

## ARTICLE 14. M INDUSTRIAL DISTRICTS

### Sec. 1401. Purposes and objectives.

The M Industrial Zones are included in the Zoning Ordinance to achieve the following purposes: To reserve appropriately located areas for various types of industrial plants and related activities; to protect areas appropriate for industrial use from intrusion by residences and other inharmonious uses; to protect residential and commercial properties and to protect nuisance-free non-hazardous industrial uses from noise, odor, dust, dirt, smoke, vibration, heat, glare, fire, explosion, noxious fumes, radiation and other hazardous and objectionable influences incidental to certain industrial uses; to provide opportunities for certain types of industrial plants to concentrate in mutually beneficial relationships to each other; to provide adequate space to meet the needs of modern industrial development, including off-street parking and truck loading areas, and to provide industrial employment opportunities for residents of the County.

(Ord. No. 269.65, § 93, 10-28-08)

### Sec. 1402. ML Light Industrial District.

#### A. Application:

This district is intended primarily for application to those urban areas of the county which are designated for limited industrial uses in the General Plan.

#### B. Permitted uses:

1. Non-commercial, personal use solar electrical generation equipment with a design capacity to serve the electrical needs of only that site or use.

#### C. Permitted uses; site plan review:

The following uses may be permitted in accordance with the provisions of Article 21:

1. All uses listed in section 1305.C. of the CS Commercial Service District and those uses listed in sections 404.B.1, B.4, B.6, B.7, B.8, B.10, and B.11 and those uses listed in sections 404.C.1, C.2, C.4, C.8, and C.9 of the AL-10 Limited Agricultural District.
2. Light industrial and related uses including:
  - Assembly of small electric appliances such as lighting fixtures, irons, fans, toasters and electric toys, refrigerators, washing machines, dryers, dishwashers and similar home appliances.
  - Assembly of small electrical equipment such as home motion picture equipment, phonographs and radio and television receivers, but not including electrical machinery.
  - Boat building; electric motor rebuilding; paint shops.
  - Lumber yards, including planing mills; and mattress manufacture.
  - Manufacture of scientific, medical, dental and drafting instruments, orthopedic and medical appliances, cameras and photographic equipment except film, electronic equipment, musical instruments, precision instruments, optical goods, watches and clocks.
  - Manufacture of ceramic products, such as pottery, figurines and small glazed tile.
  - Manufacturing, assembling, compounding, packaging and processing of cosmetics, drugs, pharmaceuticals, toilet soap (not including refining or rendering of fats or oils) and toiletries.
  - Manufacture and assembly of electrical supplies such as coils, condensers, crystal holders, insulation, lamps, switches and wire-and-cable assembly, provided no noxious or offensive fumes or odors are produced.
  - Manufacture of cutlery, hardware, hand tools and furniture; die and pattern making; metal stamping and extrusion of small products such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils.

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Manufacturing, assembling, compounding, packaging and processing of articles or merchandise from the following previously prepared materials:

Asbestos, bone, canvas, cellophane, cellulose, cloth, cork, feathers, felt, fibre and synthetic fibre, fur, glass, hair, horn, leather, paint (not employing a boiling process), paper, plastics, precious or semi-precious metals or stones, rubber and synthetic rubber, shell, straw, textiles, tobacco and wood.

Manufacturing, assembling, compounding, processing, packaging or treatment of such products as bakery goods, candy, dairy products, food products including fruits and vegetables, but not including fish and meat products, pickles, sauerkraut, vinegar or yeast, or refining or rendering of fats and oils.

Manufacture and maintenance of electric and neon signs, billboards and commercial advertising structures.

Mini Storage

Public utility and public service structures and facilities such as communications equipment buildings, electric distribution substations, electric transmission substations, gas regulator stations, public service pumping stations, public utility service yards, railroad rights-of-way and stations, reservoirs and storage tanks.

3. Offices, retail stores and watchmen's living quarters incidental to and on the same site with an industrial use.
4. Signs in accordance with the provisions of Section 1404 of the Article and Article 16, Section 1606.C.12.
5. Accessory structures and uses located on the same site as a permitted use with site plan review or a conditional use which has been approved by the Planning Commission.
6. Public buildings and grounds.
7. Hazardous waste treatment equipment which is added to an existing use at the same site.
8. Towers used for commercial radio and television broadcasting, cellular telephone service, microwave relays and transmission; and commercial satellite communication receiving dishes.
9. Outdoor advertising structures, in accordance with the provisions of Section 1404.B. of this Article.

### D. Conditional uses, planning commission approval:

The following conditional uses may be permitted in accordance with the provisions of Article 19:

1. Any of the uses listed in section 1403.C. provided that, on the basis of the use permit application and the evidence submitted, the Planning Commission makes the following findings in addition to the findings prescribed in Article 19:
  - (a) That consideration of all the determinable characteristics of the use which is subject to the application indicates that the use has the same essential characteristics as the use listed in section 1402.C., with respect to methods of operation, type of process, materials, equipment, structures, storage and appearances.
  - (b) If the use involves nuisance or hazardous characteristics, that the application include sufficient evidence to indicate that special devices, construction or site design are planned to eliminate the nuisance or hazardous characteristics normally attendant to operation of the use.
  - (c) That the use reasonably can be expected to conform with the required conditions prescribed for the ML District in section 1406.
2. All uses listed in section 1305.D. of the CS Commercial Service District.
3. Recycling centers for ferrous metals such as iron, steel, etc., and all other scrap metals.

(Ord. No. 269.1, § 20, 6-21-66; Ord. No. 269.3, § 23, 5-6-69; Ord. No. 269.4, § 32, 6-3-70; Ord. No. 269.18, § 17, 9-5-78; Ord. No. 269.28, § 2, 6-30-81; Ord. No. 269.33, § 29, 9-21-82; Ord. No. 269.38, § 6, 9-25-90; Ord. No. 269.41, § 10, 1-9-96; Ord. No. 269.46, § 3, 10-20-98; Ord. No. 269.62, §§ 20 and 21, 10-25-05; Ord. No. 269.64, §§ 46, 47, and 48, 10-16-07; Ord. No. 269.65, §§ 94 and 95, 10-28-08)

## Sec. 1403. MH Heavy Industrial District.

### A. Application:

This district is intended for application to those urban areas of the county which are designated for general industrial use in the General Plan.

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### B. Permitted uses:

1. Non-commercial, personal use solar electrical generation equipment with a design capacity to serve the electrical needs of only that site or use.

### C. Permitted uses; site plan review:

The following uses may be permitted in accordance with the provisions of Article 21:

1. All uses listed in section 1402.C. of the ML Light Industrial Zone District.
2. Heavy industrial and related uses including:
  - Aircraft and aircraft accessories and parts manufacture
  - Automobile, truck and trailer accessories and parts manufacture
  - Automobile, truck and trailer assembly
  - Bag cleaning
  - Battery manufacture
  - Boiler works
  - Box factories and cooperage
  - Breweries, distilleries and wineries
  - Building materials manufacture and assembly including composition wall boards, partitions, panels and prefabricated structures
  - Business machine manufacture including accounting machines, calculators, card-counting equipment and typewriters
  - Can and metal container manufacture
  - Candle manufacture not including rendering
  - Carpet and rug manufacture
  - Cement products manufacture provided no hazard of fire or explosion is created, including adhesives bleaching products, bluing, calcimine, dyestuffs (except aniline) etable [sic] gelatin, glue and size
  - Concrete and concrete products manufacture
  - Clay products manufacture including brick, fire brick, tile and pipe
  - Cogeneration equipment, with a capacity of 50 megawatts or less at existing facilities, which comply with all SJVUAPCD, State, and Federal air quality laws
  - Cotton ginning and cotton wadding and linter manufacture
  - Firearms manufacture
  - Flour, feed and grain mills
  - Food products manufacture including such processing as cooking, dehydrating, roasting, refining, pasteurization and extraction involved in the preparation of such products as casein, cereal, chocolate and cocoa products, cider and vinegar, coffee, fruits and vegetables, glucose, milk and dairy products, molasses and syrups, oleomargarine, pickles, sauerkraut, sugar, vegetable oils and yeast
  - Glass and glass products manufacture
  - Grain elevators
  - Graphite and graphite products manufacture
  - Gravel, rock and cement yards
  - Hydroelectric generating facilities in connection with existing dams, canals, and pipelines where:
    - a. The capacity of the generating facilities is 5 megawatts or less,
    - b. Operation of the generating facilities will not change the flow regime in the affected stream, canal, or pipeline including but not limited to:
      - (1) Rate and volume of flow,
      - (2) Temperature,
      - (3) Amounts of dissolved oxygen to a degree that could adversely affect aquatic life, and
      - (4) Timing of release.
    - c. New power lines to connect the generating facilities to existing power lines will not exceed one mile in length if located on a new right-of-way and will not be located adjacent to a wild or scenic river.

## MH Heavy Industrial District

- d. Repair or reconstruction of the diversion structure will not raise the normal maximum surface elevation of the impoundment.
- e. There will be no significant upstream or downstream passage of fish affected by the project.
- f. The discharge from the power house will not be located more than 300 feet from the toe of the diversion structure.
- g. The project will not cause violations of applicable state or federal water quality standards.
- h. The project will not entail any construction on or alteration of a site included in or eligible for inclusion in the National Register of Historic Places, and
- i. Construction will not occur in the vicinity of any endangered, rare, or threatened species.

### Ink manufacture

Insecticides, fungicides, disinfectants and similar industrial and household chemical compounds manufacture

Jute, hemp, sisal and oakum products manufacture

Leather and fur finishing and dyeing, not including tanning and curing

Machinery manufacture including heavy electrical, agricultural, construction and mining machinery and light machinery and equipment such as air conditioning, commercial motion picture equipment, dishwashers, dryers, furnaces, heaters, refrigerators, stoves and washing machines

Machine tools manufacture including metal lathes, metal presses, metal stamping machines and woodworking machines

Meat products processing and packaging, not including slaughtering and glue and size manufacture

Metal alloys and foil manufacture including solder, pewter, brass, bronze and tin, lead and gold foil

Metal casting and foundries not including magnesium foundries

Motor and generator manufacture and testing

Paper products manufacture including shipping containers, pulp goods, carbon paper and coated paper stencils

Paraffin products manufacture

Plastic manufacture

Porcelain products manufacture including bathroom and kitchen fixtures and equipment

Precious metals reduction, smelting and refining

Recycling centers for ferrous metals such as iron, steel, etc., and all other scrap metals.

Rubber products manufacture including tires and tubes

Sand blasting

Shoe polish manufacture

Starch and dextrine manufacture

Steel products manufacture and assembly including steel cabinets and lockers, doors, fencing and furniture

Stone products manufacture and stone processing including abrasives, asbestos, stone screening and sand and lime products

Structural steel products manufacture including bars, girders, rail and wire rope

Textile bleaching

Wire and cable manufacturing

Wood and lumber processing and woodworking including planing mills and saw mills, excelsior, plywood, veneer and wood-preserving treatment

- 3. Public buildings and grounds.
- 4. Outdoor advertising structures in accordance with provisions of Section 1404.B of this article.
- 5. Accessory structures and uses located on the same site as a permitted use with site plan review, or a conditional use which has been approved by the Planning Commission, except for those uses which are owned or operated by a public agency.
- 6. Hazardous waste treatment equipment which is added to an existing use at the same site.
- 7. Signs in accordance with the provisions of Section 1606.C.12 of this Article.

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### D. Conditional uses; planning commission approval:

The following conditional uses may be permitted in accordance with the provisions of Article 19:

1. The following uses and other uses which involve nuisances, danger of fire or explosion or other hazards to health and safety, provided that the Planning Commission shall make a specific finding that the use can be expected to conform with each of the required conditions prescribed for an MH District in Article 14, Section 1406. The Planning Commission may require submission of reports by technical consultants or other evidence in addition to the data prescribed in Article 19:

Airports and heliports

Asphalt and asphalt products manufacture

Cement, lime, gypsum and plaster of paris manufacture

Charcoal, lampblack and fuel briquettes manufacture

Chemical products manufacture including acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, cleaning and polishing preparations, creosote, exterminating agents, hydrogen and oxygen, industrial alcohol, nitrating of cotton or other materials, nitrates of an explosive nature, potash, pyroxylin, rayon yarns and carbolic, hydrochloric, picric and sulphuric acids

Coal, coke and tar products manufacture

The installation of cogeneration facilities which do not meet the requirements for cogeneration facilities set forth in subparagraph 1403 C.2 above that commercially produce power for sale and which comply with all local, regional, State, and Federal regulations.

Drop forges

Dumps and slag piles

Explosives manufacture and storage

Fertilizer manufacture

Film manufacture

Fireworks manufacture and storage

Fish products processing and packaging

Garbage dumps

Gas manufacture or storage

Gas and oil wells

The installation of hydroelectric generating facilities which do not meet the requirements for hydroelectric facilities as set forth in subparagraph 1403 C.2 above that commercially produce power for sale and which comply with all local, regional, State, and Federal regulations.

Gelatin, glue and size manufacture from animal or fish refuse

Incineration or reduction of garbage, offal and dead animals

Junk yards, including the storage, sorting, collecting or baling of iron, junk, paper, rags or scrap

Lard manufacture

Linoleum and oil cloth manufacture

Magnesium foundries

Manure, peat and topsoil processing and storage

Metal and metal ores reduction, refining, smelting and alloying

Motor vehicle dismantling or wrecking yards

Paint manufacture including enamel, lacquer, shellac, turpentine and varnish

Paper mills

Petroleum and petroleum products refining and storage

Thermal power generating facilities, that commercially produce power for sale, which comply with all local, regional, State, and Federal regulations.

Rifle ranges

Rolling mills

Rubber manufacture or processing including natural or synthetic rubber and gutta-percha

Soap manufacture including fat rendering

Steam plants

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Stockyards and slaughterhouses  
 Stone quarries, gravel pits, mines and stone mills  
 Storage of inflammable liquids  
 Storage of used building materials  
 Tallow manufacture  
 Tanneries and curing and storage of rawhides  
 Wind and solar photovoltaic electrical generating facilities that commercially produce power for sale, which comply with all local, regional, State, and Federal regulations.  
 Wood and bones distillation  
 Wood pulp and fiber reduction and processing

2. Accessory structures and uses which are owned or operated by a public agency and are located on the same site as a conditional use requiring planning commission approval.
3. Hazardous waste management facilities, including transfer, storage, treatment, and disposal facilities, or combinations thereof. (see section 1908 (e)).
4. Solar photovoltaic electrical generating facilities that commercially produce power for sale, which comply with all local, regional, State, and Federal regulations.

(Ord. No. 269.3, § 24, 5-6-69; Ord. No. 269.4, § 33, 6-3-70; Ord. No. 269.33, § 30, 9-21-82; Ord. No. 269.38, §§ 7 and 8, 9-25-90; Ord. No. 269.53, §§ 8 and 9, 6-20-01; Ord. No. 269.62, § 22, 10-25-05; Ord. No. 269.64, § 49, 10-16-07; Ord. No. 269.65, §§ 96 and 99, 10-28-08)

### **Sec. 1404. Signs and outdoor advertising structures shall be permitted as follows:**

- A. Signs in accordance with the provisions of Article 16, Section 1606.C.12.
- B. Outdoor advertising structures, except as provided in paragraph E of this section.

1.	<u>District</u>	<u>Maximum permitted aggregate structural area per site</u>	<u>Maximum permitted aggregate copy area per site</u>
	ML	12.5 feet by 25 feet	240 square feet on each side
	MH	12.5 feet by 25 feet	240 square feet on each side

2. All outdoor advertising structures shall comply with the yard requirements of the districts in which they are located.
- C. Any outdoor advertising structure, when attached to a structure, which is directly across a street from property situated in any RR, R or RM District or which may be established on any lot facing directly across a street from property situated in any RR, R or RM District may not exceed sixty (60) square feet in aggregate area and shall not be directly illuminated, glaring or flashing.
- D. Outdoor advertising structures subject to the provisions of sections 1402 C. and 1403 C., of this article.
- E. No red, green, or amber lights or illuminated outdoor advertising structure may be placed in such position that they could reasonably be expected to interfere with or be confused for any official traffic-control device or traffic signal or official directional guide signs.
- F. Outdoor advertising structures may have copy on both sides of the structure, provided that the copy area on each side does not exceed the maximum area specified above in Section 1404.B.1. for the zone district in which the site is located.

(Ord. No. 269.1, § 20, 6-21-66 Ord. No. 269.50, § 2, 3-21-00; Ord. No. 269.64, § 50, 10-16-07; Ord. No. 269.65, § 100, 10-28-08)

**Sec. 1405 Screening and landscaping; fences, walls and hedges.**

Screening and landscaping; fences, walls and hedges shall be allowed under the provisions of Article 16, Section 1605.

(Ord. No. 269.4, § 34, 6-3-70; Ord. No. 269.33, § 31, 9-21-82; Ord. No. 269.56, § 50, 9-10-03; Ord. No. 269.65, § 101, 10-28-08)

**Sec. 1406 Required conditions.**

- A. In any M District, all open and unlandscaped portions of any lot shall be maintained in good condition free from weeds, dust, trash and debris.
- B. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the Planning Commission in the case of a conditional use permit, or the Zoning Administrator in the case of a site plan review, to be substantially injurious to persons or property in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, noise, vibrations, illumination glare or heavy truck traffic or to involve any undue risk of fire, explosion, or radioactivity or to emit electrical disturbances which adversely affect commercial or electronic equipment outside the boundaries of the site.
- C. No waste material shall be discharged into a public or private sewage disposal system except in compliance with the regulations of the owner of the system.
- D. All use in any M District shall comply with the emission standards of the San Joaquin Valley Unified Air Pollution Control District.

(Ord. No. 269.33, § 32, 9-21-82; Ord. No. 269.40, § 1, 10-4-94; Ord. No. 269.49, § 7, 12-7-99; Ord. No. 269.59, § 13, 11-9-04)

**Sec. 1407 Site area.**

The minimum site area shall be one (1) acre in the MH District. No minimum site area shall be required in the ML District.

**Sec. 1408 Yard requirements.**

A. Front Yard: The minimum front yard shall be as follows:

<u>District</u>	<u>Minimum</u>
ML	25 feet
MH	15 feet

- B. Rear Yard and Side Yards: Except as provided in paragraphs 1, 2 and 3 hereunder, no rear yard or side yards shall be required:
  - 1. The minimum rear yard abutting a RR, R or RM District shall be fifteen (15) feet.
  - 2. On a reversed corner lot adjoining a key lot in a RR, R or RM District, the minimum side yard adjoining the street shall not be less than one-half (1/2) the required front yard on the key lot.
  - 3. The minimum side yard abutting a RR, R or RM District shall be fifteen (15) feet.
- C. If greater minimum distances between structures than those listed in section 1410 below are required by the fire code regulations for safety and fire protection, such greater separation requirements shall be imposed. This includes distances from structures on adjacent properties. Construction methods using higher fire ratings may be substituted to satisfy all or part of such higher fire-related separation requirements.

(Ord. No. 269.44, § 33, 7-29-97)

**Sec. 1409 Off-street parking areas, aisles, access drives, access lanes and off-street loading facilities.**

Off-street parking areas, aisles, access drives, access lanes and off-street loading facilities shall be provided on the site for each use as prescribed in Article 15.

(Ord. No. 269.65, § 102, 10-28-08)

**Sec. 1410 Distance between structures.**

The minimum distance between a dwelling unit and another structure shall be ten (10) feet. However, greater minimum distances between structures may be required if fire code regulations require greater separation between structures for safety and fire protection. This includes distances from structures on adjacent properties. Construction methods using higher fire ratings may be substituted to satisfy all or a part of such fire-related separation requirements.

(Ord. No. 269.44, § 34, 7-29-97)

**Sec. 1411 General provisions and exceptions.**

All uses shall be subject to the general provisions and exceptions as prescribed in Article 17.

**Sec. 1412 MP Planned industrial district.**

A. Purposes and application:

The Planned Industrial District is intended for application to those industrial areas of the county which are being developed or are planned for development for the mutual protection of a community of industries in accordance with a development program which involves the combining of certain uses which are otherwise permitted only within the ML or MH Districts and which involves development regulations which are more restrictive than those otherwise provided in the ML or MH Districts.

B. Regulations:

In order to assure the mutual protection and compatibility of uses located or proposed to be located within an MP District, the owner or owners of all the land within the area proposed to be classified MP shall submit to the County Planning Commission, on a form prescribed by the Planning Commission, the following:

1. A more restrictive list of those uses appearing in Sections 1402.B., 1402.C., 1403.B., and 1403.C., which are desired by the owner or owners to be listed as permitted uses under this Section.
2. Statement of more restrictive regulations relating to each of the subjects of Sections 1309 through 1318, and Sections 1404 through 1411 than are now provided by these sections and this Ordinance which are desired by the owner or owners to become additional regulations under this Section.

Upon written approval of the County Planning Commission and Board of Supervisors, the list of permitted uses and statements of more restrictive regulations requested for a particular parcel or parcels of land shall become the regulations of this Section with respect to such parcel or parcels of land by reference with the same force and effect as if the regulations were specifically set out and described under this Section, provided however, that statements of more restrictive regulations shall apply in addition to those prescribed within Sections 1404 through 1411.

The minimum acreage required for application of the MP District shall be twenty (20) acres.

C. Required conditions:

Before the Planning Commission and Board of Supervisors may give written approval under Paragraph B. of this Section and classify property as being within the MP District in accordance with the provisions of this Section and all other applicable provisions of this Ordinance, the owner or owners referred to in Paragraph B. of this Section shall record, in the office of the County Recorder, deed restrictions running with the land affected corresponding to the list of permitted uses and statements of more restrictive regulations approved under Paragraph B. of this Section.

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