



Legislation Details (With Text)

File #: 19-447 **Version:** 1 **Name:**

Type: Consent **Status:** Agenda Ready

File created: 8/27/2019 **In control:** CITY COUNCIL

On agenda: 9/17/2019 **Final action:**

Title: Waive the final reading by substitution of the title and adopt an ordinance amending Zoning Ordinance, Title 17, Sections 9.52.070 (Exemptions), 17.44.060 (Allowed Encroachments) and 17.58.050 (Noise Standards) to amend requirements regarding the location of emergency generators within the side yard setback.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment 1 - Ordinance

Date	Ver.	Action By	Action	Result
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City Council Agenda

Memo to: Manteca City Council

From: Lisa Blackmon, City Clerk

Prepared by: Cassandra Candini-Tilton, Assistant City Clerk

Date: September 17, 2019

Subject: Emergency Generator Ordinance

Waive the final reading by substitution of the title and adopt an ordinance amending Zoning Ordinance, Title 17, Sections 9.52.070 (Exemptions), 17.44.060 (Allowed Encroachments) and 17.58.050 (Noise Standards) to amend requirements regarding the location of emergency generators within the side yard setback.

Background:

This is the final reading and adoption of an Ordinance of the City Council of the City of Manteca amending Zoning Ordinance, Title 17, Sections 9.52.070 (Exemptions), 17.44.060 (Allowed Encroachments) and 17.58.050 (Noise Standards) to amend requirements regarding the location of emergency generators within the side yard setback. Council waived the first Reading of Substitution of the title and introduced the ordinance at the Regular City Council Meeting of September 3, 2019. If approved, this ordinance will be effective thirty days following adoption.

After taking public testimony, the Planning Commission recommends the City Council make the following findings to approve Municipal Code Amendment No. MCA-19-105:

1. The proposed Zoning Amendment is consistent with the General Plan and any applicable Specific Plan goals, policies, and implementation programs;
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;
3. The amendment has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA); and
4. The amendment is internally consistent with other applicable provisions of the Zoning Title.

Amendments will be made to Sections 9.52.070 (Exemptions), 17.44.060 (Allowed Encroachments) and 17.58.050 (Noise Standards).

On August 13, 2019, the Planning Commission recommended approval of Municipal Code Amendment - Emergency Generator Ordinance MCA-19-105, to amend Sections 9.52.070, 17.44.060 and 17.58.050 to allow emergency generators when operated during power outages within the side yard setback.

Fiscal Impact:

There is no fiscal impact section associated with this action.

Documents Attached:

1. Attachment 1 - Ordinance