwelling, Two-Family	N	N
Dwelling, Three- and Four-Family	A	A
Emergency Shelter ²	A	A
Employee Housing, Large	A	A
Employee Housing, Small	A	A
Family Day Care Home, Large ¹⁹	M	M
Family Day Care Home, Small	A	A
Group Residential	A	A
Home Occupations ³	A	A
Live-Work Facility	A	A
Mobile Home Park	N	N
Residential Care Facility	C	C
Residential Care Home	A	A
Single-Room Occupancy (SRO) Facility	A	A
Supportive Housing	A	A
Transitional Housing	A	A
Agricultural and Animal-Related Uses		
Agricultural Tourism	N	N
Animal Husbandry	N	N
Animal Keeping, Domestic Pet	A	A
Animal Keeping, Exotic Animals	C	N
Animal Keeping, Livestock Animals ⁴	N	N
Animal Keeping, Insects	N	N
Animal Keeping, Poultry/Rabbits ⁵	N	N
Animal Sales and Grooming	A	A
Crop Production	N	N
Equestrian Facility, Commercial	N	N
Kennel, Commercial ⁶	C	N
Veterinary Facility ⁷	A	A
Recreation, Resource Preservation, Open Space, Education, and Public Assembly Uses		
Assembly Uses	C	C
Cemetery/ Mausoleum	N	N

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Land Use / Zoning District	CMU	DMU
Church/Place of Worship	A	A
Community Garden	A	A
Golf Course/ Clubhouse ⁸	N	N
Indoor Amusement/ Entertainment Facility	A	C
Indoor Fitness and Sports Facility	A	C
Library and Museum	A	A
Outdoor Commercial Recreation	C	C
Outdoor Community Recreation	A	A
Park and Public Plaza	A	A
Recreational Vehicle Park	N	N
Resource Protection and Restoration	N	N
Resource-Related Recreation	N	N
School, Academic- Private	A	A
School, Equipment/Machinery/Vehicle Training	N	C
School, Specialized Education and Training/Studio	C	C
Theater/Auditorium	A	A
Utility, Transportation, Public Facility, and Communication Uses		
Airport	N	N
Ambulance Service	C	N
Broadcasting and Recording Studio	C	N
Fuel Storage and Distribution	N	N
Heliport	C	N
Park and Ride Facility	A	N
Parking Facility	A	C
Public Safety Facility	A	A
Transit Facility	A	A
Transit Station/Terminal	A	A
Utility Facility and Infrastructure	A	A
Wireless Telecommunication Facility – Major ⁹	C	C
Wireless Telecommunication Facility – Minor ⁹	A	A
Retail, Service, and Office Uses		
Adult Day Health Care Center	A	A
Adult-Oriented Business ¹⁰	N	N
Alcoholic Beverage Sales	A	N
Bar/Nightclub	C	C
Bed and Breakfast Inn	A	C
Brew Pub	A	A
Building Materials Store/ Yard	N	N

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Land Use / Zoning District	CMU	DMU
Business Support Services ¹¹	A	A
Cannabis Retailers ²⁰	C	C
Child Day Care Center	A	A
Convenience Store	A	A
Drive-In and Drive-Through Use ¹³	M	N
Equipment Sales and Rental	N	N
Grocery Store/Supermarket	A	A
Home Improvement Supplies	A	C
Hotel and Motel	A	C
Maintenance and Repair of Small Equipment	A	N
Massage Therapy ¹⁵	A	A
Medical Services, Extended Care	A	A
Medical Services, General	A	A
Medical Services, Hospital	C	C
Mobile Food Vending ²¹	A	A
Mortuary/ Funeral Home	A	A
Neighborhood Market	A	A
Office, Business and Professional	A	A
Personal Services	A	A
Restaurant	A	A
Retail, General	A	A
Tasting Room	A	A
Temporary Uses (including expositions, concerts, carnivals, clinics, amusement rides, flea markets, Certified farmers markets, outdoor sales and display of goods, seasonal sales, temporary dwellings, and temporary sales and construction offices) ²²	A	A
Tobacco-Related Uses ¹⁸	C	C
Sidewalk Vending ²³	A	A
Automobile and Vehicle Uses		
Auto and Vehicle Rental	N	N
Auto and Vehicle Sales	C	N
Auto and Vehicle Storage	N	N
Auto Parts Sales	A	A
Auto Vehicle Dismantling	N	N
Car Washing and Detailing	A	N
Fueling Station	M	N
Vehicle Services–Major	N	N

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Land Use / Zoning District	CMU	DMU
Vehicle Services–Minor	M	N
Industrial, Manufacturing, and Processing Uses		
Agricultural Processing	N	N
Agriculture-Related, Ancillary	N	N
Business and Business Office, Ancillary	N	N
Commercial, Ancillary	N	N
Freight Yard/Truck Terminal	N	N
Manufacturing, Major ¹⁶	N	N
Manufacturing, Minor	N	N
Manufacturing, Small Scale	C	N
Recycling Facility – Collection ¹⁷	C	N
Recycling Facility – Processing	N	N
Recycling Facility – Scrap and Dismantling	N	N
Research and Development	N	N
Storage, Personal Storage Facility	N	N
Storage, Warehouse	N	N
Storage, Yard	N	N
Wholesaling and Distribution	N	N
Notes:		
1. See additional regulations for Second Dwelling Units in Chapter 17.82.		
2. See additional regulations for Emergency Shelters in Chapter 17.76.		
3. See additional regulations for Home Occupations in Chapter 17.78.		
4. Minimum 2 acres for the first horse, then 1 additional acre for each additional horse. Stables and paddocks shall be located on the rear half of the lot a minimum of 20 feet to any lot line and a minimum of 40 feet from any dwelling on the same or adjoining property.		
5. Minimum of 1,000 square feet per animal.		
6. 200-foot minimum setback from all property lines.		
7. Where veterinary facilities include any outdoor uses, such facilities shall maintain a minimum 50-foot setback from any residential district, restaurant, or hotel or motel. However, this minimum separation standard may be reduced where an applicant produces a noise analysis by a qualified acoustical professional to demonstrate that the proposed noise source will meet all of the City's adopted noise standards for nearby residences.		
8. Minimum 20-foot setback; 25-foot setback when adjacent to a residential Zoning District.		
9. See additional regulations for Wireless Telecommunication Facilities in Chapter 17.88.		
10. See additional regulations for Adult-Oriented Businesses in Chapter 17.70.		
11. Businesses occupying more than 25,000 square feet shall require approval of a Minor Use Permit to ensure that potential impacts associated with the larger business (e.g., noise, odor) are mitigated to a less than significant level.		
12. Minimum 10,000 square feet of lot area.		
13. See additional regulations for Drive-In and Drive-Through Facilities in Chapter 17.74.		
14. Minimum lot size of 20,000 square feet.		
15. See additional regulations for Massage Therapy in Chapter 17.86.		
16. 1,000-foot minimum setback from any residential Zoning District.		

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Land Use / Zoning District	CMU	DMU
17. Facilities located within 150 feet of a property zoned or used residential shall operate only during the hours of 9:00 a.m. and 5:00 p.m.		
18. 100-foot minimum distance from any school.		
19. See additional regulations for Family Day Care Home, Large under Section 17.10.030 Zoning conformance approval.		
20. Cannabis Retailers must also obtain a Cannabis Business Permit pursuant to Chapter 5.64.		
21. See additional regulations for Mobile Food Vending in Chapter 10.70		
22. See additional regulations for Temporary Uses in Chapter 17.84		
23. See additional regulations for Sidewalk Vending in Chapter 12.24		

SECTION 3: Amendment. Section 17.26.020 and Table 17.26.020-1 of Chapter 17.26 of Title 17 of the Manteca Municipal Code relating to Development Standards is hereby amended to update the zoning districts symbols table, update the CMU column, and add a DMU column to read as follows:

Table 17.26.020-1 (Development Standards for Manteca's Base Zoning Districts) includes lot area, allowed density, building setbacks, height, and lot coverage requirements for each of the City's Base Zoning Districts. Section 17.26.030 (Additional Standards for Multi-Family Zoning Districts) establishes additional development standards for multi-family Zoning Districts, and Section 17.26.040 (Standards for Small-Lot Single-Family Development) establishes additional standards for small-lot single-family residential development. Additional site planning requirements (e.g., landscaping, lighting) are listed in Article III (Site Planning Standards). Development within the City of Manteca is also subject to compliance with all adopted Uniform Building and Fire Codes. Zoning District names for the Zoning District symbols used in the table are as follows:

AG	Agricultural Zoning District
R-E	Residential Estate Zoning District
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A
PQP

Park Zoning District
Public/Quasi-Public Zoning District

Table 17.26.020-1 Development Standards for Manteca’s Base Zoning Districts

Development Standard	CMU	DMU
Allowed Density		
Minimum Density (du/ac)	20.1	n/a
Maximum Density (du/ac)	30.0	n/a
Setback (min. distance between structure and property line in feet)²		
Front Yard	10 ft	0 ft
Front Yard to Porch	n/a	n/a
Side Yard	10 ft ¹¹	0 ft ⁷
Street Side Yard	10 ft	0 ft
Rear Yard	10 ft ¹¹	5 ft ⁷
Setback (The min. horizontal distance a building facade is stepped back from the building facade immediately below)		
Side Yard	0 ft ⁸	0 ft ⁸
Street Side Yard	0 ft	0 ft
Building Height (max.)		
Building Height	Within 30 feet of a One-Family Dwelling Unit Property Line: 35 ft All Other Projects: 75 ft	Within 30 feet of a One-Family Dwelling Unit Property Line: 35 ft All Other Projects: 55 ft
Floor Area Ratio (maximum ratio of building to lot square footage) and Open Space (min. per dwelling unit)		
Floor area Ratio	1.0 ^{9,12}	2.5 ⁹
Open Space	See requirements in Section 17.26.080	See Requirements in Section 17.26.060
Minimum Active Ground Floor Condition ^{9,10}	25% of the gross building square footage is required to be in non-residential use. ¹⁴	25% of total gross floor area of the total enclosed building square footage on a parcel.
Notes:		
1. See additional standards for small-lot single-family development in Section 17.26.040.		
2. Setbacks shall be at least the minimum required under the City's adopted Building Code.		
3. When adjacent to a residential district, all structures shall at a minimum be forty feet when a commercial or industrial-zoned parcel shares a property line with an adjacent residential district. Pursuant to Table 17.08.060-1, the Approving Authority may reduce this setback upon finding compliance with the Performance Standards in Chapter 17.58. Pursuant to Section 17.10.120, a variance shall be required to reduce commercial or industrial use to less than the required setback of an adjacent residential property.		
4. Garages attached to a main building may encroach into the required rear yard by not more than ten feet if: (a) it is less than six hundred square feet in area; and (b) it shares a common wall of five feet or more in length, or is located less than six feet from the main building and is connected to the main building by a roofed area (e.g., breezeway) a minimum of five feet in width.		
5. Minimum thirty percent of multi-family projects shall be designed for community open space and each unit shall include forty square feet of private open space as described in Section 17.26.030.		
6. See additional standards for small-lot single-family development in Section 17.26.040.		
7. For the portion of a property adjacent to a one-family dwelling unit property line, Side and Rear Setbacks are 5 feet.		

8. For the portion of a property adjacent to a one-family dwelling unit property line, buildings from the second story and higher shall be stepped back by at least 10 feet on the side (or sides) of a building.
9. Excludes square footage of structured parking.
10. Active uses are those that are accessible to the general public, generate walk-in clientele, and contribute to pedestrian activity in the public realm, including retail, commercial services, restaurants, entertainment, civic and community uses, grocery or food markets, medical and veterinary uses, educational facilities, lodging, and similar non-residential uses, as well as residential uses with patios, stoops, porches, lobby areas that are oriented to the adjacent sidewalk
11. For the portion of a property adjacent to a one-family dwelling unit property line, Side and Rear Setbacks are 15 feet.
12. Mixed-use properties that include residential and non-residential development: max FAR 1.75
13. Non-residential uses may include uses that are accessible to the general public, generate walk-in clientele, and contribute to pedestrian activity in the public realm, including retail, commercial services, restaurants, entertainment, civic and community uses, grocery or food markets, medical and veterinary uses, educational facilities, lodging, and other non-residential uses such as residential amenities.
14. 25% non-residential requirement only applies to parcels of 2 or more net acres (existing lot size excluding any required dedications of public right-of-way improvements), and the Community Development Director may waive this requirement if they determine that non-residential uses are infeasible or would introduce compatibility issues.

SECTION 4: Amendment. Add Sections 17.26.050, 17.26.060, 17.26.070, and 17.26.080 to Chapter 17.26 of Title 17 of the Manteca Municipal Code relating to Development Standards by Zoning District is hereby amended to read as follows:

§ 17.26.050 Mixed-Use Downtown (DMU) Building Standards

- A. Intent. The ground floor residential building frontage is designed to allow residential privacy while enlivening the public realm, enhance the pedestrian experience, and incorporate architectural features that reduce the perceived mass of buildings from the pedestrian’s perspective. The ground floor non-residential building frontage is inviting to the general public, creates visual interest from the pedestrian’s perspective, and incorporates architectural features that reduce the perceived mass of buildings from the pedestrian’s perspective.
- B. Standards. The following standards address specific criteria related to the design of buildings, with a focus on the ground floor.
 - a. Entrances: Separate entrances shall be required for residential and non-residential uses when occupying the same structure. This does not preclude secondary interior access between non-residential and residential uses, in addition to the required separate accesses.
 - b. Residential Entry Grade and Access: Ground floor residential uses with individual entrances to the dwelling units from a sidewalk (i.e. without a common entrance) shall be elevated a minimum of 4 feet above the sidewalk grade to ensure privacy.
 - c. Ground Floor Height: Ground-floor height (floor-to-ceiling) shall be a minimum of 13 feet.

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- d. **Non-Residential Access:** The primary entrance to each non-residential space on the ground floor shall be located on the front facade and open onto the public frontage. Each tenant or business space located on the ground floor shall have direct access to a sidewalk, public plaza, or other type of public space with a direct pedestrian connection. Orient front entrances to face the primary frontage with a direct connection, direct pedestrian connection, or for corner properties, orient entrances to either adjoining streets or sidewalks. Storefront and lobby entrances shall have a recessed entrance of at least 30 inches, measured from the facade.
- e. **Facade Treatment:**
 - i. A minimum of 25 percent of the surface area of the ground floor of façades adjacent to public rights-of-way, and a minimum of 25 percent of the surface area of upper floor façades shall be occupied by windows.
 - ii. At least 50 percent of the surface area of ground floor facades adjacent to public rights-of-way within 10 feet of the building floor grade shall be occupied by windows.
 - iii. The maximum length of any blank wall shall be limited to 20 feet, measured horizontally. Façade articulation shall be achieved by providing material and plane changes or by providing a rhythmic pattern of bays, columns, balconies, windows, doors, and other architectural elements.
 - iv. Building elements such as bays, windows, and balconies that project from facades must have at least two feet of plane change.
- f. **Street Trees**
 - i. Projects shall comply with tree and shrub standards in accordance with Chapter 12.08.
 - ii. Existing public sidewalks 10 feet in width or wider shall be improved with street trees in tree wells of at least four feet in width with an average tree spacing of no more than 30 feet on-center. The City may approve an alternative location for street trees within the streetscape, such as a planter that is not located in the sidewalk with the same minimum required street tree spacing.
- g. **Open Space Orientation:** Where open spaces areas such as courtyards, paseos, or greenways are proposed, these open spaces shall be oriented to windows, doors, and/or outdoor patios.
- h. **Awning and Signs:** Awnings, signs, and similar features are not required, but where provided, shall be located at least 8 feet above the adjacent sidewalk and only cover individual storefronts and openings, and shall comply with standards in accordance with §17.54.
- i. **Fences and Walls:** Fences, walls, and similar features shall comply with standards in accordance with §17.46.

§ 17.26.060 Mixed-Use Downtown (DMU) Open Space for Proposed Residential Uses

- A. Intent. The DMU zoning district Open Space requirements are intended to ensure that residential developments contribute towards useable parks and open spaces for residents, such as but not limited to courtyards, balconies, rooftop gardens, plazas, playgrounds, trails, and public parks to enhance the quality of life and provide recreational opportunities.
- B. Minimum Project Open Space. In the DMU Zone, projects shall provide private open space on a per unit basis, and public open space based on lot size, as required in subsection (c) below.
- C. Open Space. Residential and mixed-use developments that include residential uses in the DMU Zone shall provide open space in accordance with the below standards in **Table 17.26.060-1**.

Table 17.26.060-1 Open Space Standards

Open Space by Lot Size	Lot Size	Minimum Private Open Space Required Per Unit
	<5,999 sf	40 sf
	>6,000 sf	50 sf
	Lot Size	Minimum Common Open Space Required
	<5,999 sf	None required
	>6,000 sf	500 sf
Open Space Dimensions	Private usable open space located on the ground level (e.g., yards, decks, patios) shall have no horizontal dimensions less than 6 feet. Private open space located above ground level (e.g., porches, balconies) shall have no horizontal dimension less than 4 feet.	
Open Space Types	Balconies, courtyards, decks, gardens, and patios, as well as types of open space that provide similar open space function. Rooftop decks and terraces may be used to satisfy these requirements provided that these areas are accessible to all residents within the building.	

- D. Privately-Owned, Public Open Space. Private open space requirements may be fulfilled by providing a maximum of 50 percent of the private open space requirement to public open space. Open space credited as privately-owned and maintained, public open space by this Code shall meet the following standards:
 - a. Type of Open Space:
 - i. Unenclosed park, garden, or otherwise landscaped area at street grade.
 - ii. Unenclosed plaza or courtyard with seating areas and landscaping with no more than 25 percent of the total floor

- area devoted to facilities for food or beverage services, exclusive of seating areas, at street grade.
- iii. Unenclosed pedestrian pathway with a width of at least 10 feet and provide ample pedestrian lighting to ensure pedestrian comfort and safety.
- b. **Minimum Height-to-Width Ratios.** In order to achieve sunlight and air circulation in required open space areas, the following minimum height to width ratios shall be provided:
 - i. Enclosed open space (i.e., open space that is enclosed on four sides, such as a courtyard): The ratio of height to width should be 2:1. For every one unit of height, there should be at least half that width of open space adjacent to the building's façade, measured perpendicular to it. This requirement applies to all sides of the enclosed open space.
 - ii. Open space with one or more sides open: The ratio of height to width should be 3:1. For every one unit of height, there should be at least one-third of that width of open space adjacent to the building's façade measured perpendicular to it. This requirement applies to all sides of the open space.
 - c. **Public Access.** All privately-owned and maintained, public open spaces shall be publicly accessible, at a minimum, from 7:00 am to sunset every day.
 - i. Entrances to outdoor spaces must directly connect to a publicly accessible sidewalk or outdoor area. Informational markers or placards, positioned within six feet of each entrance, must provide details such as the public's rights to use the space, operating hours, and contact information for the responsible owner overseeing access and maintenance
 - d. **Maintenance.** All privately-owned and maintained, public open space shall be maintained at the expense of the property owner or other designated sponsor, and not at the expense of the public.
 - e. **Exceptions and conditions.** Exceptions and conditions, such as those intended to assure continued maintenance of the open space for the actual lifetime of the project, may be imposed by the Director in accordance with §17.06.060.

§ 17.26.070 Mixed-Use Commercial (CMU) Building Standards

- A. **Intent.** The ground floor residential building frontage is designed to allow residential privacy while enlivening the public realm, enhance the pedestrian experience, and incorporate architectural features that reduce the perceived mass of buildings from the pedestrian's perspective. The ground floor non-

residential building frontage is inviting to the general public, creates visual interest from the pedestrian's perspective, and incorporates architectural features that reduce the perceived mass of buildings from the pedestrian's perspective.

- B. Standards. The following standards address specific criteria related to the design of buildings, with a focus on the ground floor.
- a. Entrances: Separate entrances shall be required for residential and non-residential uses when occupying the same structure. This does not preclude secondary interior access between non-residential and residential uses, in addition to the required separate accesses.
 - b. Residential Entry Grade and Access: Ground floor residential uses with individual entrances to the dwelling units from a sidewalk (i.e. without a common entrance) shall be elevated a minimum of 4 feet above the sidewalk grade to ensure privacy.
 - c. Ground Floor Height: Ground-floor height (floor-to-ceiling) shall be a minimum of 13 feet.
 - d. Non-Residential Access: The primary entrance to each non-residential space on the ground floor shall be located on the front facade and open onto the public frontage. Each tenant or business space located on the ground floor shall have direct access to a sidewalk, public plaza, or other type of public space with a direct pedestrian connection. Orient front entrances to face the primary frontage with a direct connection, direct pedestrian connection, or for corner properties, orient entrances to either adjoining streets or sidewalks. Storefront and lobby entrances shall have a recessed entrance of at least 30 inches, measured from the facade.
 - e. Facade Treatment:
 - i. A minimum of 25 percent of the surface area of the ground floor of façades adjacent to public rights-of-way, and a minimum of 25 percent of the surface area of upper floor façades shall be occupied by windows.
 - ii. The maximum length of any blank wall shall be limited to 30 feet, measured horizontally. Façade articulation shall be achieved by providing material and plane changes or by providing a rhythmic pattern of bays, columns, balconies, windows, doors, and other architectural elements.
 - iii. Building elements such as bays, windows, and balconies that project from facades must have at least two feet of plane change.
 - f. Street Trees
 - i. Projects shall comply with tree and shrub standards in accordance with Chapter 12.08.
 - g. Open Space Orientation: Where open spaces areas such as courtyards, paseos, or greenways are proposed, these open spaces shall be oriented to windows, doors, and/or outdoor patios.

- h. Awning and Signs: Awnings, signs, and similar features are not required, but where provided, shall be located at least 8 feet above the adjacent sidewalk and only cover individual storefronts and openings, , and shall comply with standards in accordance with §17.54.
- i. Fences and Walls: Fences, walls, and similar features shall comply with standards in accordance with §17.46.

§ 17.26.080 Mixed-Use Commercial (CMU) Open Space for Proposed Residential Uses

- A. Intent. The CMU zoning district Open Space requirements are intended to ensure that residential developments contribute to useable parks and open spaces for residents, such as, but not limited to, courtyards, balconies, rooftop gardens, plazas, playgrounds, trails, and public parks, to enhance the quality of life and provide recreational opportunities.
- B. Minimum Project Open Space. Projects shall provide private open space on a per-unit basis, as required in subsection (c) below.
- C. Open Space. Residential and mixed-use developments that include residential uses in the CMU zoning district shall provide open space in accordance with the below standards in **Table 17.26.080-1**.

Table 17.26.080-1. Open Space Standards

Open Space by Lot Size	Lot Size	Minimum Private Open Space Required
	<5,999 sf	500 sf total
	>6,000 sf	40 sf per unit
Open Space Dimensions	Private usable open space located on the ground level (e.g., yards, decks, patios) shall have no horizontal dimensions less than 6 feet. Private open space located above ground level (e.g., porches, balconies) shall have no horizontal dimension less than 4 feet.	
Open Space Types	Balconies, courtyards, decks, gardens, and patios, as well as types of open space that provide satisfy similar open space function. Rooftop decks and terraces may be used to satisfy these requirements provided that these areas are accessible to all residents within the building.	

- D. Privately-Owned Public Open Space. Private open space requirements may be fulfilled by providing up to 50 percent of the private open space requirement in privately-owned and maintained public open space meeting the following standards:
 - a. Type of Open Space:
 - i. Unenclosed park, garden, or otherwise landscaped area at street grade.
 - ii. Unenclosed plaza or courtyard with seating areas and landscaping with no more than 25 percent of the total floor

- area devoted to facilities for food or beverage services, exclusive of seating areas, at street grade.
- iii. Unenclosed pedestrian pathway with a width of at least 10 feet and provide ample pedestrian lighting to ensure pedestrian comfort and safety.
- b. Minimum Height-to-Width Ratios. In order to achieve sunlight and air circulation in required open space areas, the following minimum height-to-width ratios shall be provided:
- i. Enclosed open space (i.e., open space that is enclosed on four sides, such as a courtyard): The ratio of height to width should be 2:1. For every one unit of height, there should be at least half that width of open space adjacent to the building's façade, measured perpendicular to it. This requirement applies to all sides of the enclosed open space.
 - ii. Open space with one or more sides open: The ratio of height to width should be 3:1. For every one unit of height, there should be at least one-third of that width of open space adjacent to the building's façade measured perpendicular to it. This requirement applies to all sides of the open space.
- c. Public Access. All privately-owned and maintained public open spaces shall be publicly accessible, at a minimum, from 7:00 am to sunset every day.
- i. Entrances to outdoor spaces must directly connect to a publicly accessible sidewalk or outdoor area. Informational markers or placards, positioned within six feet of each entrance, must provide details such as the public's rights to use the space, operating hours, and contact information for the responsible owner overseeing access and maintenance.
- d. Maintenance. All privately-owned and maintained, public open space shall be maintained at the expense of the property owner or other designated sponsor, and not at the expense of the public.
- e. Exceptions and Conditions. Exceptions and conditions, such as those intended to ensure continued maintenance of the open space for the actual lifetime of the project, may be imposed by the Director in accordance with §17.06.060.

SECTION 5: Amendment. Add Sections 17.52.0160 and 17.52.170 to Chapter 17.52 of Title 17 of the Manteca Municipal Code relating to Parking is hereby amended to read as follows:

§ 17.52.160 Mixed-Use Downtown (DMU) Parking Standards

- A. Intent. The DMU parking standards are intended to allow for infill development by allowing flexibility in off-street parking locations and a minimum number of spaces.
- B. Requirements.
 - a. Bicycle Parking. For residential projects, a minimum of 1.0 bicycle parking spaces per unit is required. For non-residential projects, a minimum of 1.0 bicycle parking spaces per 2,000 sf is required. A minimum of 4 (four) spaces shall be provided in all cases. For projects with multiple land uses (for example, within vertical mixed-use development combining retail and residential), the bicycle parking requirements for each land use are applicable and will be added together to determine the total parking requirements for the project.
 - b. Parking Spaces. No minimum off-street parking space requirements shall be imposed for new developments within the DMU Zone. If off-street parking is proposed by new developments within the DMU Zone, such parking and associated design shall meet the applicable requirements of §17.52 and below standards:
- C. Parking Design and Development Standards.
 - a. If new surface parking spaces are proposed, compliance with the following standards is required:
 - i. Behind Buildings: Parking spaces are to be placed behind the buildings.
 - ii. To the Side of Buildings: If parking cannot be placed behind the building, it may be located to the side, as long as it is set back from the front property line by at least 10 feet.
 - iii. If multiple buildings are proposed or if multiple buildings would exist on-site after a proposed development, proposed surface parking spaces are not required to be behind or to the side of all buildings, but shall be placed behind or to the side of the primary building or buildings on the property frontage, such as within an interior court area surrounded by, or partially surrounded by buildings.
 - iv. No New Surface Parking on Property Frontage: Any proposed surface parking spaces shall not be located directly in front of the primary building or buildings on the property frontage, an area that is reserved for pedestrian access, landscaping, outdoor seating, and aesthetic features.

§ 17.52.170 Mixed-Use Commercial (CMU) Parking Standards

- A. Intent. The CMU zoning district parking standards are intended to provide sufficient parking capacity while avoiding oversupply of parking that can

create constraints for new infill development and can represent a barrier to pedestrian and bicycle access.

- B. Requirements. For the CMU zones, **Table 17.52.170-1** establishes the minimum parking space requirements by use.

Table 17.52.170-1 Parking Requirements

Land Use	Required Parking Spaces
Residential	
0-1 Bedroom	0.5 per unit
2 Bedrooms	1.0 per unit
3 or more bedrooms	1.5 per unit
Boardinghouses and Group Quarters	1.0 per sleeping room or per 100 sf of sleeping area
Guest Parking	1.0 per 5 units
Adult Day Care Home, Family Day Care Home, Residential Care Facility, Residential Care Home	1.0 per 3 beds
Bicycle Parking	1.0 per unit
Non-Residential	
2,000 sf or less of gross floor area	None required
Above 2,000 sf of gross floor area	1.0 per 500 sf of gross floor area above the initial 2,000 sf
Bicycle Parking	1.0 per 2,000 sf. A minimum of 4 (four) spaces shall be provided in all cases.

Notes: Proposed Accessory Dwelling Units (ADUs) do not require any additional vehicular parking spaces or bicycle parking spaces.

- C. Parking Design and Development Standards.
 - a. Parking in the CMU zoning district shall comply with design and development standards in accordance with § 17.52.090.
 - b. For projects with multiple land uses (for example, within vertical mixed-use development combining retail and residential), the parking requirements for each land use are applicable and will be added together to determine the total parking requirements for the project.
 - c. Driveways shall not be located on frontages less than 200 feet where there is access from a secondary street or alley. If access from side streets or alleys is not possible due to lot location and/or configuration, vehicular access shall be constructed to minimize the disruption of the pedestrian right-of-way along, with written approval by the Director. Access to parking shall be located behind the building, internal to the block, or below grade and provided from side streets or alleys.

- d. If new surface parking spaces are proposed, compliance with the following standards is required:
 - i. Behind Buildings: Parking spaces are to be placed behind the buildings.
 - ii. To the Side of Buildings: If parking cannot be placed behind the building, it may be located to the side, as long as it is set back from the front property line at least 10 feet.
 - iii. If multiple buildings are proposed or if multiple buildings would exist on-site after a proposed development, proposed surface parking spaces are not required to be behind or to the side of all buildings, but shall be placed behind or to the side of the primary building or buildings on the property frontage, such as within an interior court area surrounded by, or partially surrounded by buildings.
 - iv. No New Surface Parking on Property Frontage: Any proposed surface parking spaces shall not be located directly in front of the primary building or buildings on the property frontage, an area that is reserved for pedestrian access, landscaping, outdoor seating, and aesthetic features.

D. Shared Parking and Parking Reductions. Eligible mixed-use projects in the CMU zoning district may also request a reduction in the minimum number of parking spaces required in accordance with § 17.52.060 Reductions in Parking.

SECTION 6: Amendment. Add Sections 17.58.110, 17.58.120, 17.58.130, and 17.58.140 to Chapter 17.58 of Title 17 of the Manteca Municipal Code relating to Performance Standards is hereby amended to read as follows:

§ 17.58.110 Mixed-Use Downtown (DMU) Performance Standards

- A. Intent. The DMU mixed-use performance standards ensure compatibility among residential and non-residential uses in relation to noise, safety, odors, glare, and security.
- B. Standards. All new developments within the DMU Zone shall be designed to meet the performance standards outlined in § 17.58 Performance Standards and the following performance standards:
 - a. All residential units in a building or property that also accommodates commercial development shall have walls, floors, and ceilings with a minimum Impact Insulation Class (IIC) of 60.
 - b. Commercial uses in mixed-use buildings that include residential uses shall be limited to hours of operation between 7:00a.m. and 10:00pm.
 - c. Outdoor lighting associated with commercial uses shall be designed to provide a sufficient level of illumination for access and

- security purposes without adversely impacting surrounding residential uses. Such lighting shall not blink, flash, or oscillate.
- d. Shared elevators in buildings with residential and non-residential development shall have restricted and secured access for residents to reach residential floors.
 - e. Commercial outdoor storage yards, loading docks, and mechanical equipment including HVAC equipment, shall be shielded from the line of sight of outdoor activity areas associated with on- and off-site residences within 300 feet by a building or a solid structure with no gaps.
 - f. Residential units shall maintain a separate refuse storage container from that used by commercial uses. It shall be clearly marked for residential use only. Outdoor waste management facilities and recycling centers for commercial and residential uses shall primarily be located away from residential, open space, and park uses. Screening measures shall be implemented if not feasible. Developments located near open spaces and natural features shall be designed to include these features as an attraction and amenity while also providing for their conservation where appropriate.

§ 17.58.120 Mixed-Use Downtown (DMU) Development Incentives

- A. Intent. The DMU Development Incentives provide incentives for the development of certain land uses to help implement the goals and policies of the City's General Plan.
- B. Lot Consolidation.
 - a. In order to encourage the assembly of smaller existing lots into larger lots that can be more efficiently developed into a mixed-use project, the following incentives are offered:
 - i. Reduction in required parking for a mixed-use project when approved in compliance with Chapter 17.52.060.
 - ii. Increase in maximum floor area ratio (FAR) up to a maximum of 10 percent.
 - iii. Reduction in public and/or private open space requirements, up to a maximum of 10 percent.
 - a. Eligibility for Incentives.
 - i. Consolidation of existing small lots into a development project site of one acre or greater up to two acres shall be eligible for any two of the allowable incentives identified above.
 - ii. Consolidation of existing small lots into a development project site of two acres or greater shall be eligible for all three of the allowable incentives identified above.

- b. Lot Area Requirements.
 - i. The size and shape of each newly created lot shall be adequate to allow the full development of the allowed uses in a manner consistent with the following:
 - 1. The lot consolidation is consistent with the City's adopted General Plan and all applicable requirements of the Subdivision Map Act, Zoning Code and/or Building Code.
 - 2. The lot consolidation does not require relocation of existing easements, utilities, or infrastructure serving adjacent lots, parcels, public lands, or streets.
 - 3. The lot consolidation will not impair existing access or create a need for access to adjacent lots or parcels.

B. Grocery Stores and Food Markets.

- a. Development incentives. Any proposed grocery or food market that devotes 30 percent or more of selling space to perishable fresh food items, proposed in an area where there is no other grocery or food market within a one-mile buffer as measured from closest points of each property, shall qualify to utilize the following incentives.
 - i. Intensity Incentive. The total gross square footage (GFA) of a grocery market shall not count toward the maximum FAR of a parcel or project.
 - ii. Up to 25 percent of proposed surface parking spaces may be placed between the property frontage and the proposed primary building.

§ 17.58.130 Mixed-Use Performance Standards

- A. Intent. The CMU zoning district Mixed-Use performance standards ensure compatibility among residential and non-residential uses in relation to noise, safety, odors, glare, and security.
- B. Standards. All new developments within the CMU zoning district shall be designed to meet the performance standards outlined in § 17.58 Performance Standards and the following performance standards:
 - a. All residential units in a building or property that also accommodates commercial development shall have walls, floors, and ceilings with a minimum Impact Insulation Class (IIC) of 60.
 - b. Commercial uses in mixed-use buildings shall be limited to hours of operation between 7:00 a.m. and 10:00 pm.
 - c. Outdoor lighting associated with commercial uses shall be designed to provide a sufficient level of illumination for access and

- security purposes without adversely impacting surrounding residential uses. Such lighting shall not blink, flash, or oscillate.
- d. Shared elevators in buildings with residential and non-residential development shall have restricted and secured access for residents to reach residential floors.
 - e. Commercial outdoor storage yards, loading docks, and mechanical equipment including HVAC equipment, shall be shielded from the line of sight of outdoor activity areas associated with on- and off-site residences within 300 feet by a building or a solid structure with no gaps.
 - f. Residential units shall maintain a separate refuse storage container from that used by commercial uses. It shall be clearly marked for residential use only. Outdoor waste management facilities and recycling centers for commercial and residential uses shall primarily be located away from residential, open space, and park uses. Screening measures shall be implemented if not feasible. Developments located near open spaces and natural features shall be designed to include these features as an attraction and amenity while also providing for their conservation where appropriate.

§ 17.58.140 Development Incentives

- A. Intent. The CMU Development Incentives provide incentives for the development of certain land uses to help implement the goals and policies of the City's General Plan.
- B. Infill Development.
 - a. Proposed developments on a site that meets the definition of Lot, Infill outlined in Chapter 17.100.060 shall qualify for the following incentives:
 - i. Reduction in required parking for a mixed-use project when approved in compliance with Chapter 17.52.060.
 - ii. Increase in maximum floor area ratio (FAR) up to a maximum of 10 percent.
 - iii. Reduction in public and/or private open space requirements, up to a maximum of 10 percent.
- C. Lot Consolidation.
 - a. In order to encourage the assembly of smaller existing lots into larger lots that can be more efficiently developed into a mixed-use project, the following incentives are offered:
 - i. Reduction in required parking for a mixed-use project when approved in compliance with Chapter 17.52.060.
 - ii. Increase in maximum floor area ratio (FAR) up to a maximum of 10 percent.

- iii. Reduction in public and/or private open space requirements, up to a maximum of 10 percent.
- b. Eligibility for Incentives.
 - i. Consolidation of existing small lots into a development project site of one acre or greater up to two acres shall be eligible for any two of the allowable incentives identified above.
 - ii. Consolidation of existing small lots into a development project site of two acres or greater shall be eligible for all three of the allowable incentives identified above.
- c. Lot Area Requirements.
 - i. The size and shape of each newly created lot shall be adequate to allow the full development of the allowed uses in a manner consistent with the following:
 - 1. The lot consolidation is consistent with the City's adopted General Plan and all applicable requirements of the Subdivision Map Act, Zoning Code and/or Building Code.
 - 2. The lot consolidation does not require relocation of existing easements, utilities, or infrastructure serving adjacent lots, parcels, public lands, or streets.
 - 3. The lot consolidation will not impair existing access or create a need for access to adjacent lots or parcels.

C. Grocery Stores and Food Markets.

- a. Development incentives. Any proposed grocery or food market that devotes 30 percent or more of selling space to perishable fresh food items, proposed in an area where there is no other grocery or food market within a one-mile buffer as measured from closest points of each property, shall qualify to utilize the following incentives. Incentives may be used individually or together where the configuration requirements are met.
 - i. Intensity Incentive. The total gross square footage (GFA) of a grocery market shall not count toward the maximum FAR of a parcel or project.
 - ii. Parking Incentives. Grocery or food market required parking spaces:
 - 1. Shall be counted as guest spaces for any residential units developed as part of a horizontal or vertical mixed-use project;
 - 2. Shall reduce by 1 space per 1,000 sf if located within a 1/4 mile of a transit stop and bicycle parking is

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provided on-site, or if the grocery market is developed in a vertical mixed-use format.

- 3. Up to 25 percent of proposed surface parking spaces may be placed between the property frontage and the proposed primary building.

SECTION 7: Severability. If any section, sub-section, subdivision, paragraph, clause or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 8: Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

SECTION 9: Publication. This Ordinance shall be published in accordance with the provisions of Government Code Section 36933.

City of Manteca, a municipal corporation

MAYOR: _____
GARY SINGH

ATTEST: _____
CASSANDRA CANDINI-TILTON
CITY CLERK

STATE OF CALIFORNIA }
COUNTY OF SAN JOAQUIN } SS:
CITY OF MANTECA }

I, Cassandra Candini-Tilton, City Clerk of the City of Manteca, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the public meeting of the City Council on the ___ day of ____, 20__, and had its second reading and was adopted and passed during the public meeting of the City Council on the ___ day of ____, 20__, by the following vote:

AYES:

NOES: