

6-18-19

ORDINANCE NO. 31257

An ordinance amending Ordinance No. 27860, passed by the Dallas City Council on April 28, 2010, as amended by Ordinance No. 28555, passed by the Dallas City Council on February 22, 2012, as amended by Ordinance No. 30966, passed by the Dallas City Council on August 22, 2018, which amended the zoning ordinances of the City of Dallas, and granted Specific Use Permit No. 1804 for an industrial (outside) not potentially incompatible use limited to a concrete batch plant; amending the conditions in Section 2 of that ordinance; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to Specific Use Permit No. 1804; and

WHEREAS, the city council finds that it is in the public interest to amend Specific Use Permit No. 1804; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the conditions in Section 2 of Ordinance No. 27860, as amended, are amended to read as follows:

- “1. USE: The only use authorized by this specific use permit is an industrial (outside) not potentially incompatible use limited to a concrete batch plant.
2. SITE AND LANDSCAPE PLAN: Use and development of the Property must comply with the attached site and landscape plan.
3. TIME LIMIT: This specific use permit expires on December 10, 2019 [~~August, 22, 2019~~].
4. LANDSCAPING: Landscaping must be provided as shown on the attached site and landscape plan.

5. DUST CONTROL:
- (A) The following conditions must be met on an ongoing basis:
- (1) Trucks must be loaded through a discharge equipped with a water ring that eliminates visible dust emissions.
 - (2) All permanent roads inside the plant must be paved, watered, and swept to eliminate visible dust emissions.
 - (3) The area between the sand/aggregate stockpiles and conveyor charge hopper used for vehicle traffic must be paved, watered, and swept as necessary to achieve maximum control of dust emissions. Other areas used for vehicle traffic must be watered as necessary to eliminate dust emissions.
 - (4) During operations, all stockpiles must be sprinkled with water or chemicals as necessary to eliminate visible dust emissions.
 - (5) The cement storage silos and cement weigh hopper must be vented to a fabric filter to eliminate visible dust emissions.
 - (6) During operations, the conveyor charge hopper must have a water spray sufficient to eliminate visible dust emissions.
 - (7) To avoid overloading, a mechanism must be installed on each cement storage silo to warn operator that the silo is full.
 - (8) Spillage of cement must be cleaned up and contained or dampened within 30 minutes so that emissions from wind erosion and/or vehicle traffic are minimized.
- (B) A written ground and soot control plan incorporating existing and proposed infrastructure must be delivered to the director of environmental and health services and the director of sustainable development and construction by June 28, 2010.
6. FLOOR AREA: The maximum floor area is 872 square feet in the location shown on the attached site and landscape plan.
7. INGRESS/EGRESS: Ingress and egress must be provided in the locations shown on the attached site and landscape plan. No other ingress or egress is permitted.
8. PARKING: A minimum of two off-street parking spaces must be provided in the locations shown on the attached site and landscape plan.

- 9. STOCKPILE HEIGHT: Maximum stockpile height for materials in the sand/gravel stockpile area shown on the attached site and landscape[ing] plan is ten feet.
- 10. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
- 11. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.”

SECTION 2. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 3. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By *Anna Jambarti Holmes*
Assistant City Attorney

Passed JUN 26 2019

31257

191046

TH-3(A)

WALKWAY ST

IR

SUP
1804

SUP
1752

W COMMERCE ST

CS

PD 922
(Subarea B)

PD
922

PD CLIFFTOP LN

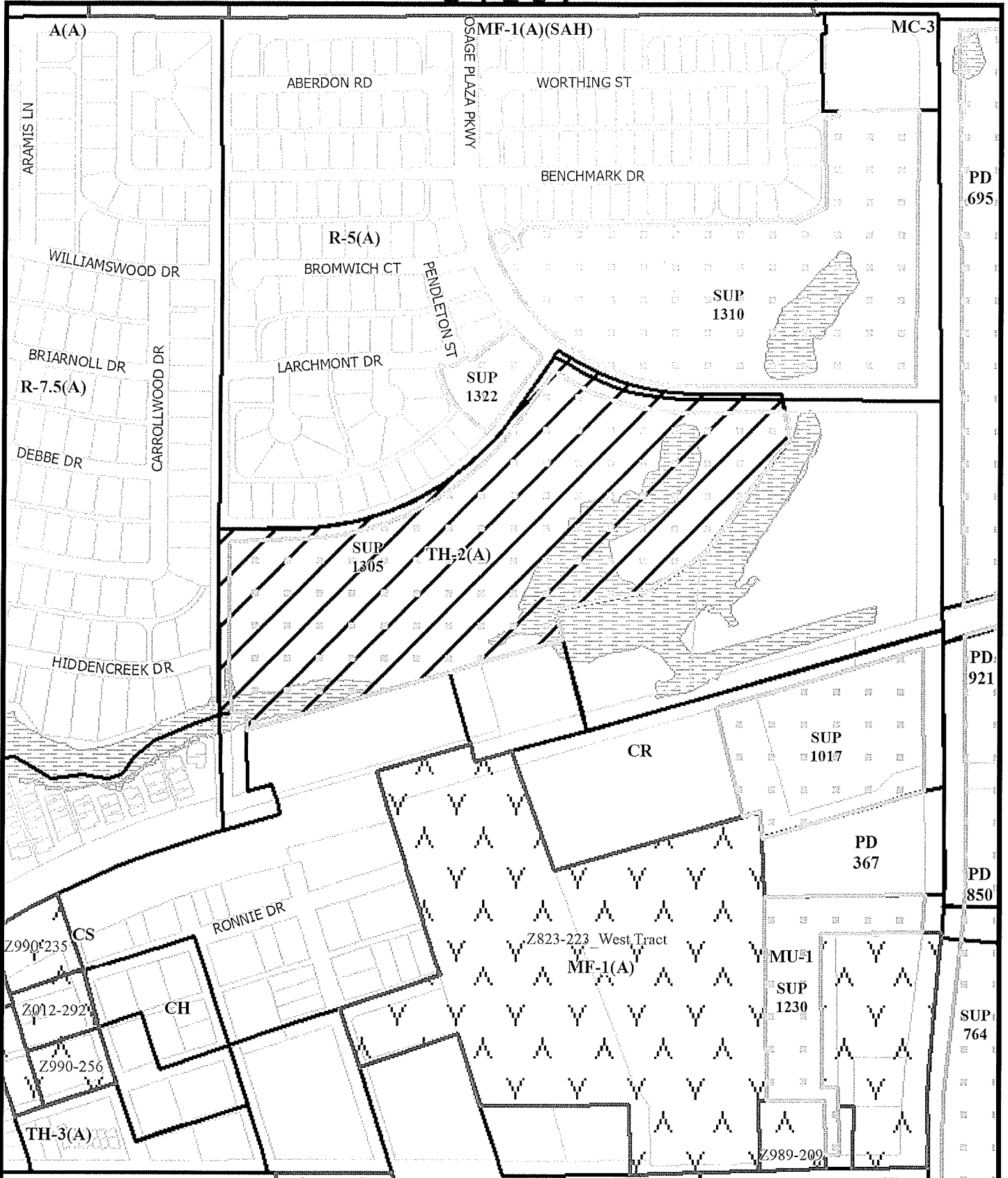


1:1,200

ZONING MAP

Case no: Z189-189

Date: 2/21/2019



1:4,800

ZONING MAP

Case no: Z189-214

Date: 3/8/2019



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL JUN 26 2019

ORDINANCE NUMBER 31257

DATE PUBLISHED JUN 29 2019

ATTESTED BY: