

Chapter 17.XX Mixed Use Downtown (DMU) Zoning District

§ 17.XX.XX Purpose

The purpose of the Mixed Use Downtown (DMU) zoning district is to implement the General Plan's Downtown (DW) Land Use Designation. The DMU zoning district 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.

§ 17.XX.XX Intent of Zoning District

The intent of the DMU zoning district is to:

1. Facilitate the transformation of underutilized and vacant properties into new mixed-use development.
2. Increase opportunities for multiple family residential (such as apartments, condominiums, and townhomes), both through the construction of purely residential projects and also within projects that include both residential and complementary non-residential uses.
3. Design private developments and improve public streetscapes in a way that enhances pedestrian access, safety, and comfort, while also ensuring safe connections to transit access.
4. Implement design standards and operational practices to ensure that residential and non-residential uses can coexist without adverse impacts to the residential quality of life or restrictions on non-residential uses that would hinder their feasibility.

§ 17.XX.XX Allowed Land Uses

Table 17.XX.XX below identifies allowed land uses and corresponding requirements for planning entitlements within the DMU zoning district within the City of Manteca. 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 DMU zoning district upon issuance of a Conditional Use Permit [pursuant to Chapter 17.10.130 (Conditional Use Permit)], an "M" indicates that the land use is permitted in the DMU zoning district upon issuance of a Minor Use Permit, and an "N" indicates that the use is not allowed. Uses that are similar in nature, function, and operations to the uses listed in **Table 17.XX.XX** are subject to the same level of review and approval.

Table 17.XX.XX Allowed Uses for Mixed Use Downtown (DMU)

Land Use	Zoning District
	DMU
Residential Uses	
Accessory Dwelling Unit ¹	A
Adult Day Care Home	M
Caretaker Housing	A
Dwelling, Single-family, Duplex	N
Dwelling, Multi-Family	A
Emergency Shelter ²	A
Employee Housing	A
Family Day Care Home ³	M
Group Residential	A
Home Occupations ⁴	A
Live-Work Facility	A
Residential Care Facility	C
Residential Care Home	A
Single-Room Occupancy (SRO) Facility	A
Supportive Housing	A
Transitional Housing	A
Agricultural and Animal-Related Uses	
Animal Keeping, Domestic Pet	A
Animal Keeping, Exotic Animals	N
Animal Keeping, Other Animal Keeping	N
Animal Sales and Grooming	A
Kennel, Commercial ⁵	N
Veterinary Facility ⁶	A
Recreation, Resource Preservation, Open Space, Education, and Public Assembly Uses	
Assembly Uses	C
Church/Place of Worship	A

¹ See additional regulations for Accessory Dwelling Units in Chapter 17.82.

² See additional regulations for Emergency Shelters in Chapter 17.76.

³ See additional regulations for Family Day Care Home under Chapter 17.10.030 Zoning conformance approval.

⁴ See additional regulations for Home Occupations in Chapter 17.78.

⁵ 200-foot minimum setback from all property lines.

⁶ 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.

Land Use	Zoning District
	DMU
Community Garden	A
Indoor Amusement/ Entertainment Facility, Fitness and Sports Facility	C
Library and Museum	A
Outdoor Commercial Recreation	C
Park and Public Plaza	A
School, Academic- Private	A
School, Academic- Public	A
School, Specialized Education and Training/Studio	C
Theater/Auditorium	A
Utility, Transportation, Public Facility, and Communication Uses	
Airport, Fuel Storage and Distribution	N
Ambulance Service	N
Heliport	N
Park and Ride Facility	N
Parking Facility	C
Public Safety Facility	A
Transit Facility	A
Transit Station/Terminal	A
Utility Facility and Infrastructure	A
Wireless Telecommunication Facility – Major	C
Wireless Telecommunication Facility – Minor	A
Retail, Service, and Office Uses	
Adult Day Health Care Center	A
Adult-Oriented Business ⁷	N
Alcoholic Beverage Sales	N
Bar/Nightclub	C
Brew Pub	A
Business Support Services ⁸	A
Cannabis Retailers ⁹	C
Child Day Care Center	A
Convenience Store	A
Drive-In and Drive-Through Use ¹⁰	N
Grocery Store/Supermarket, Neighborhood Market	A

⁷ See additional regulations for Adult-Oriented Businesses in Chapter 17.70.

⁸ Business 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.

⁹ Cannabis Retailers must also obtain a Cannabis Business Permit pursuant to Chapter 5.64.

¹⁰ See additional regulations for Drive-In and Drive-Through Facilities in Chapter 17.74.

Land Use	Zoning District
	DMU
Hotel, Motel, Bed and Breakfast Inn	C
Massage Therapy ¹¹	A
Medical Services, General and Extended Care	A
Medical Services, Hospital	C
Mobile Food Vending ¹²	A
Mortuary/ Funeral Home	A
Office, Business and Professional	A
Personal Services	A
Restaurant	A
Retail	A
Tasting Room	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) ¹³	A
Tobacco Related Uses ¹⁴	C
Sidewalk Vending ¹⁵	A
Automobile and Vehicle Uses	
Auto and Vehicle Rental	N
Auto and Vehicle Sales	N
Auto and Vehicle Storage, Dismantling	N
Auto Parts Sales	A
Car Washing and Detailing	N
Fueling Station	N
Vehicle Services–Major	N
Vehicle Services–Minor	N
Industrial, Manufacturing, and Processing Uses	
Agricultural Products Processing	N
Freight Yard/Truck Terminal	N
Manufacturing, Major, Minor ¹⁶	N
Manufacturing, Small Scale	N

¹¹ See additional regulations for Massage Therapy in Chapter 17.86.

¹² See additional regulations for Mobile Food Vending in Chapter 10.70.

¹³ See additional regulations for Temporary Uses in Chapter 17.84.

¹⁴ 100-foot minimum distance from any school.

¹⁵ See additional regulations for Sidewalk Vending in Chapter 12.24.

¹⁶ 1,000-foot minimum setback from any residential Zoning District.

Land Use	Zoning District
	DMU
Recycling Facility – Collection ¹⁷	N
Recycling Facility – Processing, Scrap and Dismantling	N
Research and Development	N
Storage Facilities	N
Wholesaling and Distribution	N

§ 17.XX.XX Development Standards

All proposed development of property within the DMU zoning district shall comply with the development standards listed in this section.

Table 17.XX.XX Development Standards for Mixed Use Downtown (DMU)

Development Standard	DMU	
Maximum Floor Area Ratio (FAR) ^{1, 2}	2.5	
Maximum Site Coverage (percentage of total buildings and other structures, whether open or enclosed, excluding circulation, sidewalks, parking areas, uncovered steps, uncovered patios, terraces, and swimming pools)	90%	
Maximum Building Height	<p>Within 30 feet of a One-Family Dwelling Unit Property Line: 35 feet</p> <p>All Other Projects: 55 feet</p> <p>Height shall be measured as the vertical distance between the adjacent sidewalk grade and highest point of the parapet (for flat roofs), or the average height of the highest and lowest ridge point of the top floor roof line (gable, pitch, hip, or other non-flat roof) that does not add to the useable square footage to the building, not including vertical architectural projections, rooftop guard rails, permanent unenclosed roof deck features located two feet or more from the exterior wall plane, or mechanical equipment or associated screening features.</p>	
Minimum Setbacks ^{3, 4}	Front Setback	None required
	Side Setbacks	None required
	Rear Setback	5 feet
	Side and Rear Setbacks for the portion of a property	5 feet

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.

	adjacent to a one-family dwelling unit property line	
Minimum Stepback ^{5,6}	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 adjacent to a one-family dwelling unit property line.	
	All Other Projects	
	Not required.	
Minimum Active Ground Floor Condition ^{2,7}	25% of total gross floor area of the total enclosed building square footage on a parcel.	

¹ FAR is used to regulate residential uses, non-residential uses, and buildings or proposed applications that involve both residential and non-residential uses. The numerator of the FAR ratio is based on gross building square footage and the denominator is based on the net lot area (existing lot size excluding any required dedications of public right-of-way improvements). The calculation of maximum allowable floor area ratio includes both non-residential and residential uses and square footage, and if the subject proposal is on a parcel that has existing building square footage that would continue to exist on the parcel following construction of the proposed square footage, the maximum allowable floor area ratio would include both existing and proposed square footage divided by the total square footage of the subject parcel.

² Excludes square footage of structured parking.

³ Setbacks: Minimum distance between structure and property line in feet.

⁴ 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. A landscaping buffer shall be installed and maintained within this setback area.

⁵ Stepbacks: The horizontal distance a building facade is stepped back from the building facade immediately below it. any portion of a building that is pushed in towards the center of the property. Facade means any exterior outward face of a building measured from corner to corner.

⁶ At the Community Development Director's discretion, minor exceptions to the required stepbacks described above may be granted on the Director's finding that the stepbacks proposed meet, in aggregate, the intent and purpose of the stepback requirements.

⁷ 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.

Figure 17.XX.XX DMU FAR and Site Coverage Standards

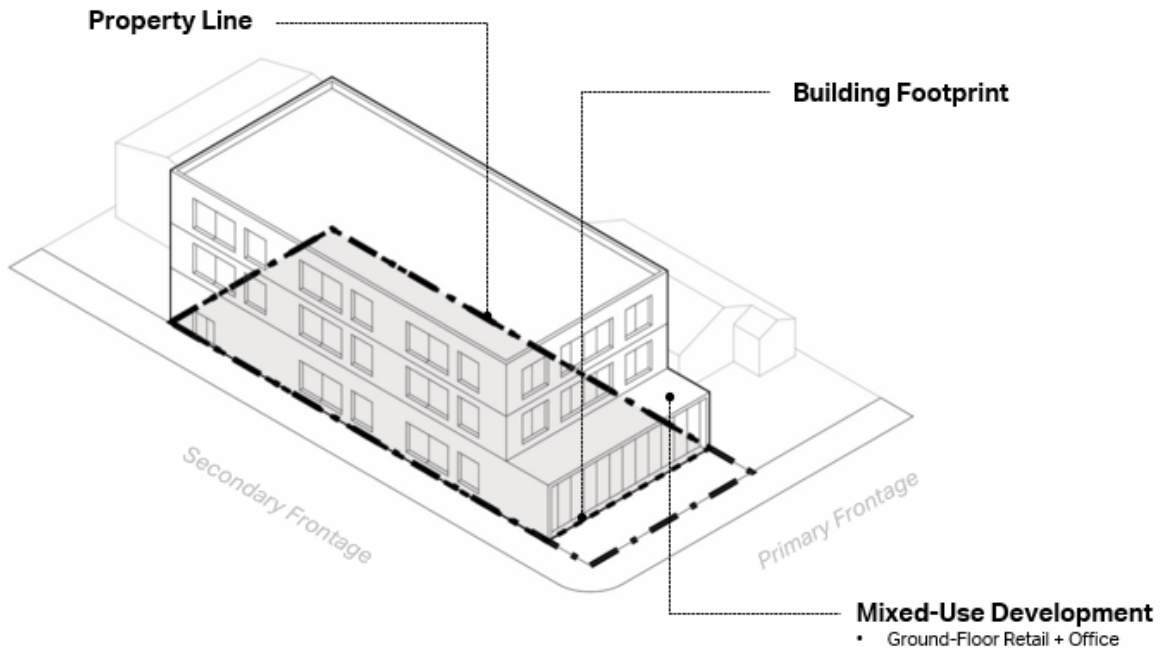


Figure 17.XX.XX DMU Setback Standards Adjacent to a One Family Dwelling Unit

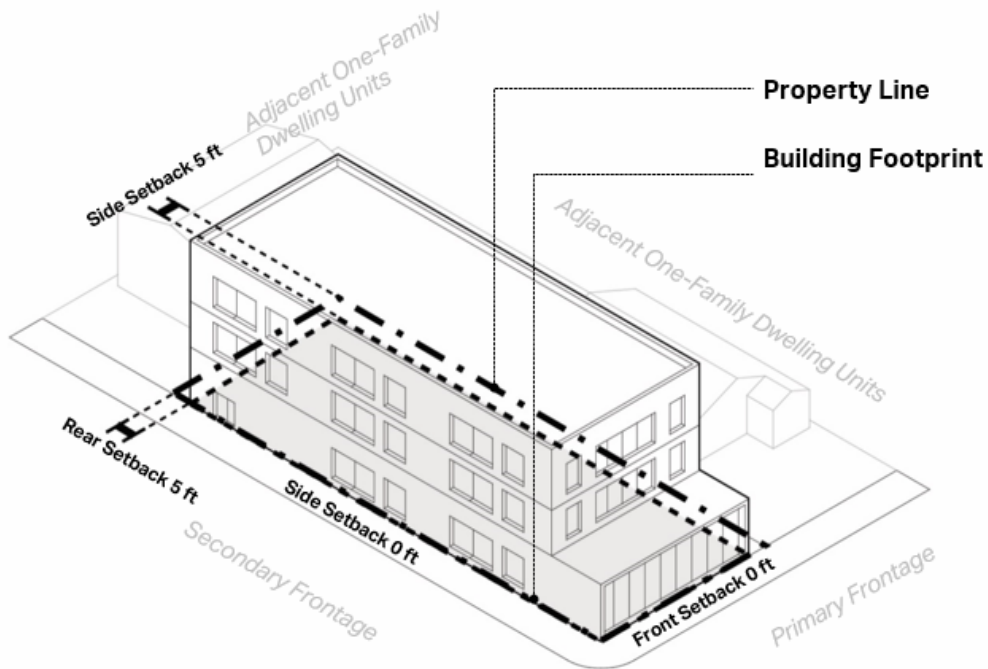


Figure 17.XX.XX DMU Setback Standards for All Other Projects

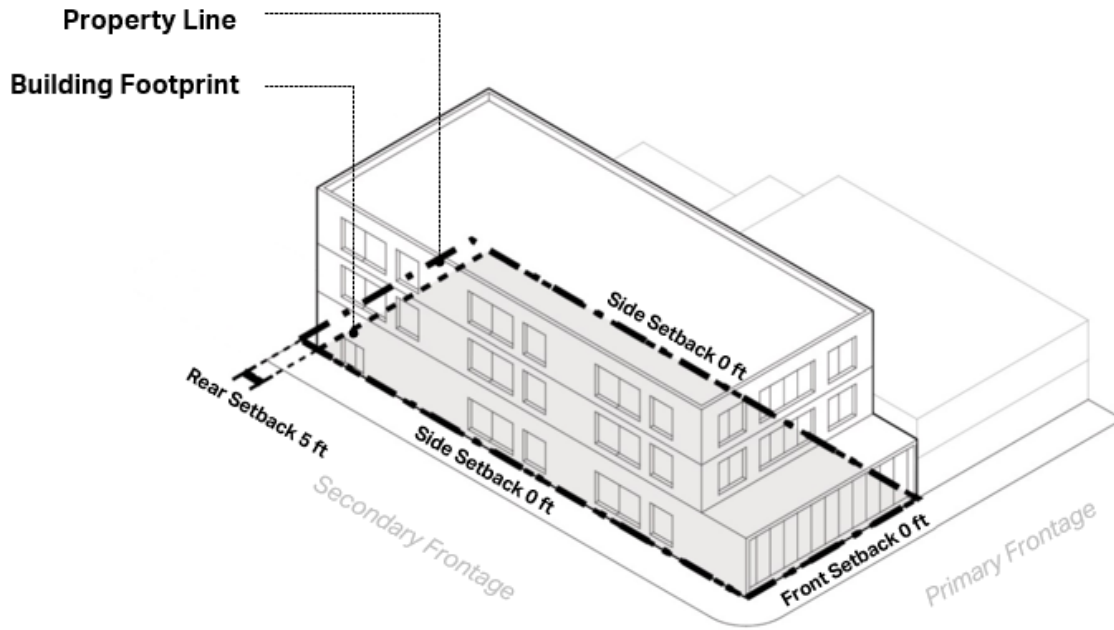


Figure 17.XX.XX Side Profile of DMU Setback and Stepback Standards Adjacent to a One Family Dwelling Unit

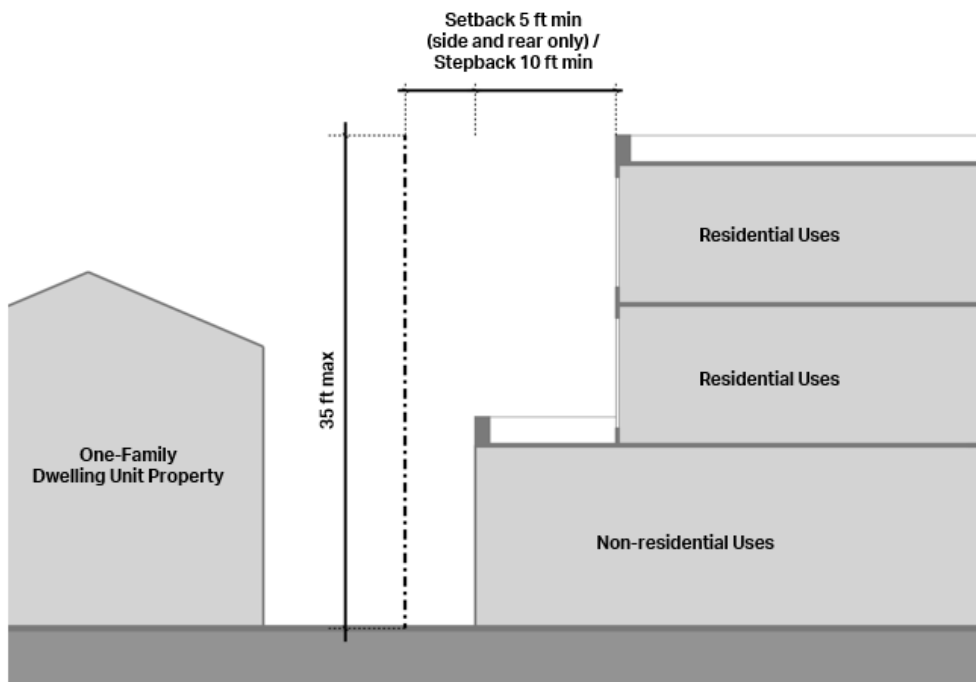
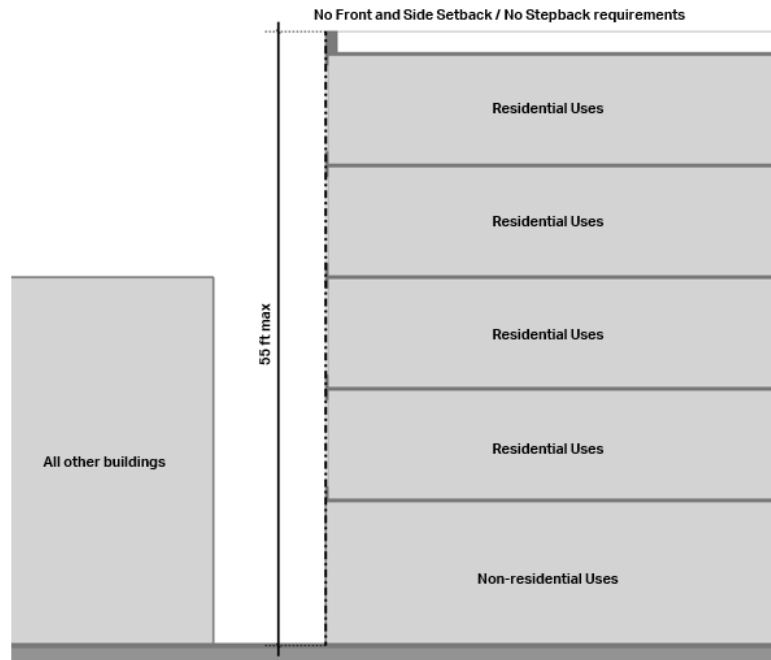


Figure 17.XX.XX Side Profile of DMU Setback and Stepback Standards for All Other Projects



§ 17.XX.XX 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 (See Figure 17.XX.XX).
 - 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 two 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. 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 2 (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. New or replacement awnings shall incorporate lighting fixtures in accordance with §17.50 to provide adequate illumination beneath the awning for safety and ambiance while also minimizing glare light pollution.

i. Fences and Walls: Fences, walls, and similar features shall comply with standards in accordance with §17.46.

Figure 17.XX.XX DMU Building Standards



§ 17.XX.XX Lighting

- A. Standards. Residential and non-residential developments in the DMU Zone shall provide lighting in accordance with the standards of Chapter 17.50.060.

§ 17.XX.XX 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.XX.XX**.

Table 17.XX.XX 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.XX.XX Landscaping

- A. Standards. Landscaping in the DMU zoning district shall comply with standards in accordance with § 17.48.

§ 17.XX.XX Parking Standards

- A. Intent. The DMU parking standards are intended to allow for infill development by allowing flexibility in off-street parking locations and avoiding parking as a constraint to reinvestment.
- 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. Electric Vehicles: New developments shall comply with CALGreen Code for electric vehicle parking space requirements. Parking spaces designated for electric vehicles shall be designed and constructed in compliance with the California Green Building Standards Code (CALGreen Code) as specified in §15.22.
 - ii. Behind Buildings: Parking spaces are to be placed behind the buildings.
 - iii. 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.
 - iv. 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.
 - v. 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.XX.XX Mixed-Use 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.XX.XX 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.

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