

# Municipal Code Amendment Emergency Generator Ordinance MCA 2019-105



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City of Manteca City Council Public Hearing

# Emergency Generator Ordinance

TABLE 17.58.050-1

## MAXIMUM PERMISSIBLE SOUND PRESSURE LEVELS

Receiving Land Use Category	Time Period	Maximum Allowable Noise Levels (Ldn/CNEL, dB)
Single-Family and Limited Multiple-Family	10 pm – 7 am	50
	7 am – 10 pm	60
Multiple-Family, Public Institution, and Neighborhood Commercial	10 pm – 7 am	55
	7 am – 10 pm	60
Medium and Heavy Commercial	10 pm – 7 am	60
	7 am – 10 pm	65
Light Industrial	Anytime	70
Heavy Industrial	Anytime	75

**D. Exempt Activities.** The following are not subject to the noise limitations of this Chapter.

1. Emergency Exemption. The emission of sound for the purpose of alerting persons to the existence of an emergency, or the emission of sound in the performance of emergency work. ~~The exemption does not include permanently installed emergency generators.~~

# Emergency Generator Ordinance

9. Emergency Generators. Sound resulting from the operation of any stationary emergency generator in any zoning district shall be considered restoration of electrical service and are exempt from the sound rating values set forth in Table 17.58.050-1 (Maximum Permissible Sound Pressure Levels). This exemption only applies when operated during power outages; provided however, the generator motor must be enclosed in a sound absorbing encasement and in no event shall the sound rating value of generators in any district exceed 76 dBA at twenty-three (23) feet or seven (7) meters. Stationary emergency generators operating in all districts may be operated for testing purposes one (1) time for a period not to exceed thirty (30) minutes in any seven-day period. Testing of stationary emergency generators in all districts is permitted between the hours of 11:00 a.m. through 8:00 p.m. Monday through Saturday.

TABLE 17.44.060-1

## ALLOWED ENCROACHMENT FOR ATTACHED STRUCTURES INTO REQUIRED YARD AREAS

Attached Structures and Architectural Feature	Encroachment Distance into Required Yard		
	Front Yard	Side Yard	Rear Yard
Fireplaces, bay windows, porches, pergolas, awnings, trellis and decks and patios higher than 30 inches above grade	2 ft <sup>1, 2</sup>		
Canopies, cornices, eaves, canopies, and roof overhangs	2 ft <sup>1</sup>		
Stairways, fire escapes or landing places higher than 30 inches above grade	6 ft <sup>1</sup>	4 ft <sup>1</sup>	6 ft <sup>1</sup>

## Notes:

1. All encroachments shall maintain a minimum 3-foot setback from all property lines and a minimum distance of 6 feet from any other structure.
2. The combined length of bay windows shall not account for more than one-third of the length of the wall surface on which the features are located.

**B. Detached Structures.** Detached accessory structures as regulated in Chapter [17.40](#) (Accessory Structures).

**C. Air Conditioning Unit.** No air conditioning unit shall be located within the required side yard setback.

**D. Emergency Generators.** Emergency generators are allowed to encroach into a required side yard provided emergency access is provided pursuant to the California Residential Code, as amended.

# Recommendation

## Findings:

- ❑ The proposed Zoning Amendment is consistent with the General Plan and any applicable Specific Plan goals, policies, and implementation programs;
- ❑ The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;
- ❑ The amendment has been reviewed in compliance with the provisions of the CEQA; and
- ❑ The Amendment is internally consistent with other applicable provisions of the Zoning Title.