

SECTION 19
"H" INDUSTRIAL DISTRICT

A. PURPOSE

The purpose of this district is to regulate those uses of the land that involve the manufacturing, assembly, processing, storage and/or distribution, sale and repair of materials, goods, parts, products, equipment, machinery, and other such operations incidental to industrial uses. It is not the intent of these regulations to allow the construction or development of residential uses within this district and those residential uses existing at the time of the adoption of this zoning ordinance and its zoning district map may continue but shall be classified as non-conforming uses. All proposed industrial uses shall be accompanied by a development site plan. Since the intended use may cause a detrimental change to the environment or substantially affect the municipally operated utility or thoroughfare systems, detailed descriptions of performance standards are included in these district regulations and are determined to be the maximum allowable within any single or combined industrial use or district.

B. USE REGULATIONS

In the "H" Industrial District, no building or land shall be used and no buildings shall be hereafter erected, reconstructed, altered, or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

a. PERMITTED USES

1. Any industrial and/or commercial use meeting the included development site plan requirements and performance standards.
2. Sexually oriented businesses meeting the location requirements specified in Section 23, paragraph L.
3. Antennae and towers not exceeding the maximum height allowed in the District (see paragraph D.1. below), antennae attached to existing structures and not increasing the overall height of the existing structure by more than ten feet (10'), and dish antennae not exceeding two meters (2 m) in diameter. Except for satellite dish antennae, no antennae or support structure shall be located within the required front, side or rear yard setback. To protect traffic safety and community appearance, no satellite dish antennae or support structure shall be located within the required front or second front yard setback, unless the Zoning Board of Adjustment finds that such an encroachment is necessary to prevent impairment of installation, maintenance or reception and that a traffic sight restriction is not created.
4. Animal lots for pasturing of horses, mules, cattle, sheep, goats, poultry or rabbits. Not more than one horse may be kept per acre available for grazing for the first two acres, and one horse per five acres thereafter. No more than one animal unit other than horses may be kept per five acres available for grazing. In calculating the number of animals allowed, horses and other animals shall not be double-counted, i.e. one horse or one cow per five acres. (See also the requirements in Section 23, paragraph M.)
5. Private barn or stable, in accordance with the requirements of Section 23, paragraph M.

6. Gathering Station, Natural Gas that meet the performance standards in Section 23, paragraph Q.

b. CONDITIONAL USES

1. Installations owned and operated by the City of Benbrook, Tarrant County, the State of Texas or Public Utility Companies, which installations are necessary for the public safety, governmental services, or the furnishing of utility services.
2. Antennae and towers exceeding the maximum height in the District and dish antennae exceeding two meters (2 m) in diameter, in order to protect community appearance from the negative visual effects of proliferation of large antennae. Conditional use permits shall be acted upon within 90 days of receipt of application. Persons aggrieved by a decision on a satellite dish antenna application may appeal to the Federal Communications Commission. Any new towers must also comply with the conditions of Section 23 N.
3. Riding arena, subject to the requirements of Section 23, paragraph M.
4. Commercial barn or stable, in accordance with the requirements of Section 23, paragraph M.
5. Outdoor commercial amusement enterprise.
6. Sanitary landfill.
7. Amusement Arcade (Indoors), subject to the requirements of Section 23, paragraph O.

c. SPECIAL EXCEPTION USES

1. Special exception uses when authorized by the Board of Adjustment under the provision of Section 29.

C. DEVELOPMENT SITE PLAN

A development site plan shall be required for each building permit application, shall be submitted to the Director of Planning for approval and shall contain the following information:

1. A scale drawing showing the boundary of the tract and topography with a contour interval of not less than two foot (2') intervals, and drainage information.
2. The location of each building and the minimum distance between buildings and between buildings and the property lines, street line and/or alley line shall be submitted. The plan shall include all dimensions, all easements, the legal description and zoning of the subject property and all adjacent property.
3. A plan indicating the arrangement and provision of off-street parking, off-street loading, outside storage areas, method and location of storage area screening and points of entry from adjoining thoroughfares.

4. A table showing net land area, ratio of building area and outside storage areas to net land area.
5. A table of performance standards of the characteristics of the industrial activities to be conducted on the site, if required by the Planning Director.
6. Scale, north arrow, and names and addresses of owners and/or developers with name(s) and address(es) of those responsible for preparation of the development plan.
7. For development projects influenced by or containing major drainageways or containing areas flood prone by definition of the City Engineer, preliminary drainage plan shall become a part of the development site plan. This requirement may be waived only by the recommendation of the City Engineer.
8. Existing and proposed fire hydrants, sign information, and provisions for external illumination and trash collection.

The Director of Planning shall review the development site plan for conformance with applicable ordinances, regulations and codes. The Director of Planning, in consultation with other City Officials, shall also review and evaluate the site plans for fire and safety concerns, traffic circulation, drainage, environmental constraints and impacts, landscaping, amenities and adequacy of buffers. If the proposed site plan conforms to applicable requirements and, in the opinion of the Director of Planning, provides adequate design features to reasonably mitigate adverse effects, the Director of Planning shall approve the site plan. An applicant may appeal a denial of site plan approval to the Planning and Zoning Commission for reconsideration at its next available agenda. Adjacent landowners potentially affected by the appeal shall be notified in writing of the consideration by the Commission prior to the meeting.

D. HEIGHT AND AREA REGULATIONS

In the "H" Industrial District, the height of the buildings and the minimum dimension of yards shall be as follows:

1. Height: No building hereafter erected, reconstructed, altered, or enlarged shall exceed two and one-half (2 ½) stories, nor shall it exceed thirty-five feet (35') within one hundred feet (100') of a property line of "A" Zoned, "B" Zoned, "BR" Zoned, "CR" Zoned, "C" Zoned or "D" Zoned property. Any building in excess of one hundred feet (100') from these property lines shall not exceed the maximum height envelope described in Section 23, paragraph H.
2. Front Yard: There shall be a front yard of not less than thirty feet (30'), or the front yard indicated on a City-approved subdivision plat as filed in the Tarrant County Plat Records, whichever is greater. Corner lots shall have a minimum side yard of fifteen feet (15') on the second front yard, the yard generally parallel to the street with the greatest frontage, unless reversed frontage is approved by the Planning Director. If a building line shown on a City-approved subdivision plat as filed in the Tarrant County Plat Records is greater than fifteen feet (15'), then the platted building line shall be required on the second front yard. Garage doors and gates meant for vehicle use shall be located no closer than 20 feet from the right-of-way
3. Side Yard: There shall be a side yard of not less than ten feet (10'), unless additional emergency access is required by the Fire Marshal.

4. Rear Yard: There shall be a rear yard of not less than twenty feet (20'), unless additional emergency access is required by the Fire Marshal.

E. PERFORMANCE STANDARDS

The following are maximum accepted levels of noise, vibration, smoke, particulate matter and toxic and noxious matter allowable for industrial uses. If the proposed use results in the discharge of sanitary sewage effluent containing industrial wastes or other effluent into the Benbrook Water and Sewer Authority's sanitary sewage system, a characterization of the effluent and a description of proposed methods of pretreatment (if any) must accompany the development site plan.

The performance standards report may be waived by the Planning Director if the proposed use is considered not to produce the listed effects.

Noise: The day-night average sound level at the property line shall not exceed seventy-five (75) decibels, unless the property line adjoins property zoned for residential uses where the maximum day-night average sound level shall not exceed sixty-five (65) decibels. The day-night average sound level (Ldn) is the twenty-four (24) hour average sound level, in decibels, obtained after addition of ten (10) decibels to sound levels in the night from 10:00 p.m. to 7:00 a.m.

Vibration: The sound pressure level or impact level of any operation or plant shall not exceed the decibel limits for the octave bands designated in Column I below as measured at the point which has the highest reading on the property line of the source property. If the point of measurement is located on a property line which is also the boundary line of a residential district, the limits set forth in Column II shall apply.

Frequency (Cycles per Second)	Column I Displacement (inches)	Column II* Displacement (inches)
0 to 10	.0022	.0008
11 to 20	.0016	.0005
21 to 30	.0010	.0002
31 and over	.0005	.0001

*Steady State -- Vibrations, for the purpose of this Chapter, which are continuous or, if in discrete pulses, are more frequent than sixty (60) per minute. Impact vibrations, i.e. discrete pulses that do not exceed sixty (60) pulses per minute, shall not cause in excess of twice the displacement stipulated.

Smoke, Particulate Matter and Visible Emissions: Smoke or visible emissions emitted from any vent, stack, chimney, skylight, or window shall exceed an opacity of twenty percent (20%) averaged over a five (5) minute period. Any emission of air pollutant must be in accordance with the requirements of the State of Texas. Emissions shall not exceed any of the following net ground level concentrations:

1. One hundred micrograms per cubic meter of air sampled, averaged over any five consecutive hours.
2. Two hundred micrograms per cubic meter of air sampled, averaged over any three consecutive hours.

3. Four hundred micrograms per cubic meter of air sampled, averaged over any one hour.

Toxic and Noxious Matter: The handling, processing, storage and disposal of hazardous, toxic, or noxious materials within this District shall be in accordance with applicable State and Federal laws and regulations. In addition, the Planning and Zoning Commission may establish additional performance standards, including setbacks, berms, and buffers, for the siting of facilities which handle, treat, store, or dispose of potentially hazardous or dangerous materials.

Additional Standards: The Planning and Zoning Commission may establish additional performance standards to protect neighboring areas and land uses from potential industrial hazards and nuisances.

F. LANDSCAPING AND BUFFERYARDS

Landscaping and bufferyards shall be provided in accordance with Section 27 of this Ordinance.