

ZONING ORDINANCE ADVISORY COMMITTEE TUESDAY, DECEMBER 13, 2022

Planner: Lori Levy, AICP

FILE NUMBER: DCA212-003(LL) **DATE INITIATED:** Fall 2021

TOPIC: Development Code Amendment to consider appropriate zoning districts, spacing, and developing appropriate standards associated with permanent and temporary concrete or asphalt batching plant uses, including but not limited to, potentially incompatible industrial uses.

COUNCIL DISTRICT: All **CENSUS TRACTS:** All

PROPOSAL: Consideration of amending Chapters 51 and 51A of the Dallas Development Code, Section 51-4.216(2), "Permanent concrete or asphalt batching or recycling plant;" Section 51-4.216(3), "Temporary concrete or asphalt batching plant;" Section 51A-4.203(a) "Potentially incompatible industrial uses;" Section 51A-4.203(a)(2), "Industrial (outside);" Section 51A-4.203(a)(6), "Temporary concrete or asphalt batching plant;" and related sections with consideration to be given to appropriate zoning districts, spacing, and developing appropriate standards associated with permanent and temporary concrete or asphalt batching plant uses, including but not limited to, potentially incompatible industrial uses.

SUMMARY: The proposed code amendments will align the Dallas Development Code with the Comprehensive Environmental & Climate Action Plan (CECAP) goal of ensuring new industries are an appropriate distance away from neighborhoods.

STAFF RECOMMENDATION: **Hold under advisement until the January 17, 2023 meeting**

CODE AMENDMENT PROJECT WEBPAGE:
[Planning & Urban Design Catchlines \(dallascityhall.com\)](http://Planning & Urban Design Catchlines (dallascityhall.com))

BACKGROUND:

- On November 12, 2021, staff prepared a memo at the request of Councilmember Blackmon, Chair of the Environment & Sustainability Committee on strategies to effectively address batch plants.
- On January 28, 2022, staff prepared a memo on a phasing approach to address batching plant zoning regulations.
- On February 10, 2022, staff presented recommendations for temporary concrete and asphalt batching plants as part of a two-phased approach to ZOAC.
- On March 3, 2022, ZOAC recommended approval of Phase I of the Concrete or Asphalt Batch Plant Code Amendment which required all new permanent and temporary batch plants to obtain a Specific Use Permit. At the same meeting, staff also provided feedback regarding direction from ZOAC for staff to consider as part of the future Phase II recommendations regarding: (1) Consider buffering and spacing of concrete or asphalt batching plants from sensitive land uses, such as residential, schools and parks, and using the Dallas Oil and Gas Drilling ordinance as a resource; (2) Consider requiring an environmental study to determine if the site is suitable for uses other than industrial after the concrete or asphalt batching plant operation ceases and is removed from the site; (3) Clarify and determine how SUP process would impact temporary batch plants not finished by 6-month time frame and how to limit extensions; and (4) Consider requirements for streets and other public infrastructure to be repaired or restored back to original condition from any damages.
- On March 24, 2022, City Plan Commission (CPC) recommended approval of Phase I of the Concrete or Asphalt Batch Plant Code Amendment.
- On May 11, 2022, City Council approved Phase I of the Concrete or Asphalt Batch Plant Code Amendment.
- On September 13, 2022, staff briefed ZOAC on the interactive map developed by staff to locate batch plants and help determine distances from each other and sensitive land uses.
- Additional public input meetings occurred on November 28, 29, and December 3, as well as additional meetings with industry representatives in early December to discuss staff's recommendations discussed in this report. Any updates from those meetings will be briefed to ZOAC in the December 13 public hearing.

PHASE 1 - TEMPORARY AND PERMANENT CONCRETE OR ASPHALT BATCHING PLANTS:

Prior to the Code Amendment for Ph I, temporary concrete or asphalt batching plants were allowed in most of the zoning districts across the City, including residential districts with administrative approval by the Building Official and approved if limited criteria such as screening and buffering could be met. In response, Planning and Urban Design staff initiated a zoning code amendment for concrete batch plants in support of the adopted Comprehensive Environmental & Climate Action Plan (CECAP) goal of ensuring new industries are an appropriate distance away from neighborhoods.

Due to the urgency and increasing concerns about concrete or asphalt batching plant applications within the city; particularly with respect to residential adjacency, equitable justice, air quality, water quality and other potentially hazardous pollutant emissions, staff recommended a two phased approach. A short-term approach (Phase I) as approved by City Council on May 11, 2022, and a long-term approach (Phase II) that is presented in this report.

The intent of the short-term approach (Phase I) was to immediately address the issue of the lack of public process for these intensive industrial land uses by replacing the by-right option with a Specific Use Permit (SUP) requirement so that public hearings at City Plan Commission (CPC) and City Council would take place.

PHASE II – LONG-TERM APPROACH

Since the adoption of Phase I, staff has developed a more comprehensive and holistic strategy to develop conditions to regulate intensity and factors which contribute to the potential for industrial uses which make them incompatible with surrounding properties. A review of concrete or asphalt batching plant and similar industrial land uses was reassessed for appropriateness.

Long-term strategies considered included, but are not limited to departmental coordination, engaging counsel for consideration of implications on existing land uses with respect to land use regulation changes, public outreach meetings, meetings with industry and professional organizations, research of local and national regulations and best management practices, and external meetings and coordination with state and federal jurisdictions, such as Texas Commission on Environmental Quality (TCEQ). Long-term, strategies include, and are not limited to:

- Definitions and revised definitions for categories of land uses.

- Revised categories of land uses.
- Distances from residential structures and residential zoning districts, public schools, and public parks (measurement from the property line of the proposed batch plant to the property line of the nearest residential zoning districts, residential structures, public schools and public parks).
- Distances to other concrete batching plants (measured from property line of the batch plant to the property line of the proposed batch plant)
- Revised renewal time limits for concrete or asphalt batching plants.
- Revised standards based on best management practices for stormwater run-off and noxious pollutants and emissions.
- Standardized signs posted on the property with pertinent information.
- Additional application information (part of internal checklist at application intake)
- Additional notification requirements.
- Ingress and egress roadway access.
- Landscaping and Screening.
- Site Requirements.
- Site Restoration and Remediation.

The following tables outline staff's recommendations for amendments to concrete and asphalt batching plant regulations.

Overview of Proposed Regulations for Concrete or Asphalt Batch Plants, including Concrete or Asphalt Recycling

Land Use

	Permanent	Temporary
		</= 180 days or the length of the project in which it serves per the submitted construction contract, whichever occurs first
Land Use Category	Industrial (Outside)	Temporary Use
Land Use Subcategory ¹	Potentially Incompatible Industrial Use (when conducted outside)	Temporary Use, On-Site Temporary Use, Off-Site Temporary Use, Off-Site (Public Projects) Temporary Use, Off-Site (in R.O.W.)
Specific Uses	Asphalt or Concrete Batch Plant	Asphalt or Concrete Batch Plant
	Alternative (Green Concrete) Batch Plant	Alternative (Green Concrete) Batch Plant
	Asphalt or Concrete Recycling	
Zoning Districts Allowed	IM* (Industrial Manufacturing) with Specific Use Permit (SUP) only	Allowed in all nonresidential districts*. Allowed in residential (A, R, RTN, D, TH, CH, MF, WR and MH) when the plant is serving construction or partial reconstruction of a residential development; otherwise, SUP required (Temporary Use, Off-Site will require an SUP)

* Uses shown with (*) require additional provisions as specified in the chart under Additional Provisions.

¹ The purpose and intent of the land use subcategories in the above chart are included in the Land Use Subcategory section following the tables.

Additional Provisions*

	Permanent			Temporary	
Land Use Subcategory	Asphalt or Concrete Batch Plant	Alternative (Green Concrete) Batch Plant	Asphalt or Concrete Recycling	Asphalt or Concrete Batch Plant Alternative (Green Concrete) Batch Plant	Temp, (On-Site) Temp, (Off-Site), in R.O.W. Temp, (Off-Site), Public Projects
Distances ^{2*} from a residential structure, residential district, public school and school district public facilities on record or public park ^{3*}	>/= 1,640'	>/= 1,320'	>/= 3,281'	>/= 330'	>/= 1,640'
Distances from another Batch Plant ^{4*}	>/= 1,640'	>/= 1,320'	>/= 3,281'	N/A	>/= 1,640'
Site*	<ul style="list-style-type: none"> -Minimum 1 acre site ->/= 100' from a floodplain or floodway, as defined in Article V -Performance Bond or insurance (infrastructure/roads into and out of site, site restoration) for the duration of the project or SUP approval period plus 1 year -Video or photos of the entire site, and a professionally prepared environmental report documenting existing conditions -Operational Plan ->/= TCEQ site distance requirements as amended including alternative options must be met⁵ -No more than 1 batch plant located on any 1 building site. -Outside storage of any equipment or vehicles on the property must be necessary to serve the batch plant on the site and occupy no more than 50 percent of the lot -All truck queuing, filling and such other operations shall occur on the property in which the plant is located. -A notice to employees permanently posted in a prominent place advising employees whom to 				

* Uses shown with (*) require additional provisions as specified in the chart under Additional Provisions.

² Separation Distances between Industrial and Sensitive Land Uses per the Guidance for the Assessment of Environmental Factors (in accordance with the Environmental Protection Act 1986), as amended.

³ Measurement from a concrete or asphalt batch plant to a residential structure, residential district, public school or public park shall be in a direct line from the property line of the concrete or asphalt batch plant to the property line of the residential structure, residential district, public school or public park.

⁴ Measurement from a concrete or asphalt batch plant to another concrete or asphalt batch plant shall be in a direct line from the property line of the concrete or asphalt batch plant to the property line of the concrete or asphalt batch plant.

⁵ TCEQ Distances – Suction shroud baghouse exhaust shall be at least 100 feet from any property line. Owner or operator shall not locate or operate stationary equipment, stockpiles, or vehicles used for the operation of the concrete batch plant (except for incidental traffic and the entrance and exit to the site) within 50 feet from any property line (100' if Standard Permit with Enhanced Controls – Permanent only). Minimum distances from any property line, except for temporary concrete plants approved to operate in R.O.W of a public works project. The owner or operator shall not operate vehicles used for the operation of the concrete batch plant (except for incidental traffic and the entrance and exit to the site) within a minimum buffer distance of 25 feet from any property line.

	Permanent	Temporary
	contact in the event of a discharge of any kind and ensure that all employees are educated on procedures or such accidental discharges.	
Paving*	-Parking/maneuvering, and driveways must be on a compacted subgrade and must be concrete or asphalt. Crushed or pervious surfaces are prohibited in places where vehicles are operated.	-Parking/maneuvering, and driveways must be on a compacted subgrade and must be concrete or asphalt or a dust proof surface and maintained as such. Crushed or pervious surfaces are prohibited in places where vehicles are operated.
Ingress/Egress*	-Ingress/egress is prohibited on minor streets (defined as streets not listed on the Thoroughfare Plan, as amended –These are Residential Streets)	-Ingress/egress is prohibited on minor streets (defined as streets not listed on the Thoroughfare Plan, as amended – These are Residential Streets) unless the project in which the temporary batch plant is serving is a residential site and the site has no other access
Signs*	<p>Shall be posted on the property at the entrance or screening wall of the main use and parking with the following:</p> <ul style="list-style-type: none"> -Name of the facility -Address of the facility -Use, SUP number and expiration date per the CO, if any -Name, phone number and email of the contact person who will be answering all phone and email inquiries, complaints and/or violations for the site and responsible for operations on-site. <p>Signs shall</p> <ul style="list-style-type: none"> -Illustrate or describe the location of the remote parking in relation to the main use -Be constructed of weather resistant material -Be no less than 30 inches wide and 24 inches long; and -Contain clearly legible letters in a color that contrasts with the background material of the sign 	
Best Management Practices (BMP's) Dust Suppression*	<ul style="list-style-type: none"> -Dust cover or shroud required on all three-sides of the materials conveyor belt -Wheel washing device required for all trucks that traverse the site -New slump stands and bays and wheel-washing facilities shall be connected to the water management system to prevent contaminants such as spilt concrete, aggregate or concrete slurry from entering stormwater drains -Slump stands shall be designed to avoid trucks driving through slurry water generated by wash-downs -Batch plants shall be designed to enable recycled water from the water management system to be used for slumping -Testing reports are required to be kept on-site for water used for mixing water for concrete -Cleaning of batch plant rubbish on-site and off-site shall be required immediately upon spillage -Concentration of transport shall be to muck storage areas only 	

	Permanent	Temporary
Best Management Practices (BMP's) Dust Suppression* (continued)	<ul style="list-style-type: none"> -Work performed shall be during well weather only so as to avoid windy conditions that spread dust and debris off-site -All trucks shall provide spill kits to cover clean-up needs in transit -Spills during transit shall be cleaned up immediately to prevent contaminants entering stormwater drains or wastewater areas -Permanent sprinkler system required on-site installed so as to wet all roadways into and out of the site, and watering of the stockpiles -No chemicals may be used for watering of the site and wheel washing for dust suppression – only water. -Baghouses shall be maintained and emptied regularly, every 24 hrs. -A reverse pulse fabric filter dust collector (FFDC) or other dust control technology with an equivalent or better performance shall be used -Sand and aggregates shall be delivered on-site in a dampened state using covered trucks -Raw materials shall be loaded into truck agitators by either using a telescopic chute (preferred) or a flexible sleeve to prevent spillage of material -Adequate measures shall be put in place to ensure truck agitators are not overfilled 	
Site Restoration and Remediation*	<ul style="list-style-type: none"> -OEQS must be contacted within 72 hrs., with notice of intent to vacate the property and with updated contact information to schedule an inspection of the site after expected site restoration date -Applicant shall provide copies of the original environmental report for inspection to confirm that site is restored to original condition -All structures and equipment shall be removed from the site and the site restored to original condition to begin within 24 hours of intent to vacate site or expiration of the approved SUP 	
Screening*	<ul style="list-style-type: none"> -Screening with a minimum height of eight feet is required for the use 	<ul style="list-style-type: none"> - A temporary screening wall is required for the use - Screening must be opaque and may include a combination of landscaping and sound blankets - Minimum solid screening wall shall be a minimum of 8' in height
Landscaping and Tree Conservation*	<ul style="list-style-type: none"> - Art. X (Landscaping and Tree Preservation) applies, except as provided. - Div. 51A-10.120 Landscaping does not apply -Section 51A-10.123 (c) Landscape Plan Submission is required. The landscape plan must be stamped by a landscape architect 	
Buffer yard: (Adjacent to screening wall, full extent of property)	<p>BUFFER YARD DEPTH:</p> <p><u>Adjacent To Streets:</u></p> <p>-30'</p> <p><u>Adj. All Other Properties (Or Across An Alley):</u></p> <p>-20'</p>	

	Permanent	Temporary
<p>Buffer yard: (Adjacent to screening wall, full extent of property) (continued)</p>	<p><u>Street R.O.W. Buffer Yard:</u> -Street R.O.W. may be included up to 25% of required buffer yard (subject to city licensing, permit and tree location requirements of Art. X)</p> <p><u>Exterior and interior to screening wall:</u> -1 lg. or med. canopy tree in a double staggered row every 30' linear feet for the total length of the perimeter -75% of lg. or med. canopy trees must be evergreen</p> <p><u>Exterior to screening wall:</u> -Min. 18 evergreen trees for every 100 linear feet along street R.O.W. (to provide continuous screen) or -Double staggered row of lg. evergreen shrubs along the front of screening wall -Continuous shrub row along front of fence if fence is placed within 5' of property line. Grow to minimum height of six feet -Lawn or groundcover is required for the buffer yard outside of shrub and tree planting areas</p> <p><u>Other Buffer Yards:</u> Exterior and interior screening walls, if applicable: -A lg. or med. canopy tree is required in a single row for the total length of the perimeter -Min. of 75% of lg. canopy trees must be evergreen</p> <p><u>Required Planting:</u> -Buffer yard plant materials are required exterior and interior to the screening wall as applicable and along the full length of screening walls along the street right-of-way -Buffer yard plant materials are required exterior and interior to the screening wall as applicable and along the full length of the screening wall along other property lines -The design must show plants by species, and in combination with other plants, to provide growth and maintenance for the</p>	

	Permanent	Temporary
Buffer yard: (Adjacent to screening wall, full extent of property) (continued)	purpose of air quality control and aesthetic design according to its placement adjacent to the exterior or interior sides of the screening wall <u>Plant Materials:</u> -Plant materials shall be considered based on the horizontal depth of the buffer yard, differences in elevation, the types and density of planting, existing woods on adjacent property, and other combinations of man-made and natural features	
Alternative Buffering, Landscaping and Screening*	- The applicant may submit alternative landscaping, buffering or screening or a combination thereof due to property constraints, water lines, easements or other with a Specific Use Permit (SUP) as long as, at minimum, the alternatives presented are equivalent to or superior to the minimum standard and meets the spirit and intent of this section	N/A
Public Notices*	- Shall be 500' (Applies to SUP's only) - All HOA's and public schools on record per specified distances (same as distances for sensitive land uses for the respective subcategories) (Applies to SUP's only)	
Renewals*	- N/A (unless specified in SUP approval)	- 2 per the updated construction contract or as determined by the SUP (extensions will require an SUP)
Other Sensitive Land Uses*	- Private schools, parks, and daycare facilities within the established distance requirements from sensitive land uses above shall be considered in determining the appropriateness of the SUP	-Private schools, parks, and daycare facilities within the established distance requirements from sensitive land uses above shall be considered in determining appropriateness of the SUP, if an SUP is required

Land Use Subcategories

Permanent

Purpose

The purpose of this subcategory is to allow operators to provide concrete or asphalt to various off-site locations. These batch plants serve multiple projects and are designed not to be erected and removed with ease.

Intent

The intent of the subcategory is to reduce the number of temporary batch plants by allowing some batch plants to operate off-site serving multiple sites.

Temporary Use, On-Site**Purpose**

The purpose of this subcategory is to allow operators to provide concrete or asphalt on the same site or subdivision in which the project site is intended to serve. These on-site temporary batch plants shall operate only throughout the length of the construction of the project it is serving and are designed to be erected and removed with ease. This subcategory typically serves large high-rise construction on-site or for new infrastructure needs within a new residential subdivision.

Intent

The intent of this subcategory is to minimize or eliminate the amount of mixing truck traffic required for large asphalt and concrete construction projects and will only operate for the length of time in which that project is under construction and needs concrete or asphalt.

Temporary Use, Off-Site (Public Projects)**Purpose**

The purpose of this subcategory is to allow operators performing work for public projects to move concrete or asphalt from an off-site location onto the project site it is intended to serve. These batch plants typically operate for one to several years, depending on the scope of the public project and ultimately provide concrete and asphalt projects for public use.

Intent

The intent of the subcategory is to reduce the overall number of temporary batch plants that serve an individual project on the site of the project in which it serves and for much larger projects.

Temporary Use, Off-Site**Purpose**

The purpose of this subcategory is to allow operators to move concrete or asphalt from an off-site location onto the project site or sites it is intended to serve. These off-site, temporary batch plants typically operate for much longer periods and serve larger developments or multiple developments occurring simultaneously.

Intent

The intent of the subcategory is to reduce the overall number of temporary batch plants

that serve an individual project on the site of the project in which it serves. This will also allow the operator to take advantage of multiple pours for nearby projects, such as large subdivisions or fast growing areas in which development occurs simultaneously or at similar time frames. This could also be an option for batch plants that could not meet the distance requirements by locating on the site in which the temporary batching facility is serving.

Temporary Use, Off-Site (in R.O.W.)

Purpose

The purpose of this subcategory is to allow contractors for public projects (City or TxDOT) to provide concrete or asphalt from the right-of-way to the project site. These batch plants typically operate for one to several years, depending on the scope of the public project and ultimately provide concrete and asphalt projects for public use.

Intent

The intent of the subcategory is to reduce the overall number of temporary batch plants that serve an individual project on the site of the project in which it serves and for much larger projects. This will also allow the operator to take advantage of multiple pours for nearby projects, such as large highway projects.

Proposed Definitions

Asphalt or concrete batch plant means a plant that consists of an asphalt or concrete batch facility and associated abatement equipment, including, but not limited to: material storage silos, aggregate storage bins, auxiliary storage tanks, conveyors, weigh hoppers, and a mixer. Asphalt or concrete batch plants can add water, Portland cement, and aggregates into a delivery truck, or the concrete may be prepared in a central mix drum and transferred to a delivery truck for transport. This definition does not include operations that meet the requirements of 30 TAC § 106.141, Batch Mixer or 30 TAC § 106.146, Soil Stabilization Plants.

Permanent asphalt or concrete batch plant means an asphalt or concrete batch plant that is not a temporary asphalt or concrete batch plant.

Temporary asphalt or concrete batch plant means an asphalt or concrete batch plant that occupies a designated site for not more than 180 consecutive days or that supplies concrete for a single project (single contract or same contractor for related project segments) and is removed when the project is completed.

Alternative batch plant means a plant that consists of an alternative batch facility and associated abatement equipment, including, but not limited to: material storage silos, aggregate storage bins, auxiliary storage tanks, conveyors, weigh hoppers, and a mixer. Alternative batch plants can add water, Portland cement, and aggregates into a delivery

truck, or the alternative materials may be prepared in a central mix drum and transferred to a delivery truck for transport. This definition does not include operations that meet the requirements of 30 TAC § 106.141, Batch Mixer or 30 TAC § 106.146, Soil Stabilization Plants.

Permanent alternative batch plant means an alternative batch plant that is not a temporary alternative batch plant.

Temporary alternative batch plant means an alternative batch plant that occupies a designated site for not more than 180 consecutive days or that supplies concrete for a single project (single contract or same contractor for related project segments) and is removed when the project is completed.

Buffer Yard means a landscape area to provide and maintain a year-round screen and vegetated buffer and to provide an aesthetic quality along rights-of-way which enhance travel corridors and screen industrial areas from public view while providing a natural cleaning of the air.

“Green Concrete” refers to the term used for concrete that is produced and used with environmental-friendly methods [Evaluation of environment and economy viable recycling cement kiln dust for use in green concrete - ScienceDirect](#)

APPENDICES

INDUSTRIAL AND MANUFACTURING USES (INCLUDES DEFINITIONS) – SEC. 51-4.216 [SEC. 51-4.216. INDUSTRIAL AND MANUFACTURING USES. \(amlegal.com\)](#)

INDUSTRIAL USES - SEC. 51A-4.203 [SEC. 51A-4.203. INDUSTRIAL USES. \(amlegal.com\)](#)

SPECIFIC USE PERMIT (SUP) – SEC. 51A-4.219 [SEC. 51A-4.219. SPECIFIC USE PERMIT \(SUP\). \(amlegal.com\)](#)

NOTICE REQUIREMENTS – CH. 51A-4.701 ZONING AMENDMENTS [SEC. 51A-4.701. ZONING AMENDMENTS. \(amlegal.com\)](#)

EPA SEPARATION-DISTANCES [GS3-Separation-distances-270605.pdf](#)

LINKS FOR HEALTH STUDIES:

[Health effects for the population living near a cement plant: An epidemiological assessment - ScienceDirect](#)

[You don't want to live near a concrete batch plant. But TCEQ lets it happen too easily. | One Breath \(onebreathou.org\)](#)

[How to deal the concrete batching plant environmental issues? \(camelway.com\)](#)

<https://constructionor.com/batching-plant>

[Pyro processing cement kiln bypass dust: Enhancing clinker phase formation - ScienceDirect](#)

[Concrete Batching - an overview | ScienceDirect Topics](#)

['Out of breath': Oversight of hazardous Texas concrete plant emissions comes to a head \(expressnews.com\)](#)

[Environmental Protection of Concrete Batching Plant \(concrete-mixing.com\)](#)

[recycling - Plastics | Britannica](#)

[Top 4 Environmental Compliance Issues at Concrete Plants \(rmagreen.com\)](#)

[Concrete Environmental Issues & The Ideal Concrete Plant \(rmagreen.com\)](#)

[Precast concrete plant environmental regulations the same as others? \(rmagreen.com\)](#)

[Evaluation of environment and economy viable recycling cement kiln dust for use in green concrete - ScienceDirect](#)

OTHER CITIES COMPARISON

	LAND USE CATEGORY	LAND USE SUBCATEGORY	ZONING DISTRICTS (ALLOWED)	SPECIAL DISTRICTS	FLOODPLAIN, FLOODWAY OR COMPROMISED WATERSHED	*CONDITIONS	DEVELOPMENT STANDARDS	TIME LIMIT
Permanent								
CARROLLTON	Construction	Batch Plant (Permanent)	LI (Light Industrial) with SUP approval ; HI (Heavy Industrial)	Not allowed in any Special Districts (Downtown, Historic or any TC -Transit Center Corridors)	N/A	N/A	N/A	N/A
COPPELL	Not Allowed	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DESOTO	Industrial and Related Uses	Concrete or Asphalt Batching Plant (Permanent)	(I) Industrial District with SUP approval		N/A	N/A	N/A	N/A
DUNCANVILLE	Industrial and Related Uses	Concrete or Asphalt Batching Plant (Permanent)	(I) Industrial District		N/A	<u>Distance Requirements</u> 4 to 1 from SF; 3 to 1 from MF	N/A	N/A
EL PASO	Not Allowed	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FORT WORTH	Temporary/Medium and Heavy Industrial	Batch Plant, Concrete or Asphalt (Permanent)	(K) Industrial District	N/A	N/A	N/A	N/A	N/A
FRISCO	Nonresidential Use	Concrete/Asphalt Batching Plant (Permanent)	(LI) Light Industrial District with SUP approval	Permanent Batch Plants not allowed within Special Districts	N/A	N/A	N/A	N/A

OTHER CITIES COMPARISON

	LAND USE CATEGORY	LAND USE SUBCATEGORY	ZONING DISTRICTS (ALLOWED)	SPECIAL DISTRICTS	FLOODPLAIN, FLOODWAY OR COMPROMISED WATERSHED	*CONDITIONS	DEVELOPMENT STANDARDS	TIME LIMIT
GARLAND	Industrial	Batching Plant	(IN) Industrial District with SUP approval (operations in place longer than 1 year)	N/A	N/A	N/A	<u>Lighting Plan</u> Required for Permanent Batch Plant	N/A
GRAND PRAIRIE	Manufacturing/Mining and Construction	Concrete Batch Plant (Permanent)	LI (Light Industrial) and HI (Heavy Industrial) with SUP approval	N/A	N/A	N/A	<u>Landscaping</u> - The developer shall plant street trees along every public street at 30' to 50' intervals. - The developer shall plant parking lot trees at the end of each row of parking. - The developer shall also break up each row of 20 or more parking spaces with at least one tree. <u>Industrial Performance Standards</u> 1. Building Materials 2. Base Landscaping 3. Tree Preservation 4. Parking Lot Location and Screening 5. Requirements for Utilities Underground	N/A

OTHER CITIES COMPARISON

	LAND USE CATEGORY	LAND USE SUBCATEGORY	ZONING DISTRICTS (ALLOWED)	SPECIAL DISTRICTS	FLOODPLAIN, FLOODWAY OR COMPROMISED WATERSHED	*CONDITIONS	DEVELOPMENT STANDARDS	TIME LIMIT
IRVING	Not Allowed	N/A	N/A	N/A	N/A	N/A	N/A	N/A
LANCASTER	Industrial & Manufacturing	Asphalt or Concrete Batch Plant	AO (AG), LI (Light Industrial) and MI (Medium Industrial) with SUP approval and conditions	N/A	N/A	N/A	N/A	N/A
MC KINNEY	Industrial & Manufacturing	Asphalt or Concrete Batch Plant	MH (Manufacturing /Heavy); HI (Heavy Industrial)	Not allowed within (MTC) McKinney Town Center Special District	N/A	N/A	N/A	N/A
PLANO	Industrial	Asphalt and Concrete Batching Plant (Permanent)	(CE) Commercial Employment District, (LI-1) Light Industrial -1 District and (LI-2) Light Industrial-2 District with SUP approval	N/A	N/A	N/A	N/A	N/A

OTHER CITIES COMPARISON

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RICHARDSON	Commercial, Manufacturing and Industrial	Manufacturing, Heavy	I-M(1) Industrial District, I-M(2) Industrial District & IP-M(1) Industrial District, I-FP(1) and I- FP(2) with SUP approval	N/A	Not allowed	Must register with health officer in I-M(1), I-M(2), IFP-(1), and I-FP(2)	Specific performance standards for emissions HTTPS://LIBRARY.M UNICODE.COM/TX/ RICHARDSON/COD ES/CODE OF ORDI NANCES?NODEID= PTIICOOR_APXACO ZOOR1956_ARTXXII -BPEST	N/A
SEATTLE	Manufacturing	Manufacturing (Heavy)	IG1 (General Industrial 1) District and IG2 (General Industrial 2) District	N/A	N/A	N/A	N/A	N/A
SAN ANTONIO	Industrial	Batching Plant	Industrial-1, industrial-2	(ERZD) Edwards Recharge Zone District Overlay with SUP only	N/A	N/A	N/A	N/A
ATLANTA	Heavy Industrial	Concrete plants, cement plants, plants for the manufacturing of lime, gypsum, plaster of Paris	(I-2) Heavy Industrial 2 District with SUP Approval	N/A	N/A	N/A	N/A	N/A
SAN DIEGO	Industrial	Heavy Manufacturing	IH-1 (Industrial-Heavy), IH-2 (Industrial - Heavy)	N/A	N/A	N/A	N/A	N/A

OTHER CITIES COMPARISON

	LAND USE CATEGORY	LAND USE SUBCATEGORY	ZONING DISTRICTS (ALLOWED)	SPECIAL DISTRICTS	FLOODPLAIN, FLOODWAY OR COMPROMISED WATERSHED	*CONDITIONS	DEVELOPMENT STANDARDS	TIME LIMIT
PHOENIX	Manufacturing	Heavy Manufacturing	(M-2) Industrial District with SUP approval	N/A	N/A	Distance Requirements - >=500' from a dwelling unit (excludes conveyor belts and tubes) - >= 150' side or rear yard setback for open buildings or use from residential., ->=30' setback for closed bldgs. - >=75' from any public street (excludes parking)	Screening - 6' screening wall or fence around part of site w/ operations to secure the operations	N/A
Temporary								
CARROLLTON	Construction	Batch Plant (Temporary)	All districts, except special districts with Temporary Use Permit	N/A	N/A	N/A	N/A	N/A
COPPELL	Light Industrial	Concrete or Asphalt Batch Plant on a temporary basis in excess of 180 days; Temporary batching plant in	(A) Agricultural, (SF-ED) Single-Family Estate District, LI (Light Industrial) with SUP approval	N/A	Not allowed -Certification of Trinity River Corridor Development (Floodplain areas)	N/A	N/A	N/A

OTHER CITIES COMPARISON

	LAND USE CATEGORY	LAND USE SUBCATEGORY	ZONING DISTRICTS (ALLOWED)	SPECIAL DISTRICTS	FLOODPLAIN, FLOODWAY OR COMPROMISED WATERSHED	*CONDITIONS	DEVELOPMENT STANDARDS	TIME LIMIT
		excess of 180 days						
DESOTO	Industrial and Related Uses	Concrete or Asphalt Batching Plant (Temporary)	As Permitted by BO	N/A	N/A	N/A	N/A	N/A
DUNCANVILLE	Commercial and Industrial Uses	Manufacturing, Production, and Processing, Heavy	As Permitted by BO	N/A	N/A	N/A	<u>Notice to Employees</u> -A notice shall be permanently posted on the person's bulletin board or other prominent place advising employees whom to call in the event of a discharge. -Employer shall ensure that all employees who may cause or suffer such an accidental discharge to occur are advised of the emergency notification procedure	<u>Time Limit</u> The building official may issue a permit for a temporary building to be used for construction purposes only, and which shall be removed upon completion or abandonment of construction work or at the end of two years. -If more time is needed, the planning

OTHER CITIES COMPARISON

	LAND USE CATEGORY	LAND USE SUBCATEGORY	ZONING DISTRICTS (ALLOWED)	SPECIAL DISTRICTS	FLOODPLAIN, FLOODWAY OR COMPROMISED WATERSHED	*CONDITIONS	DEVELOPMENT STANDARDS	TIME LIMIT
								commission shall hold a public hearing for the purpose of considering the continuation of the temporary building for construction purposes.
EL PASO	Temporary Uses	Concrete Mixing or Batching Plant	All districts, except NOS (Natural Open Space) District and URD Urban Reserve District) as Temporary Use	N/A	N/A	Distance Requirements >=10' from the front property line for all temporary structures <u>Site Restoration</u> The site shall be cleaned up to the original state starting 24 hours after the applicant has stopped using the site for the permitted temporary use.	N/A	No longer than six months within the same calendar year at which time it is deemed expired.
FORT WORTH	Temporary/Medium and Heavy Industrial	Batch Plant, Concrete or Asphalt (Temporary)	I, J, K (Industrial) Districts; (ER),(E), (FR), (F), (G), (H) Commercial	(AG) Agricultural District, (Cf) and PD (Special) Districts with Conditional Use Permit	N/A	A temporary concrete or asphalt plant for road or highway construction may be located in any zoning district provided:	N/A	6 months -An extension over 6 months may be granted by special

OTHER CITIES COMPARISON

	LAND USE CATEGORY	LAND USE SUBCATEGORY	ZONING DISTRICTS (ALLOWED)	SPECIAL DISTRICTS	FLOODPLAIN, FLOODWAY OR COMPROMISED WATERSHED	*CONDITIONS	DEVELOPMENT STANDARDS	TIME LIMIT
			Districts with Conditional Use Permit			<ol style="list-style-type: none"> 1. Time period no more than 6 months; 2. The site is located at least 600' from properties in which dwellings are constructed; 3. A site plan has been filed in development showing: location of batch plant, distance from improved residential properties, and streets to be paved 		exception of the Board of Adjustment.
FRISCO	Nonresidential Use	Concrete/Asphalt Batching Plant (Temporary)	All districts, except special districts with temporary building permit issued by BO	N/A	N/A	N/A	N/A	N/A
GARLAND	Industrial	Batching Plant, Temporary	All districts by-right, except (DT) Downtown	N/A	N/A	N/A	<u>Screening</u> - of all outside storage of perimeter where adjacent to residential	30 days

OTHER CITIES COMPARISON

	LAND USE CATEGORY	LAND USE SUBCATEGORY	ZONING DISTRICTS (ALLOWED)	SPECIAL DISTRICTS	FLOODPLAIN, FLOODWAY OR COMPROMISED WATERSHED	*CONDITIONS	DEVELOPMENT STANDARDS	TIME LIMIT
GRAND PRAIRIE	Manufacturing/Mining and Construction	Concrete Batch Plant (Temporary)	All districts with approval by City Council	N/A	N/A	N/A	N/A	N/A
IRVING	Temporary Uses	Batch Plant, Concrete or Asphalt, Temporary	All districts as Temporary Use with conditions (with temporary building permit issued by BO and Code Enforcement); SUP required if >180 days)	N/A	N/A	<u>Distance Requirements</u> >= 100' from a developed lot in Residential District	N/A	As specified in construction contract for length of time development of structures or improvements for site, as long as >= 250' from a developed lot in Residential District or 30 days
LANCASTER	Industrial & Manufacturing	Asphalt or Concrete Batch Plant, Temporary; and Standing Lime Trucks	All districts, except TC (Town Center) with conditions (temporary building permit from BO with conditions stated on certificate)	N/A	N/A	<u>Distance Requirements</u> >= 500' to a residential property -If all Conditions will not be met, exception by P&Z approval is required	N/A	Limited to period of construction in which project is meant to serve

OTHER CITIES COMPARISON

	LAND USE CATEGORY	LAND USE SUBCATEGORY	ZONING DISTRICTS (ALLOWED)	SPECIAL DISTRICTS	FLOODPLAIN, FLOODWAY OR COMPROMISED WATERSHED	*CONDITIONS	DEVELOPMENT STANDARDS	TIME LIMIT
MCKINNEY	Industrial & Manufacturing	Concrete or Asphalt Batch Plant	All districts, except (UMU) Urban Mixed-Use Temporary Concrete Batch Plants with Temporary permit issued by Engineer; Temporary Asphalt Batch Plants by City Council Resolution	Not allowed within (MTC) McKinney Town Center Special District	N/A	N/A	N/A	N/A
PLANO	Commercial, Manufacturing and Industrial	Asphalt and Concrete Batching Plant (Temporary)	All districts, except UMU (Urban Mixed-Use) Temporary Concrete Batch Plants with Temporary permit issued by Engineer; Temporary Asphalt Batch Plants by City Council Resolution only	Not allow within (UMU) Urban Mixed-Use District	N/A	<u>Site Removal</u> -Removal of Temporary Concrete plant as specified by City Engineer	N/A	N/A

OTHER CITIES COMPARISON

	LAND USE CATEGORY	LAND USE SUBCATEGORY	ZONING DISTRICTS (ALLOWED)	SPECIAL DISTRICTS	FLOODPLAIN, FLOODWAY OR COMPROMISED WATERSHED	*CONDITIONS	DEVELOPMENT STANDARDS	TIME LIMIT
RICHARDSON	Manufacturing (Heavy)	N/A	I-M(1) Industrial District, I-M(2) Industrial District & IP-M(1) Industrial District, I-FP(1) and I- FP(2) with SUP approval	N/A	Not allowed in (FP) Floodplain District	Must register with health officer in I-M(1), I-M(2), IFP-(1), and I-FP(2)	Specific performance standards for emissions HTTPS://LIBRARY.MUNICODE.COM/TX/RICHARDSON/CODES/CODE OF ORDINANCES?NODEID=PTIICOOR_APXACOO_ZOOR1956_ARTXXII-BPEST	If longer than 4 weeks, Master Use Permit approval only
SAN ANTONIO	Industrial	Batching Plant, Temporary	(I-1) Industrial-1, (I-2) Industrial-2; (C-3) Commercial 3 District, (D) Downtown District and (L) Light Industrial Districts with SUP approval	(ERZD) Edwards Recharge Zone District Overlay with SUP only	N/A	N/A	N/A	A maximum of 6 months in C-3 and L Districts
ATLANTA	Heavy Industrial	Concrete plants, cement plants, plants for the manuf. of lime, gypsum, plaster of Paris	(I-2) Heavy Industrial 2 District with SUP Approval	Airport Districts: -Uses adversely affected by airport operational characteristics -Uses likely to be adversely affected to a substantial extent by noise, air pollution or other	N/A	<u>Special Agreement</u> -Operation and maintenance agreement; -Performance bond	N/A	N/A

OTHER CITIES COMPARISON

	LAND USE CATEGORY	LAND USE SUBCATEGORY	ZONING DISTRICTS (ALLOWED)	SPECIAL DISTRICTS	FLOODPLAIN, FLOODWAY OR COMPROMISED WATERSHED	*CONDITIONS	DEVELOPMENT STANDARDS	TIME LIMIT
				environmental influences related to airport uses shall be prohibited except where structural or other measures are taken to counter such effects to a satisfactory degree. -Not allowed in any other special districts				
SAN DIEGO	Industrial	Heavy Manufacturing	IH-1 (Ind. - Heavy), IH-2 (Ind. - Heavy)	Not allowed within Environmentally Sensitive Areas; Determination from CM and/or approval from FAA within 50' of Airport Approach Overlay Zone (all development) or Very High Fire Hazard Safety Zone	Not allowed	N/A	N/A	N/A
SEATTLE	Manufacturing	Heavy Manufacturing	Temporary Uses	Not allowed in (IB) Industrial Buffer District, (IC) Industrial Commercial District, Landmark,	N/A	.N/A	N/A	Master Use Permit required for Temporary Use >/ = 4 wks

OTHER CITIES COMPARISON

	LAND USE CATEGORY	LAND USE SUBCATEGORY	ZONING DISTRICTS (ALLOWED)	SPECIAL DISTRICTS	FLOODPLAIN, FLOODWAY OR COMPROMISED WATERSHED	*CONDITIONS	DEVELOPMENT STANDARDS	TIME LIMIT
				Queen Anne Interbay or Shoreline District				