

## *Chapter 21.28*

### ***REGULATIONS FOR HEAVY INDUSTRIAL ZONING DISTRICTS OR "HI" DISTRICTS***

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#### **21.28.010 PURPOSE.**

The purpose of this Chapter is to provide a district which will assure an environment conducive to the development and protection of modern industry, research institutions and administrative facilities, all well designed and properly landscaped, which are not dependent on pedestrian traffic.

#### **21.28.020 APPLICABILITY.**

Regulations of this Chapter shall apply in all "HI" districts subject to the provisions of Chapter 21.62 (Height and Setback Exceptions) of this Title.

#### **21.28.030 GENERAL DEVELOPMENT PLANS.**

- A. A General Development Plan shall be required prior to the establishment of any development in the Heavy Industrial district if there is no prior approved General Development Plan and if:
- 1) The lot is in excess of one acre; or,
  - 2) The development proposed includes more than one use; or,
  - 3) The development includes any form of subdivision (Title 19, Subdivision Ordinance).

- B. No new development, change or expansion of use, or physical improvements may approved unless such development, use or expansion is found to be in conformance with an approved General Development Plan and amendments thereto where such plan is required.
- C. General development plans and amendments thereto shall be approved by the Planning Commission.
- D. The plans shall be prepared by the developer and submitted for review and approval prior to or concurrent with approval of any required permits for the development. The plans shall address the long range development and operation of the facilities including physical expansion and new development, operational changes, circulation or transportation improvements, alternative development opportunities, environmental considerations, potential mitigation of adverse environmental impacts and conformance to the policies of the local area plan.
- E. The requirement of a General Development Plan or an amendment to a General Development Plan may be waived by the Director of Planning and Building Inspection when, due to the circumstances of the particular situation, there is no potential significant adverse impact from the development and requiring the General Development Plan will not further the purposes of this Chapter.

**21.28.040 USES ALLOWED**

- A. Change of heavy industrial uses within a structure provided the new use will not change the nature or intensity of the use of the structure;
- B. Water system facilities including wells and storage tanks serving four or fewer service connections, pursuant to Title 15.04, Monterey County Code and replacement of water tanks and wells where no increase in service connections are created. The screening of any tanks and associated structures shall be approved by the Director of Planning and Building Inspection;
- C. Cultivation, cutting and removal of Christmas trees;
- D. Other uses of a similar character, density and intensity to those listed in this Section.

**21.28.050 USES ALLOWED SUBJECT TO AN ADMINISTRATIVE PERMIT REQUIRED IN EACH CASE (CHAPTER 21.70).**

- A. One caretaker unit for the purpose of providing on-site security;
- B. Reduction in setback requirements provided the proposed reduction is ten percent or less of the required setbacks;
- C. Accessory structures and accessory uses appurtenant to any permitted use provided there is no intensification of the permitted use;
- D. Parking lots used in conjunction with an adjoining commercial or retail use;

- E. Small water system facilities including wells and storage tanks serving five to fourteen service connections;
- F. Accessory structures and uses prior to establishment of main use or structure;
- G. Hotels and motels;
- H. Animal hospitals;
- I. Parking lots;
- J. Offices less than 5,000 square feet of floor area;
- K. Shops for tradesmen such as plumbers, electricians, furniture makers and repairmen, appliance repairmen, and similar uses provided that in all cases all equipment and materials, except vehicles, are maintained within a structure;
- L. Picture framing business;
- M. Shops of a light commercial character conducted within a structure;
- N. Stationery and office supply store;
- O. Storage, rental and sales of irrigation equipment;
- P. The manufacture of clothing;
- Q. Day care center for use of on-site employees and employees of developments on the same lot or subdivision;
- R. Other uses of a similar character, density and intensity to those listed in this Section.
- S. Auto repair facilities;
- T. Body and fender repair;
- U. Vehicle painting;
- V. Storage garages.
- W. Additions to existing, approved wireless communications facilities, pursuant to Section 21.64.310.

**21.28.060 USES ALLOWED - USE PERMIT REQUIRED IN EACH CASE. (CHAPTER 21.76)**

- A. Bottling works, carpenter shops, contractors yards, lumberyards, bulk storage of oil and gasoline, plumbing shops, welding shops, public utility structures and uses, and other uses of a similar character (ZA);
- B. The manufacture of clothing, handicraft products, printing, lithographing, and other light manufacturing or industrial uses of a similar character (ZA);
- C. Industrial manufacturing uses;
- D. Research and development laboratories and institutes;
- E. Chemical laboratories, electronic products and instrument manufacturing;
- F. Non-retail dry cleaning plants and laundries (ZA);
- G. Wholesale stores, storage and warehouses (ZA);
- H. Offices in excess of 5,000 square feet of floor area (ZA);
- I. Food processing, fish canning and other uses of similar character (ZA);
- J. Junk yards, wrecking yards, automobile dismantling yards;
- K. The manufacture of acid, cement, electric power, explosives, nuclear components, fireworks, pesticides, fertilizer, gas, glue, gypsum, inflammable fluids or gases, incineration of garbage, refining of petroleum and its products, tank farms, smelting of copper, iron, tin, zinc, and other ores and other uses which might be objectionable by reason of the production or emission of noise, offensive odor, smoke, dust, bright lights, vibration or involving the handling of explosives or dangerous materials;
- L. Legal nonconforming use of a portion of a structure extended throughout the structure (ZA);
- M. Legal nonconforming use changed to a use of a similar or more restricted nature;
- N. Commercial and noncommercial wind energy systems;
- O. Removal of minerals or natural materials for commercial purposes;
- P. Assemblages of people, such as carnivals, festivals, races and circuses not exceeding ten days and not involving construction of permanent facilities (ZA);
- Q. Agricultural processing plants (ZA);
- R. All residential uses provided that the gross square footage of the residential use does not exceed the gross square footage of the industrial use (ZA);

- S. Water system facilities including wells and storage tanks serving fifteen or more service connections (ZA);
- T. Zoos or zoological gardens for the purpose of raising, maintaining, keeping or exhibiting any wild animal;
- U. Public and quasi-public uses including churches, parks, playgrounds, schools, public safety facilities, public utility facilities, jails, rehabilitation centers and detention facilities;
- V. Ridgeline development;
- W. Development in the Carmel Valley Floodplain pursuant to Section 21.64.130 (ZA);
- X. Any lot or establishment where alcoholic beverages are served, commercial place of amusement or recreation or any place where live entertainment is provided within 200 feet of the boundary of a residential district (ZA);
- Y. Commercial kennels (ZA);
- Z. Wholesale and retail establishments distributing materials and products essential to agriculture and farming operations, except manure (ZA);
- AA. Reserved;
- BB. Propane distributorships, sales and service of appliances and related equipment (ZA);
- CC. Wholesale distributors of petroleum products, contractors yards, welding shops and other uses of a similar character (ZA);
- DD. Warehouses for the collection, packaging and distribution of agricultural and horticultural products (ZA);
- EE. Other uses of a similar character, density and intensity to those listed in this Section;
- FF. The exploration for and the removal of oil and gas (ZA).
- GG. Open air sales (ZA);
- HH. Auto sales (ZA);
- II. Funeral parlors (ZA).
- JJ. Wireless communications facilities, pursuant to Section 21.64.310.

**21.28.070 SITE DEVELOPMENT STANDARDS.**

A. Structure Height and Setback Regulations:

1. The maximum structure height is 35 feet unless superseded by a structure height limit noted on the zoning map. (e.g. "HI/(50)" would limit structure height to 50 feet). Additional height may be allowed subject to a Use Permit (ZA).
2. Setbacks for development in the HI district are established by the approval of the General Development Plan where such plan is required.
3. Setbacks for development where a General Development Plan is not required shall be established by the Appropriate Authority through the project review process based on:
  - a) surrounding land use;
  - b) provision of adequate parking and landscaping;
  - c) other site design features.
4. All minimum setback requirements established by a combining "B" district, setbacks shown on a recorded final map or parcel map or setback lines shown on a Sectional District map shall apply.

B. Building Site Coverage, Maximum: 50%, excluding parking and landscaping.

C. Parking Regulations

All parking shall be established pursuant to Chapter 21.58.

D. Landscaping Requirements

All developments allowed shall have landscaping covering a minimum of 10% of the site area subject to a plan approved by the Director of Planning and Building Inspection. The landscaping shall be in place prior to the commencement of use.

E. Lighting Plan Requirements

All exterior lighting shall be unobtrusive, harmonious with the local area and constructed or located so that only the area intended is illuminated and off-site glare is fully controlled. The location, type and wattage of the exterior lighting must be approved by the Director of Planning and Building Inspection prior to the issuance of building permits or the establishment of the use.

F. Sign Regulations.

Signing for all development shall be established pursuant to Chapter 21.60.

**21.28.080 SPECIAL REGULATIONS.**

- A. All manufacturing and fabrication operations shall be conducted within structures. All equipment and material storage areas shall be screened by solid walls, fences, or by adequate plantings of not less than six feet in height.
- B. Manufactured dwelling units meeting the standards of Section 21.64.040 are permitted subject to the requirements of any conventional dwelling unit in this Chapter.
- C. The following types of development are subject to Section 21.64.250 (Regulations for the Reduction of Vehicle Trips) of this Title:
  - a) Any residential development of 25 or more units; or
  - b) Any new or expanded commercial, industrial or tourist oriented development which will employ 50 or more persons; or
  - c) Any new or expanded commercial, industrial or tourist oriented development of 25,000 gross square feet or more.