



2019 ASSEMBLY BILL 277

June 7, 2019 - Introduced by Representatives SANFELIPPO, BRANDTJEN, GUNDRUM, HUTTON, KNODL, KUGLITSCH, MAGNAFICI, NEYLON, OTT, RAMTHUN, TUSLER, WICHGERS and ALLEN, cosponsored by Senators TIFFANY, CRAIG, KAPENGA, NASS, STROEBEL and BERNIER. Referred to Committee on Transportation.

1 **AN ACT** *to renumber* 85.193 (1) (a); *to amend* 85.193 (title) and 85.193 (2)
2 (intro.); and *to create* 85.193 (1) (ag) and 85.193 (1) (bg) of the statutes;
3 **relating to:** exemption from local zoning ordinances for certain transportation
4 project aggregate and concrete production sites.

Analysis by the Legislative Reference Bureau

Under current law, borrow sites and material disposal sites used for certain transportation projects are exempt from certain local zoning ordinances. A borrow site is, in general, a site from which soil, stone, gravel, or other similar material is excavated. A material disposal site is, in general, a site that is used for the lawful disposal of surplus materials from a project. These sites qualify for the exemption if all of the following apply: 1) the owner of the property consents to the establishment of a site on his or her property; 2) the Department of Transportation determines that the site is not a commercial establishment with a fixed place of business from which the establishment regularly supplies processed or manufactured materials or products; 3) the project contractor assumes sole responsibility for the operation of the site; 4) the site is used solely for the project and solely during the period of construction of the project; 5) the project contractor does not manufacture finished aggregate products from the materials excavated at the borrow site; and 6) the transportation project contractor agrees to comply with certain safety and remediation requirements.

This bill adds aggregate sites and construction batch sites to the exemption described above. Aggregate sites are sites from which aggregate is excavated or

