

## **Amend Article 4 to remove Section 4.12, Permanent Power Generators**

### **Amend Article 5, Site Development Standards, to add “permanent power generator” to Section 5.16.2.G. and to add the language of Section 4.12 to a new Section 5.16.2.H as follows:**

#### **Section 5.16.2.G.**

A central air conditioning unit, permanent power generator, heat pump, swimming pool pumps and equipment, or any other noise-producing mechanical system located in the yard of a residential unit may be located as follows:

- i. Within a rear yard, provided that such system is not located closer to a side lot line than the distance required by the side yard setback (see item D. for corner lots).
- ii. Within a side yard which is in excess of the required side yard setback.
- iii. Within a side yard setback, provided that such system does not extend into the setback by more than three feet and if the abutting parcel is occupied by a use other than one-family residential.
- iv. If such system is not located in a rear yard, or if it is located in a rear yard of a corner lot and is visible from the street, it shall be screened with landscape material with starting size not less than the height of the system.

#### **Section 5.16.2.H.**

1. Permanent power generators may be used for standby conveyance or for medical emergency purposes, whenever they occur, as a source of interim power, subject to the following regulations.
  - i. Noise shall be limited to 70 dB (A) at the point of measurement for rear yard and side yard permanent power generators.
  - ii. For rear yard permanent power generators, when the ambient noise is greater than 65 dB (A) at the property line, the noise generated from the permanent power generator in combination with the ambient noise shall not exceed more than 10 dB(A) above the ambient noise.
  - iii. Periodic cycling, e.g., testing or maintenance, shall be permitted only between 9:00 a.m. to 5:00 p.m. Monday through Saturday.
  - iv. Permanent power generators that are installed as a permanent fixture or structure connected to the electrical system of a building shall require permits issued by the Building Department in addition to permits required under the applicable construction codes; a permit for installation; and a permit for operation. Following installation, no operation shall be permitted until a use permit is issued, which shall require a noise test administered by the City with the permanent power generator operation under load for the purposes of insuring that the noise requirements of this section are met.
  - v. To the extent necessary for compliance with this section, walls, and/or an enclosure, and/or landscaping to screen the permanent power generator 365 days per year from adjacent properties and adjacent rights-of-way, shall be necessary, and, it shall be the duty of the owner of the permanent power generator, and not the duty of the City, to determine the abatement measures needed, to secure all permits required under applicable codes and ordinances, and to conform with this section.
2. Permanent power generators are allowed in all Zoning Districts as an accessory use and structure, anything to the contrary notwithstanding.