

ARTICLE 26. INDUSTRIAL ZONES

Note

* **Editor's note**—Ord. No. 94-37 amended §§ 33-560 through 33-659, replacing Arts. 26 through 29 with a new Art. 26. The prior ordinance history for the replaced articles is as follows: Ords. 88-58, 90-8, 91-4, 92-17, 92-21, 92-47, 93-25 and Zoning Code Ch. 106.

Sec. 33-560. Purpose of this chapter.

- (a) Provide industrial areas to accommodate a wide variety of enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of good, merchandise, or equipment in conformance with environmental laws and industry standards.
- (b) Provide adequate space to meet the needs of industrial development including off-street parking, loading, and storage.
- (c) Protect industrial areas from encroachment of nonrelated commercial or residential uses.
- (d) Create a hierarchy of zones based upon development standards, outdoor storage regulations and off-street loading requirements to appropriately situate a range of industrial uses.
- (e) Promote a mix of industrial uses that provide the city with a sound, diverse industrial base. (Ord. No. 94-37, § 1, 11-9-94)

Sec. 33-561. Purpose of individual industrial zones.

- (a) **Light Industrial (M-1) Zone.** The purpose of the light industrial (M-1) zone is to provide for a variety of light industrial firms engaged in processing, assembling, manufacturing, storage warehousing and distribution, research and development, and other light industrial uses not typically suited to commercial zones by virtue of operational characteristics and space needs. Necessary support and service uses are also permitted. In order to ensure compatibility among a variety of uses, M-1 development standards are more restrictive than the general industrial zone. Outdoor storage is permitted as an accessory use, but is limited in scale.
- (b) **General Industrial (M-2) Zone.** The M-2 zone allows the widest range of manufacturing, warehousing/ distributing, assembling, and wholesaling activities including those considered “heavy” or “intensive” by virtue of increased outside storage needs, heavier equipment, and operational characteristics that require the least restrictive design standards. Although light industrial uses are permitted, they must accommodate M-2 standards.
- (c) **Industrial/Office (I-O) Zone.** The purpose of the industrial/office (I-O) zone is to provide for light manufacturing, research and development firms, and office-type industrial operations which are less intensive than the M-1 and M-2 zone uses. This zone does not allow outdoor storage other than for small fleet vehicles.
- (d) **Industrial Park (I-P) Zone.** The industrial park (I-P) zone encourages well designed industrial park developments concentrated in specific areas rather than scattered around the planning area. The general purpose of the industrial park (I-P) zone is to provide sites for manufacturing and research and development firms that are employee intensive and clean in nature. The zone is also intended to promote an attractive industrial park environment through:
 - (1) Construction—attractive, high quality and designed to promote orderly growth (see property development standards, section 33-569);
 - (2) Landscaping—comprehensively designed to integrate with adjacent developments by promoting common landscaping themes (see landscaping standards, Article 62 of this chapter);
 - (3) Signage—coordinated programs to provide adequate identification without cluttering the zone (see sign standards, Article 66 of this chapter);
 - (4) Planned developments—opportunity for large-scale industrial park planning with a comprehensive architectural, landscaping and sign program (see P-D standards, Article 19 of this chapter).
 (Ord. No. 94-37, § 1, 11-9-94; Ord. No. 2017-03R, § 4, 3-22-17)

Sec. 33-562. Plot plan review required.

A plot plan review shall be required pursuant to Article 61, Division 8 under the following circumstances.

- (a) Request for a building permit for any new building, structure, or addition.
- (b) A new use of land or existing structure which may require additional parking.
- (c) To allow outdoor storage as a new use on a property.
- (d) To allow new permitted use to store materials above the approved height of the existing outdoor storage use consistent with the standards of section 33-571. (Ord. No. 94-37, § 1, 11-9-94; Ord. No. 2017-03R, § 4, 3-22-17)

Sec. 33-563. General plan compatibility.

Table 33-563 shows the general plan designations corresponding to the industrial zoning district designations.

**Table 33-563
INDUSTRIAL ZONES**

General Plan Designation	Corresponding Zoning
General industrial	General industrial (M-2)/ Light industrial (M-1)
Industrial office	General industrial (M-2)/ Light industrial (M-1)/ Industrial office (I-O)
Light industrial	Light industrial (M-1)/ Industrial park (I-P)

(Ord. No. 94-37, § 1, 11-9-94)

Sec. 33-564. Land uses.

(a) **Principal Uses and Structures.** The following Table 33-564 lists those uses which are permitted (P) or subject to a conditional use permit (C) in industrial districts. Major conditional use permits (C) and minor conditional use permits (C#) shall be processed pursuant to Article 61, Division 1 of this chapter.

**Table 33-564
PERMITTED AND CONDITIONALLY PERMITTED PRINCIPAL USES**

Use Title	I-O	M-1	M-2	I-P
Administrative and business offices	P			P

Agriculture livestock (not including animal waste processing facilities)		C	P	
Ammunition manufacturing		C	C	
Animal boarding (indoor boarding only) and training, feeding, care, grooming and "daycare" ² . Does not include animal shelters****, sales or breeding		P	P	
Animal hospital and care		P	P	
Assembly	P	P	P	P
Auction services	P	P	P	P
Automotive services (including motorcycles, marine craft, and recreational vehicles)				
Gasoline sales or services				
Fleet fueling		P	P	
Car-wash, polishing, vacuuming, or detailing (primary or accessory use)		C	C	
Limited vehicle repair* (subject to Article 57)		P	P	
General vehicle repair* (subject to Article 57)		C#	C#	
Commercial vehicle repair* (subject to Article 57)			C	
Tire retreading* (subject to Article 57)				
Junkyard and wrecking yard* (subject to Chapter 15 and Article 57)			C	
Fleet storage* (subject to Article 57)		C	C	
Tow yard storage* (subject to Article 57)			C	
Building materials**	P	P	P	P
Bulk fertilizer (not including animal waste processing facilities)			C	
Cabinet manufacturer/wholesaler**	P	P	P	P
Canning/curing seafoods		C	C	
Carpeting manufacturer/wholesaler**	P	P	P	P/C
Car-wash, polishing, vacuuming, or detailing (primary or accessory use) (subject to Article 57)		C	C	
Communication facilities (subject to Article 34)	P	P	P	P
Construction services	P	P	P	P
Crematoriums	P	P	P	P
Daycare (subject to Article 57)				C
Electrical wholesale houses**	P	P	P	P
Emergency shelters****		P		
Equipment sales and leasing (subject to Article 57)		P	P	
Experimental-type uses	C	C	C	C
Feed stores**	P	P	P	P
Financial services				
Bank		P	P	
Bank (drive-in,* drive-through*) (section 33-341)		C	C	
Check-cash/pay day				
Real estate service or security broker	P			P
Furniture manufacturer/wholesaler**	P	P	P	P
Government services	P			
Grain mills		C	P	
Green waste compost facility			C	
Health and fitness facilities	C#			C#
Heavy construction equipment** (e.g., tractors, earth moving equipment, etc.)	P	P	P	P
Helipads		C	C	C
Industrial hardware**	P	P	P	P
Landscape materials** (e.g., soil, compost, wood chips)	P	P	P	P
Laundry and dry cleaning services				
Self-service, coin-operated				
Pick-up service only				
Dry cleaning, laundering, pressing and dyeing for on-site retail customers only				
Commercial laundry or pressing		C	C	
Lumber yards**	C	C#	P	C
Manufacturing	P	P	P	P
Masonry products**	P	P	P	P
Materials batch plants and concrete recycling			C	
Medical laboratories	P	P	P	P
Oil refinery and bulk stations (located outside of the HCO zone)			C	
Plumbing supply**	P	P	P	P
Postsecondary vocational training schools, limited to training for uses which are permitted or conditionally permitted in the zone	C	C	C	C
Power plants			C	C
Primary metal manufacturing			C	
Recycling facilities ¹				
Reverse vending machine ¹	P	P	P	
Small processing facility ¹		P/C	P	
Large processing facility ¹		C	C	

Repair services	P	P	P	P
Restaurants		C#	C#	C#
Slaughter houses/meat products		C	C	
Social and charitable services (including emergency shelters)***		C		
Solid waste transfer facility			C	
Storage yards		C	P	
Swap meet		C		
Trades	P	P	P	P
Transmission/communication facilities		C	C	
Transportation facilities	P	P	P	
Uses involving hazardous chemicals or waste*	C	C	C	C
Utilities	P	P	P	
Vehicle Sales				
Boutique car sales* (subject to Article 57)				
Car dealership* (subject to Article 57)	C	C	C	C
Parts and accessories sale and supply		P	P	P
Tractor or heavy truck sales, storage, or rental* (subject to Article 57)		C	C	
Vehicle, shredding and dismantling		C	P	
Warehousing and distribution	P	P	P	P
Mini-warehouse storage facilities		C		
Wholesale	P	P	P	P

Notes:

- * = As determined by the director and the fire chief based on information provided by the business describing the quantity and nature of hazardous chemicals used.
- ** = Retail or support service components greater than the maximum fifteen (15) percent floor area/sales allowed by section 33-565 (Accessory uses and structures) is allowed only in M-1 and M-2 zones, subject to conditions in section 33-566—Specialized retail uses.
- *** = Only on sites immediately adjacent to the general commercial zone and within five hundred (500) feet of public transportation.
- **** = Only on sites within the emergency shelter overlay, Figure 33-661, and subject to the requirements of Article 27.
- ***** = Dog shelters generally means an establishment, especially one supported by charitable contributions, that provides a temporary home for dogs, cats and other animals that are offered for adoption.
- 1 = Pursuant to Article 33 of the zoning code (recycling facilities).
- 2 = Pursuant to section 33-576 of this article (animal boarding and daycare).
- P = Permitted use.
- C = Conditionally permitted use subject to issuance of a conditional use permit; either major (C) or minor (C#) (pursuant to Article 61, Division 1 of this chapter).

(b) The following business uses shall be classified as “environmentally sensitive businesses”:

- (1) If any portion of the business is classified as a group H occupancy, except divisions 4 and 5, pursuant to California Building Code section 307.1, as amended;
- (2) If the business operations require the approval of, or a permit from, the San Diego County Air Pollution Control District;
- (3) Any business that operates under a permit or conditions imposed by state or federal laws regarding odor or the release of airborne contaminants;
- (4) Any business that requires a conditional use permit for operation, and which is identified in the conditional use permit as a business producing odors derived from hazardous materials or hazardous waste;
- (5) Any business that requires an industrial waste users discharge permit, pursuant to section 22-176 of the Escondido Municipal Code;
- (6) Any business that is required to prepare and submit a storm water pollution prevention plan, pursuant to Escondido Municipal Code section 22-26; and
- (7) Any business that identifies itself as using any hazardous manufacturing or industrial processes, as identified on its business license application or a fire department inspection form. (Ord. 94-37, § 1, 11-9-94; Ord. No. 97-05, § 2, 4-2-97; Ord. No. 2000-28, § 4, 10-4-00; Ord. No. 2000-37R, § 4, 12-13-00; Ord. No. 2001-31R, § 15, 12-5-01; Ord. No. 2013-09R, § 4, 11-6-13; Ord. 2015-04, § 4, 3-4-15; Ord. No. 2016-12, § 4, 9-28-16; Ord. No. 2016-15, § 4, 10-26-16; Ord. No. 2017-03R, § 4, 3-22-17; Ord. No. 2017-16, § 4, 1-10-18; Ord. No. 2018-12, § 12, 6-6-18; Ord. No. 2018-13R, § 10, 6-6-18; Ord. No. 2019-09, § 6, 9-11-19; Ord. No. 2020-31R, § 6, 1-13-21)

Sec. 33-565. Permitted accessory uses and structures.

(a) Accessory uses and structures are permitted in the industrial zones, provided they are incidental to and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to, the following:

**Table 33-565
PERMITTED ACCESSORY USES AND STRUCTURES**

Use Title	I-O	M-1	M-2	I-P
ATM kiosk				
ATM kiosk (drive-in,* drive-through*) (section 33-341)				
Fleet storage* (subject to Article 57)	P	P	P	P
Tow truck operation incidental to repair* (subject to Article 57)		P/C	P/C	
Bus stop shelters**	P	P	P	P
Cafeteria, operated in conjunction with a permitted use for the convenience of persons employed upon the premises	P	P	P	P
Caretakers’ or watchperson’s dwelling	P	P	P	P
Commercial sales and service uses clearly incidental and secondary to a principal permitted use as provided for in section 33-565(b)	P	P	P	P
Incubator uses as provided for in section 33-565(c)		C#	C#	
Cottage food operations and home occupations as provided for in Article 44	P	P	P	P
Employee recreational facilities and play areas	P	P	P	P
Other accessory uses and buildings customarily appurtenant to a permitted use	P	P	P	P
Reverse vending machines* (Article 33)	P	P	P	P
Satellite dish antennas*	P	P	P	P
Storage buildings incidental to a permitted use	P	P	P	P

Use Title	I-O	M-1	M-2	I-P
ATM kiosk				
ATM kiosk (drive-in,* drive-through*) (section 33-341)				
Fleet storage* (subject to Article 57)	P	P	P	P
Tow truck operation incidental to repair* (subject to Article 57)		P/C	P/C	
Storage of materials used for the construction of a building, including the contractor's temporary office, provided that such use is on the building site or immediately adjacent thereto and provided further, that such use shall be permitted only during the construction period and the 30 days thereafter	P	P	P	P

Notes:

- * Subject to special regulations—see section 33-700.
- ** Subject to special regulations—see section 33-1118.

(b) Sales and service uses incidental and accessory to a principally permitted use may be permitted by the director of community development provided that the following standards are met:

- (1) The operations are contained within the main structure which houses the primary use.
- (2) The use occupies no more than fifteen (15) percent of the gross building square footage.
- (3) No retail sales or display of merchandise occur(s) outside the structure(s), or outside designated outdoor storage area.
- (4) All products offered for sale on the site are manufactured, warehoused, or assembled on the premises.
- (c) Sales and service uses not accessory to a principally permitted use may be conditionally permitted in the M-1 and M-2 zones, as an incubator use or activity.
 - (1) Incubator uses and/or activities shall be subject to all applicable city, state, and federal code requirements, as well as the following operational limitations:
 - (A) The use shall be permitted in the existing space of an existing industrial building or suite.
 - (B) No more than one incubator, as described by this section, shall be permitted within any industrial building complex, regardless of size.
 - (C) An incubator shall only be allowed as a sub-lessee of a bona-fide industrial user.
 - (D) The use shall occupy no more than one thousand (1,000) square feet or ten (10) percent of the total floor area of the primary industrial space from whom they sublease, whichever is less.
 - (E) Parking for incubator uses shall be determined based on the parking requirement for the proposed use, in accordance with the provisions of Article 39 of the Zoning Code, governing off-street parking requirements.
 - (F) Hours of operations shall be limited to those of the primary industrial use on site and not adversely impact industrial use activity or operations.
 - (G) Exterior signage for the use shall be limited to window signage.
 - (H) Customers of the incubator space shall be seen by appointment only.
 - (I) Incubator uses must have restrooms available for employees and customers/clients.
 - (2) The use shall be conditionally permitted for no more than four (4) years, at which time it must vacate the space. Sub-lessee shall not assign any lease agreement, or sub-let or grant any use to the premises or any part thereof without the prior written consent of the city. Upon the termination date, the sub-lessee shall be required to vacate the premises.
 - (3) This subsection shall remain in effect only until January 1, 2023, and as of that date is repealed. Any use, as described by the section, in operation after this date shall be permitted as a non-conforming use, subject to Article 61 of the Zoning Code, and shall be allowed to lawfully continue its operations until the fourth anniversary of the approval of its conditional use permit. (Ord. 94-37, § 1, 11-9-94; Ord. No. 2013-07RR, § 4, 12-4-13; Ord. No. 2017-16, § 4, 1-10-18; Ord. No. 2018-20, § 7, 11-28-18; Ord. No. 2019-10, § 7, 8-21-19; Ord. No. 2019-09, § 6, 9-11-19)

Sec. 33-566. Specialized retail uses.

A limited list of industrial uses which contain a retail component greater than the maximum fifteen (15) percent floor area/sales allowed under the “accessory uses and structures” section shall be permitted within the M-1 and M-2 industrial zones. These uses have been determined to be industrial in nature; however, given unique circumstances involving the need to manufacture, warehouse, wholesale, and/or store their products on-site, they would not be appropriately located in the commercial zones. Those industrial uses, specified in Table 33-564 (and other uses determined to be similar in nature as permitted by the director), shall be permitted subject to the following:

- (a) Prior to issuance of a building or occupancy permit, the applicant shall submit a plot plan application pursuant to Article 61, Division 8 of this chapter.
- (b) The applicant shall provide parking at a ratio of one (1) space per two hundred fifty (250) square feet of floor area for that portion of the retail and display/showroom designated areas which exceed fifteen (15) percent of the gross floor area on the site (unless a lower parking ratio is deemed adequate by the director pursuant to section 33-764). Parking shall be provided at the standard industrial use ratios for the balance of the floor area on the site, pursuant to section 33-760 et seq.
- (c) The applicant will be allowed only the amount of signage permitted by the citywide sign ordinance for the underlying industrial zone, pursuant to section 33-1390. (Ord. No. 94-37, § 1, 11-9-94; Ord. No. 2017-03R, § 4, 3-22-17; Ord. No. 2017-16, § 4, 1-10-18)

Sec. 33-567. Reserved.

* Editor's note—Ord. No. 2017-16, adopted 1-10-18, repealed § 33-357 pertaining to incidental uses which was derived from Ord. Nos. 94-37 and 2017-03R.

Sec. 33-568. Prohibited uses.

All uses and structures not listed as permitted, accessory or conditionally permitted uses and not meeting the requirements for incidental uses shall be prohibited. However, the director may approve a use, after study and deliberation, which is found to be consistent with the purposes of this section, similar to the uses listed as permitted uses, and not more detrimental to the zone than those uses listed as permitted uses. (Ord. No. 94-37, § 1, 11-9-94; Ord. No. 2017-03R, § 4, 3-22-17)

Sec. 33-569. Development standards.

The following standards apply to all industrial zones and shall be minimum unless stated otherwise.

**TABLE 33-569
INDUSTRIAL DEVELOPMENT STANDARDS**

STANDARD	M-1	M-2	I-P	I-O
Lot area ^(1, 2)	7,000 SF	10,000 SF	1 Acre	7,000 SF
Average lot width ⁽²⁾	50'	50'	100'	50'
Lot frontage minimum ⁽²⁾	35'	35'	70' except 35' on cul-de-sac	35'
Front setback ⁽³⁾	10'	10'	20'	15'
Side setback ⁽³⁾	None	None	None	None
Adjoining residential zone, ⁽⁵⁾ school, or park	20'	20'	20'	20'
Adjoining dedicated street, ⁽⁵⁾ or right-of-way	10'	10'	10'	15'
Rear setback ⁽³⁾	None	None	None	None

STANDARD	M-1	M-2	I-P	I-O
Adjoining residential zone, ⁽⁵⁾ school, or park	20'	20'	20'	20'
Adjoining dedicated street, ⁽⁵⁾ or right-of-way	10'	10'	20'	15'
Landscaping ⁽⁴⁾	—Subject to citywide landscape ordinance ⁽⁶⁾ — See Article 62			
Distance between buildings (on same property)	None	None	15'	15'
Maximum building height	UBC	UBC	UBC	UBC
Within 100' from residentially zoned property	UBC	UBC	35'	35'
Maximum lot coverage	None	None	40%	None
Average suite size	None	None	5,000 SF	None
Parking	According to section 33-760	According to section 33-760	According to section 33-760	According to section 33-760
Off-street loading; Number of docks	Building over 10,000 SF shall provide minimum of 1 loading space for each additional 10,000 SF of gross floor area or fraction thereof, unless fewer loading docks are determined to be required for the use of the director of community development	Building over 10,000 SF shall provide minimum of 1 loading space for each additional 10,000 SF of gross floor area or fraction thereof, unless fewer loading docks are determined to be required for the use of the director of community development	Building under 30,000 SF - 1 loading dock. Building over 30,000 SF - 2 loading dock/first 30,000 SF, plus 1 loading dock for each additional 20,000 SF (or fraction thereof) located to the rear of the buildings so that the door does not face toward a public street or adjoining residential property	A maximum of 1 off-street or alley loading space
Size of space, minimum	10' x 30'	10' x 30'	10' x 30'	10' x 30'
Outdoor storage	See outdoor storage section 33-571	See outdoor storage section 33-571	See outdoor storage section 33-571	See outdoor storage section 33-571
Separation walls	Min. 6' high wall adjacent to residentially zoned property, school, or park required	Min. 6' high wall adjacent to residentially zoned property, school, or park required	Min. 6' high wall adjacent to residentially zoned property, school, or park required	Min. 6' high wall adjacent to residentially zoned property, school, or park required
Exterior lighting	No light shall be directed toward adjacent properties or public rights-of-way (see section 33-710)	No light shall be directed toward adjacent properties or public rights-of-way (see section 33-710)	No light shall be directed toward adjacent properties or public rights-of-way (see section 33-710)	No light shall be directed toward adjacent properties or public rights-of-way (see section 33-710)
Trash storage	Required per section 33-572	Required per section 33-572	Required per section 33-572	Required per section 33-572

Notes:

- (1) Exception: a lot or parcel of land shall be required to have a larger lot size when, upon study of the topography, surrounding zoning, land uses and land features, it is determined to be in the public interest to increase the minimum lot size which shall be designated by a suffix to the zone.
- (2) Nonconforming parcels. Lots or parcels of land which were legally created prior to the application of this zone shall be exempt from the parcel requirements of this section.
- (3) Adjustments to all yard requirements of up to twenty-five (25) percent may be granted.
- (4) All required setbacks must be landscaped. Up to five (5) feet of the public right-of-way adjacent to a rear yard may be landscaped and counted toward the usable area on the property.
- (5) Fences and walls may be constructed in any location allowed for principal structures.
- (6) Exceptions to the provisions of Article 62 landscape standards section 33-1339(b) and (d) may be granted by the director pursuant to an administrative adjustment filed in conformance with Article 61, Division 2 of this chapter, for expansions to existing uses in the M-1 and M-2 zones, based on the finding that the modifications are consistent with the intent of the citywide landscape ordinance, and do not result in detrimental impacts due to either the nature of the site, the nature of surrounding properties, or conditions placed on the landscape plan.

(Ord. No. 94-37, § 1, 11-9-94; Ord. No. 96-31, §§ 1, 2, 10-16-96; Ord. No. 2017-03R, § 4, 3-22-17; Ord. No. 2018-07R, § 7, 4-18-18)

Sec. 33-570. Performance standards.

(a) The following performance standards shall be maintained in M-1, M-2, I-O and I-P zones:

- (1) Every use and operation shall be conducted so that no unreasonable odor, heat, vapor, glare, vibration, dust, smoke, water pollution, drainage pollution, radioactivity, or electrical or electronic interference which constitutes a public nuisance pursuant to Cal. Civil Code section 3480 is discernible at the property line of the parcel upon which the use or operation is located. Upon investigation by the city, certain emissions from a business may not constitute a violation based on the nature, intensity and duration of said emissions, if they are considered limited in nature and negligible in scope.
- (2) No substance shall be discharged into the sewer system which may cause harm or prevent the use of reclaimed water.
- (3) No substance other than clean water (as described by industry regulations) shall be permitted to enter the open storm drain system from the property.
- (4) All metal structures or buildings shall have factory-applied color finished exterior surfaces.
- (5) The noise level from any operation shall not exceed allowable limits set forth within the

Escondido Municipal Code.

- (6) For new construction, a complete system of underground electrical and telephone and related off-site distribution facilities shall be provided. Any relief from the requirements of the installation of underground utilities shall be conditioned on the requirement that a stub-out shall be provided for the future service of the premises by underground utilities.
- (7) Exterior mechanical equipment or devices shall be subject to siting and design standards pursuant to section 33-1085.
- (8) All water runoff from outdoor storage areas must meet all mandated water quality regulations and shall be tested as required by applicable federal, state, county, and city regulations.
- (9) All permitted uses within the M-1, I-P, and I-O zones shall be conducted entirely within completely enclosed buildings, except for parking, loading, pushcarts for specialized food sales, and storage (as permitted by the M-1 and M-2 zones) as permitted by the zone and approval process.
- (10) The following trash storage provisions shall apply in industrial zones:
 - (A) The size and dimensions of the trash enclosures shall be based on the required number and size of containers for trash, recyclables, and organic waste/composting shall be approved by the director of community development, pursuant to city standards.
 - (B) Containers shall be placed so as to be concealed from the street and shall be maintained.
 - (C) The design of the trash enclosure shall be architecturally compatible with the primary building(s) on site to provide a coordinated design. The exterior materials and colors of the enclosure walls shall match the building walls. The trash enclosure shall have architecturally acceptable gates and roofing pursuant to city standards. Metal roofs shall be painted with rust inhibitive paint or offer methods of rust prevention.
 - (D) Landscape screening may be required to the satisfaction of the director of community development pursuant to Article 62. Planting areas around the perimeter of the enclosure wall except at access gates may be required, in accordance with section 33-1339.
- (b) All businesses defined as “environmentally sensitive businesses” in section 33-564, above, shall meet the following operational standards:
 - (1) The business must complete and maintain on file annually with the fire department an updated environmental compliance plan consistent with the department’s requirements;
 - (2) The administrative fines to be assessed for any violation of this code that is related to an environmentally sensitive business, as set forth in Escondido Municipal Code section 1A-11(a), shall be the maximum current penalties established and allowed under California state law; and
 - (3) Appeals hearings regarding fines assessed pursuant to Escondido Municipal Code section 1A-9(b) shall be heard by the building advisory and appeals board whenever feasible.
- (c) Any violation of this section, or of the operating conditions set forth in the environmental compliance plan for any environmentally sensitive business, shall constitute a misdemeanor. (Ord. No. 94-37, § 1, 11-9-94; Ord. No. 2000-37R, § 5, 12-13-00; Ord. No. 2018-20, § 7, 11-28-18)

Sec. 33-571. Accessory outdoor storage requirements.

A plot plan application pursuant to Article 61, Division 8 of this chapter, shall be required to determine conformance with the outdoor storage requirements of this section. Except as otherwise exempted, outdoor storage is defined as the keeping in an unenclosed area of any components, products, debris, material, merchandise, equipment, vehicles, and trailers. Fleet/company vehicles, equipment attached to fleet/company vehicles, short-term customer and staff parking, and approved trash enclosures shall not be considered outdoor storage.

(a) M-2 zone.

(1) Outdoor storage areas must be screened on the perimeter with a minimum six (6) foot high solid fence, wall, or chain link fence with redwood slats (existing six (6) foot screens are adequate). Outdoor storage may extend above the height of the fencing.

(2) Shrubs, hedges (minimum five (5) gallon), and large trees (minimum fifteen (15) gallon) with thick, broad canopies must be installed in front of all screen fencing on the visible exterior sides which abut a public right-of-way to soften the visual impacts of the fencing and to further screen the outdoor storage areas. All landscaping shall be permanently maintained in a flourishing manner which shall be defined as the ongoing preservation of the approved type and number of landscape materials in a well-maintained state.

(3) No outdoor storage shall be permitted until the six (6) foot perimeter fences and landscaping are installed.

(4) The outdoor storage material must be stored in an orderly manner such that fire codes are met (i.e., access lanes) and access to all areas of the yard is possible.

(5) Outdoor mechanical repair and maintenance of equipment and vehicles are allowed within the outdoor storage areas of the M-2 zone.

(b) M-1 Zone.

(1) Outdoor storage in the M-1 zone is allowed as an accessory use to the main operation. The materials stored outdoors may be utilized for manufacturing and operations occurring only within an enclosed building. Utilization of the outdoor storage area for manufacturing and operations is not permitted.

(2) The outdoor storage area shall be located so as to minimize views from adjacent public rights-of-way, residential development, or zones, and adjacent developments. Where possible, they should be located behind buildings, away from streets, and obscured from public view from driveways.

(3) Outdoor storage areas must be screened on all sides with a minimum six (6) foot high solid fence, wall, or chain link fence with redwood slats.

(4) Shrubs, hedges (minimum five (5) gallon), and large trees (minimum fifteen (15) gallon) with thick, broad canopies must be installed within a minimum five (5) foot-wide planting strip in front of all screen fencing on the visible exterior sides which abut a public right-of-way to soften the visual impacts of the fencing and to further screen the outdoor storage areas. All landscaping shall be permanently maintained in a flourishing manner which shall be defined as the ongoing preservation of the approved type and number of landscape materials in a well-maintained state.

(5) The outdoor storage material may not extend above the height of the fencing.

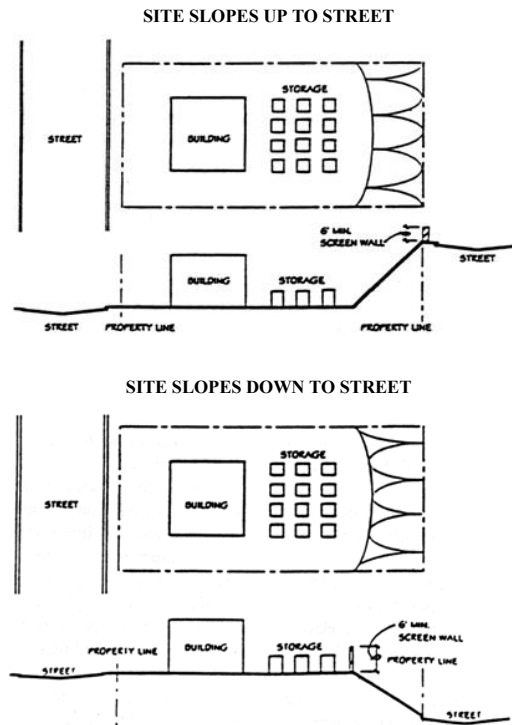
(6) The outdoor storage material must be stored in an orderly manner such that fire codes are met (i.e., access lanes) and access to all areas of the yard is possible.

(7) No outdoor storage shall be permitted until the perimeter screen fences and landscaping are installed, with the exception of company vehicles.

(8) No outdoor mechanical repair of equipment or vehicles shall be allowed within the outdoor storage areas in the M-1 zone. Except for approved specialized retail sales pursuant to section 33-566 and loading and unloading activities associated with an otherwise permitted use, all activities including manufacturing, assembly, repair, and sales shall occur within fully enclosed buildings. Other outside activities may only be permitted pursuant to a conditional use permit.

(c) I-O and I-P Zones. All permitted uses except parking, loading and fleet storage (I-P zone only) shall be conducted entirely within completely enclosed buildings. No outside storage will be allowed except for small vehicles used in conjunction with the business. All storage and equipment must be completely enclosed within the primary building or a structure that is consistent with the design, materials, color, etc., of the primary building(s).

(d) Special Circumstances (M-2 and M-1 Zones). Within the M-2 and M-1 zones, unusual topographic circumstances may warrant exceptions to the outdoor storage screening requirements. The following diagrams delineate the screening locations and wall heights in conjunction with slopes on a property. The director may, on a case-by-case basis, modify or waive screening based upon the topography and visual impacts associated with the specific situation. In general, screening should be placed at a height and location where it will most effectively reduce the visual impacts of outdoor storage areas upon public streets and adjacent properties.



(Ord. No. 94-37, § 1, 11-9-94; Ord. No. 2017-03R, § 4, 3-22-17)

Sec. 33-572. Trash storage.

Containers for trash storage shall be of a size, type, and quantity approved by the director. They shall be placed so as to be concealed from the street and shall be maintained. Additionally, an area for the storage and pickup of recyclables must be included in this area. (Ord. No. 94-37, § 1, 11-9-94; Ord. No. 2017-03R, § 4, 3-22-17)

Sec. 33-573. Specific development standards for I-P zone.

(a) Design Guidelines for Projects in I-P Zone. For new development applications in the I-P zone, or prior to approval of any discretionary project, development proposals shall be submitted in conformance with the following general principles:

(1) Building height and bulk should be sensitive to the existing natural and built environments.

- (2) Landscaping and open space should provide relief from the hardscape surfaces of building and parking areas and provide pleasant areas for enjoyment by employees and users of the industrial park.
- (3) The natural character of prominent hillsides and canyons should be retained where practical.
- (4) Graded areas should be contoured to blend with natural land forms.
- (5) Incidental uses locating within an I-P development shall be incorporated with the rest of the development and zone.
- (6) The use of greenbelts and buffers are encouraged to reduce possible industrial/residential land use conflict.
- (7) There shall be no unscreened openings in buildings located next to a residential zone.
- (8) Fleet storage shall be screened from view by landscaping and walls not less than six (6) feet in height. Landscaping intended to screen parking, outdoor storage, and outdoor uses should consist of closely spaced, broad-canopy, evergreen trees that achieve a minimum height of twenty (20) feet.
- (b) P-D Development Criteria. The planned development process (see section 33-400) is encouraged in the I-P zone to allow a greater degree of freedom in planning an industrial park when the opportunity exists to design a comprehensive, integrated development proposal. A comprehensive architectural, landscape and sign program is required upon submittal of an industrial park planned development to fulfill the intent and purpose set forth in the I-P zone as discussed in section 33-561 of this article. (Ord. No. 94-37, § 1, 11-9-94)

Sec. 33-574. Nonconforming sites, structures and uses.

Notwithstanding the provisions of Article 61, Division 3 of this code, expansions and alterations to nonconforming sites, structures or uses in industrial areas may occur to the extent that the cumulative cost of voluntary improvements is within seventy-five (75) percent of the replacement costs of all existing improvements, and the expansion or alteration does not expand the degree of nonconformity. Government ordered improvements may also occur in addition to the voluntary limits to the extent that the cumulative total does not exceed one hundred (100) percent of the replacement value.

Full conformance with current zoning standards is not required where the cost of improvements is less than the maximum permitted replacement values. However, exterior alterations shall be subject to design review that reasonably addresses the alteration or modification in accordance with the city's design guidelines.

(a) Nonconforming Sites or Structures.

(1) A site or structure may be legally nonconforming if it was in conformance with the underlying zone requirements at the time it was developed, however, not in conformance with the currently adopted zone regulations. A site or structure may be nonconforming if it does not comply with the following regulations of the currently adopted zone: setbacks, landscaping, parking, building height, outside storage and screening.

(2) A legal nonconforming site/structure may be improved without bringing the entire site/structure into conformance under the following conditions:

(A) Such improvements conform to currently adopted zoning requirements.

(B) Such improvements do not expand the degree of nonconformity.

(C) The cost of such work does not exceed a total of seventy-five (75) percent of the current replacement value, including government-ordered improvements of the nonconforming use at the time the first nonconforming improvements are made.

(b) Nonconforming Uses.

(1) A use may be legally nonconforming if it was established at a time when the underlying zone permitted the use at the time it was established, however, either the zone or the zoning code has subsequently been amended such that the use is no longer permitted on the site.

(2) The use may continue to operate without bringing the site into conformance with the regulations of the adopted zoning code under the following conditions:

(A) For a new user which is exercising the same nonconforming use rights, tenant improvements may be allowed which are less than seventy-five (75) percent of the current replacement value, including government-ordered improvements of the nonconforming use at the time the first nonconforming improvements are made.

(B) Changes of use on a site may occur; however, parking will be reviewed to determine the adequacy of the parking ratio for the new use.

(C) To the extent that an outside storage use (with or without a CUP) is in conflict with the zone code provisions, no improvement requirements shall be triggered for new permitted uses, or continuation of the existing use unless one or more of the following conditions exist:

(i) A new permitted use is proposed in the M-1 zone where the height of the material would exceed the existing fence height. In such cases, either the height of the material shall be reduced to the height of the fence, or the fence height shall be increased.

(ii) The limits of the existing storage are expanded. In such cases the degree of nonconformity cannot be expanded; therefore, the new storage area shall conform with fence height requirements of the underlying zone. (Ord. No. 94-37, § 1, 11-9-94; Ord. No. 2017-03R, § 4, 3-22-17)

Sec. 33-575. Reserved.

Note

* **Editor's note**—Section 33-575, pertaining to nonconforming uses, derived from Ord. No. 94-37, was repealed by Ord. No. 2017-03R, § 4, 3-22-17.

Sec. 33-576. Animal boarding and day care.

The indoor boarding of animals and animal day care shall be subject to the following standards:

(a) Outdoor boarding of animals shall not be allowed.

(b) All animals must be kept within the enclosed building(s), except for supervised walks. A plot plan application submitted to the planning division for review is required to establish any on-site supervised outdoor animal day care activity area or training area. The submittal shall include a site plan of the entire site showing fencing, any permanent improvements in the outdoor area, parking, circulation, etc.

(c) The site shall be maintained in a neat, orderly and sanitary condition.

(d) Shelter and care of the animals may be on a daily or overnight basis and include feeding, grooming, training and other associated activities.

(e) The overnight boarding area shall be a separate and secure interior space.

(f) The overnight boarding area shall incorporate sound attenuation measures to reduce potential noise impacts to adjacent businesses.

(g) On-site supervision and/or remote camera monitoring of the overnight boarding area shall be provided when the business closes for the evening. (Ord. No. 2016-15, § 4, 10-26-16)

Secs. 33-577—33-589. Reserved.

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