

ATTACHMENT 3 – EXHIBIT ‘A’

ORDINANCE 2026-XX

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, AMENDING ENTITLEMENT REQUIREMENTS FOR FUELING STATIONS SET FORTH IN TABLE 17.22.020-1 OF SECTION 17.22.020 RELATING TO ALLOWED USES AND REQUIRED ENTITLEMENTS AND ADDING CHAPTER 17.98 RELATING TO FUELING STATIONS DEVELOPMENT AND PERFORMANCE STANDARDS TO TITLE 17 OF THE MANTECA MUNICIPAL CODE

WHEREAS, the Manteca Planning Commission at its duly noticed public hearing of August 6, 2026, adopted Resolution No. 2026-____ recommending City Council adopt an ordinance to amend the entitlement requirements for Fueling Stations set forth in Table 17.22.020-1 of Section 17.22.020 relating to Allowed Uses and Required Entitlements and adding Chapter 17.98 relating to Fueling Stations Development and Performance Standards to Title 17 of the Manteca Municipal Code; and

WHEREAS, Zoning Text Amendment (ZTA 26-62) is a City-initiated project application (the “Project”); and

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, approval of the Project addresses concerns related to the proliferation of fueling stations in the City, ensures greater compatibility between fueling stations and other land uses, and provides objective design, development, and performance standards as part of the application review for new and modifications to existing fueling station projects; and

WHEREAS, approval of the Project implements General Plan Land Use Policy LU-1.3, which directs the City to ensure consistency between the General Plan and its implementing plans, ordinances, and regulations by updating the Manteca Municipal Code to establish use-specific development standards for fueling stations; and

WHEREAS, approval of the Project supports General Plan Land Use Policy LU-4.4 by establishing development and operational standards that ensure fueling stations are compatible with adjacent land uses, particularly residential neighborhoods, through regulations addressing site design, access, circulation, landscaping, lighting, noise, and other operational characteristics; and

WHEREAS, the Project is consistent with the goals and policies of the 2043 Manteca General Plan and promotes the public health, safety, and welfare by ensuring that future fueling station development occurs in a manner that is compatible with

surrounding land uses and consistent with the City's long-term vision for orderly growth and development; and

WHEREAS, the proposed Project was assessed under the California Environmental Quality Act (CEQA) Guidelines, and it was determined that the Project is exempt from further environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines; and

WHEREAS, all the necessary findings for approval of the Project can be made and are described in the Planning Commission Staff Report dated August 6, 2026; and

WHEREAS, a Notice of Public Hearing was circulated in accordance with Section 17.08.050 of the Manteca Municipal Code and 65854 of the California Government Code; and

WHEREAS, all legal prerequisites to adopt the foregoing ordinance have occurred; 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: Amendments. Entitlement requirements for Fueling Stations set forth in Table 17.22.020-1 of Section 17.22.020 are hereby amended, and Chapter 17.98 is hereby added to Title 17 of the Manteca Municipal Code as follows:

TABLE 17.22.020-1 ALLOWED USES AND REQUIRED ENTITLEMENTS FOR MANTECA'S BASE ZONING DISTRICTS																
Land Use/Zoning District	A	R-E	R-1	R-2	R-3	CMU	DMU	BIP	CN	CG	CM	M1	M2	OS	P	PQP
Automobile and Vehicle Uses																
Fueling Station	N	N	N	N	N	C	N	N	N	C	N	N	N	N	N	N

Chapter 17.98

FUELING STATIONS DEVELOPMENT AND PERFORMANCE STANDARDS

17.98.010 Purpose and Intent

A. Purpose. The purpose of this Chapter is to establish location, design, operational, and development standards for fueling stations that promote high-quality commercial

development, protect adjacent neighborhoods, enhance public safety, improve traffic circulation, minimize environmental impacts, and ensure compatibility with surrounding land uses.

B. Intent. The intent is to ensure balance and compatibility between fueling stations and any surrounding sensitive land uses. Fueling stations shall be designed as high-quality commercial developments that contribute positively to the visual character of the City and major commercial corridors.

17.98.020 Applicability.

This Chapter shall apply to all new fueling stations and to expansions, alterations, or modifications of existing fueling stations as provided herein. Existing fueling stations lawfully established prior to the effective date of this Chapter shall be considered legal nonconforming sites except as otherwise required by this Chapter. Where a conflict between the provisions of this Chapter and any other section, chapter, or title of this code exists, the stricter provisions shall govern.

17.98.030 Permit Requirements.

A. A development application for a new fueling station shall be subject to the permit requirements established under Table 17.22.020-1 of Section 17.22.020 (Allowed Uses and Required Entitlements).

B. A development application for an expansion or improvement equal to or greater than twenty-five percent (25%) of an existing fueling station or its accessory structures shall be subject to the permit requirements established under Table 17.22.020-1 of Section 17.22.020 (Allowed Uses and Required Entitlements).

17.98.040 Distance Separation Requirements.

Fueling stations shall be separated by a minimum of five hundred feet (500'), except that a maximum of two (2) fueling stations are permitted at any single intersection. Separation distance shall be measured in a straight line from the property line of said fueling stations. Where two (2) fueling stations are located at a single intersection, the fueling stations shall be designed in such a manner as to serve different flows of traffic. The spacing requirement may be waived when the approving authority determines that unusual site characteristics, roadway geometry, or redevelopment opportunity justify a reduced separation.

17.98.050 Site and Development Standards.

A. The following site and development standards shall apply to all fueling stations.

1. Location. Fueling stations shall only be permitted along arterial and major collector roadways as identified by the Circulation Element of the General Plan, at

signalized intersections or intersections designed to accommodate high traffic volumes, or at intersections determined by the City Engineer to safely accommodate projected traffic volumes.

2. **Site Area.** A fueling station parcel shall be located on a parcel with a gross area of at least 0.5 acres.
3. **Street Frontage.** The site shall have at least one street frontage of a minimum of three hundred linear feet (300 l.f.).
4. **Access.** Access points from a public street shall be located at a minimum distance of one hundred and fifty feet (150') from an intersection and a minimum distance of three hundred feet (300') from any adjoining property zoned for single-family residential use. Distance measurement shall be from the center line of an access point to the curb return and the nearest property line. A shorter distance may be allowed, subject to City Engineer approval.
5. **Ingress-Egress Dimensions.** When a site has an access point, access shall have a minimum driveway throat depth of twenty-five feet (25') and a minimum driveway width of forty feet (40').
6. **Ingress-Egress Limitations.** There shall be no more than one ingress-egress for every street frontage per frontage under three hundred feet (300').
7. **Landscaping.** A minimum of twenty percent (20%) of the lot area shall be landscaped. A minimum of seventy percent (70%) of the landscaped area shall be covered with a combination of live landscaping, such as lawn, ground cover, trees, or shrubs, and not more than thirty percent (30%) of the landscaped area shall be covered with hard surfaces, such as landscaping rock, concrete, artificial materials, or other impervious materials.
8. **Architectural Design.** Primary buildings shall utilize high-quality architectural materials, including brick, stone, decorative concrete, architectural metal, glass, and stucco. Building elevations visible from a public right-of-way shall limit the use of Exterior Insulation and Finish Systems (EIFS) to no more than thirty percent (30%) of the elevation area. Buildings shall incorporate architectural offsets, varied rooflines, enhanced entries, and decorative detailing. Such features may include, but are not limited to, projections and recesses, changes in wall plane, parapets of varying heights, gables, canopies, awnings, recessed entrances, tower elements, decorative trim, cornices, pilasters, columns, changes in exterior materials or colors, public art, decorative lighting, and other architectural features that provide

visual interest and avoid long, uninterrupted building facades. Blank wall lengths exceeding forty (40) feet are prohibited.

9. Accessory Structures. Accessory structures, including but not limited to free-standing signage, trash enclosures, shade structures, kiosks, public art, utility structures, and similar site amenities, shall be integrated into the overall site design and shall reflect the architectural character of the primary building through complementary materials, colors, roof forms, and architectural detailing.
10. Proximity to residential zones. Distances required by this paragraph shall be measured in a straight line from the nearest point of the regulated feature to the nearest property line of the residentially zoned parcel unless otherwise specified.
 - a. Fuel dispensers, fueling canopies, underground storage tanks, and associated fueling equipment shall not be located within three hundred (300') feet of any adjoining property zoned for a single-family residential use.
 - b. Accessory buildings, structures, and dumpster enclosures shall be located no less than fifty feet (50') from any residential property.
 - c. Where a fueling station is located adjacent to residential zoning, a masonry wall with a minimum height of seven feet (7') shall be constructed pursuant to Section 17.46.070 (E) of this Title.
11. Fueling Dispenser Limitations. A fueling station shall provide no less than six (6) double-sided fuel dispensers.
12. Outdoor Storage. Outdoor storage shall be prohibited except within approved screened enclosures.

17.100.60 Performance Standards.

A. Unless expressly provided by the provisions of this section, building and site use shall be designed to ensure activities occurring on the site comply with applicable performance standards set forth in Chapter 17.58 (Performance Standards) to include, but not limited to, hazardous material storage, noise, odor, and vibrations.

B. All existing fuel dispensers located within three hundred feet (300') of a parcel zoned for residential use that are equipped with speakers or other sound-producing devices shall not emit sound exceeding fifty-five decibels (55 dB), measured at the property line of the residentially zoned parcel, between the hours of 10:00 p.m. and 7:00 a.m.

C. All new fuel dispensers located three hundred feet (300') or more from a parcel zoned for residential use that are equipped with speakers or other sound-producing devices shall not emit sound exceeding sixty decibels (60 dB), measured at the property line of the residentially zoned parcel, between the hours of 10:00 p.m. and 7:00 a.m.

17.98.070 Nonconforming Sites and Fueling Stations.

A. A fueling station lawfully established and constructed prior to the effective date of this Chapter shall be deemed a legal nonconforming use and site.

B. Any modification to a legal nonconforming fueling station shall comply with Chapter 17.12 (Nonconforming Uses and Structures).

17.98.080 Nonconforming Development Requirements.

A. Expansions, alterations, or modifications shall not result in further nonconformance with this Chapter.

B. Expansions, alterations, or modifications to a nonconforming fueling station, its structures, or the site shall be subject to the following development requirements.

1. Expansions or modifications shall be limited to twenty-five percent (25%) of an existing fueling station.
2. As part of any approved expansion or modification, the approving authority may require improvements necessary to bring the site into greater compliance with this Chapter, including, but not limited to;
 - a. Accessibility;
 - b. Ingress and egress;
 - c. Lighting;
 - d. Landscaping;
 - e. Fences and walls; and
 - f. Signage

17.98.090 Entitlement Extensions.

Any entitlement for a fueling station approved prior to the effective date of this Chapter for which a building permit has not been issued and remains valid shall not be eligible for an extension of time. Upon expiration of the entitlement, any subsequent application for

a fueling station shall be processed in accordance with the provisions of this title in effect at the time a complete application is submitted.

17.98.100 Definitions.

A. The terms in this Chapter shall be defined as follows.

1. Development Application. An application submitted for a land use permit or entitlement for formal review and action by the City pursuant to the general application processing procedures established by Chapter 17.08.
2. Expansion. An increase in the size, area, or intensity of a fueling station or any of its principal structures or facilities, including, but not limited to, increases in building floor area, fueling canopy area, the number of fuel dispensers, or other site improvements that expand the operational capacity of the fueling station. Routine maintenance, repair, or replacement of existing improvements with improvements of substantially the same size and function shall not constitute an expansion.
3. Fueling Dispenser. A device used to dispense motor vehicle fuel into a vehicle or approved container, including the dispensing unit, hoses, nozzles, meter, controls, payment equipment, and associated safety devices. Fuel dispensers include equipment designed to dispense liquid or gaseous motor vehicle fuels.
4. Fueling Station. A commercial use engaged in the retail sale or dispensing of gasoline, diesel, alternative motor vehicle fuels, or electric vehicle charging services for use in motor vehicles. The use may include convenience retail sales and accessory equipment and services customarily incidental to the dispensing of motor vehicle fuels, such as air, water, vacuum, and windshield cleaning stations.

SECTION 2: CEQA. The Project has been deemed exempt from further environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines, because this action is solely a policy decision, not involving a direct physical change or disturbance to the environment, and it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 3: Typographical or Clerical (Scrivener) Errors. Any typographical or clerical errors in this Ordinance may be remedied by the City Attorney with the assistance of the City Clerk and shall not constitute an alteration in accordance with Section 36934 of the California Government Code.

SECTION 4: 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-

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sections, subdivisions, paragraphs, sentences, clauses, or phrases may be declared invalid or unconstitutional.

SECTION 5: Publication. This Ordinance shall be published in accordance with Section 36933 of the California Government Code.

SECTION 6: Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

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 ____, 2026, by the following vote:

AYES:
NOES: