



Planning and Development

Service First Bulletin #307

CONCRETE AND ASPHALT BATCH PLANTS TEMPORARY VS. PERMANENT

PURPOSE

This Service First Bulletin (SFB) explains how the City of Dallas regulates temporary and permanent concrete or asphalt batch plants under Chapters 51, 51A, and 52 of the Dallas City Code, including where they may be allowed, what zoning and building approvals are required, and how long they may operate.

BACKGROUND

On May 11, 2022, the Dallas City Council adopted Ordinance No. 32209 for a development code amendment to remove administrative and by-right approvals for concrete and asphalt batch plants and to require a Specific Use Permit (SUP) for all temporary and permanent batch plants located in straight zoning districts and zoning designations defaulting to those. The purpose was to add a public process for these industrial uses and to better address potential impacts on nearby residences, schools, parks, and other sensitive uses.

DEFINITIONS

For purposes of this bulletin and administration of Chapters 51 and 51A:

- **Temporary concrete or asphalt batching plant** – A temporary facility for mixing cement or asphalt that is established to serve a specific public or private construction project for a limited duration. [Chapter 51A-4.203\(b\)\(6\)](#)
- **Permanent concrete or asphalt batch plant** – An ongoing industrial facility for mixing cement or asphalt that is not limited to a single construction project and operates on a continuing basis as a potentially incompatible industrial use. [Chapter 51A-4.203\(a\)](#)

The Development Code classifies concrete and asphalt batch plants as industrial uses, and recent amendments place them with “potentially incompatible industrial uses,” which are permitted only by SUP in the IM Industrial Manufacturing district.

ZONING AND LAND USE REQUIREMENTS

1. Specific Use Permit (SUP) requirement

- All temporary and permanent concrete or asphalt batch plants in Dallas require a Specific Use Permit (SUP); there is no longer a by-right or administrative approval path for new batch plants in any zoning district, unless otherwise specifically stated in the regulations of a Planned Development District (PD).
- The SUP process includes public hearings before the City Plan Commission and City Council, with City Council being the approval body.

2. Where batch plants may be considered

When located in straight-zoning or other zoning designations that defaults to base development code:

- Permanent batch plants
 - Allowed only in the IM Industrial Manufacturing district by SUP, as “potentially incompatible industrial uses.”
- Temporary batch plants
 - May be considered in any zoning district, including residential, but only with approval of a SUP; the previous administrative approval by the Building Official has been removed by ordinance.

When located in Planned Development Districts, specifically state otherwise, the PD regulations will be applicable. In instances where the PD specifies “*Temporary concrete or asphalt batching plant. [By special authorization of the building official.]*”, this bulletin shall offer additional guidance.

Staff and applicants should consult Division 51A-4.200 (Use Regulations) for the current use charts and confirm the “districts permitted” and “use regulations” entries for concrete and asphalt batch plants.

TEMPORARY BATCH PLANTS

1. Purpose and Scope

Temporary batch plants are intended to **support specific construction projects** for a limited time and are not intended to serve general market demand. They are typically located close to major roadway, utility, or large development projects to reduce haul distances.

2. Required approvals

A temporary batch plant requires all of the following:

- **Zoning entitlement**
 - An SUP (approved City Council) for the site, unless otherwise specifically stated in the PD;
 - A Building Official Authorization for the site if the zoning designation specifically states as such.
- **Building/occupancy authorization**
 - A Temporary Certificate of Occupancy (TCO) issued under Chapter 52 and the City’s TCO procedures.
 - Compliance with all applicable construction codes and inspection requirements associated with the TCO.

- At time of TCO application the following information must be submitted:
 - A letter explaining the specific projects the temporary batch plant will serve and the timeframe of the project.
- **State environmental authorization**
 - Appropriate authorization from the Texas Commission on Environmental Quality (TCEQ), such as an air quality standard permit or other permit required for concrete or asphalt batch plants.

The City does not issue a TCO or allow operation until zoning and TCEQ requirements are satisfied.

3. Location and service limits

- A temporary batch plant “shall only furnish concrete, asphalt, or both, to the specific project for which the temporary certificate of occupancy is issued.”
- For private projects, “the placement of a temporary batching plant is restricted to the site of the project,” unless the Board grants a special exception allowing an off-site location with appropriate conditions.
- If the use is allowed by an SUP, please note that SUP conditions may further restrict hours of operation, access to the lot, screening, buffering, landscape, stockpile height, dust control measures, and separation distances from sensitive uses.

4. Duration and renewals

- The TCO for a temporary batch plant issued under the Building Official Authorization is valid for six months, If the project is not completed in six months, the building official may extend the certificate to complete the project.
- Chapter 52 allows issuance of Temporary Certificates of Occupancy for a limited period; the City’s current TCO guidance provides that:
 - A TCO is issued for a defined period set by the District Manager or representative after review of the application.
 - A TCO expires at the end of the approved period; the holder must obtain a Certificate of Occupancy or cease the use or occupancy upon expiration.
 - TCO extensions may be granted for 30-day periods upon written request and payment of an additional fee.
- TCO procedures in Chapter 52 and the TCO application form do not specify a maximum number of extensions for any particular use, including batch plants.
 - This is an area where the code is not explicit for concrete/asphalt batch plants; accordingly, Planning and Development may adopt internal guidance limiting the overall duration of a temporary batch plant at a site (for example, tying total TCO time to the project schedule as allowed by the SUP), or may seek a future code amendment to set a clear cap.

For consistency, staff should document any TCO extension decisions for batch plants in the project record and verify that the SUP and TCEQ authorization remain valid with each extension.

PERMANENT BATCH PLANTS

1. Purpose and scope

Permanent batch plants function as ongoing industrial operations that serve multiple projects and customers and are not limited to a single construction project. They are classified as industrial (outside) uses and, due to potential impacts, are treated as “potentially incompatible industrial uses.”

2. Required approvals

A permanent batch plant requires:

- **Zoning entitlement**
 - SUP in the IM district, with conditions tailored to the site.
- **Building/occupancy authorization**
 - Building permits as required by the construction codes, and a Certificate of Occupancy (CO) issued under Section 51A-1.104 and Chapter 52.
- **State environmental authorization**
 - TCEQ air quality authorization or other applicable permits.
- SUP conditions for permanent plants may include
- SUP conditions may further restrict hours of operation, access to the lot, screening, buffering, landscape, stockpile height, dust control measures, and separation distances from sensitive uses.

3. Duration and renewals

- Chapter 51A allows SUPs to be granted for limited terms; and Council may specify an expiration date or grant an SUP for a permanent time period.

APPLICATION AND REVIEW – STAFF AND APPLICANT CHECKLIST

To start the SUP process, please reach out to the Zoning team. All information is on the Zoning website.

Building/TCO or CO submittal

For temporary plants (TCO) and permanent plants (CO), applications should include:

- Completed building permit applications for all required trades.
- A completed TCO application (for temporary plants) indicating requested TCO duration and project address.
- Proof of zoning entitlement (SUP) and any conditions that affect site layout or operations.
- Proof of TCEQ authorization or required air quality documentation.

Inspectors must verify compliance with the construction codes and SUP conditions before approving the TCO or CO.

This Bulletin is intended for information purposes only and the Department reserves the right to request additional information. If you have any questions or concerns related to this process, please feel free to email the Director at buildingofficial@dallascityhall.com.

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