

# CCN MEXICO REPORT

 [ccn-law.com](http://ccn-law.com)

## Industrial Zoning in Mexico

By Jorge R. Ojeda Santana

The zoning of a property for industrial purposes in Mexico must be authorized in accordance with the applicable urban development plans and be compatible with the activity that is intended to be carried out at the particular location.

There is frequent confusion between the zoning use that a property was originally intended for, which is provided for in the urban development plans, and the authorizations and conditions required to conduct the specific activity to be carried out. In state laws this is known, in one way or another, as the zoning for the specific activity or operation to be carried out at the property.

In general, state laws and urban development plans poorly classify industrial zoning as light, medium and heavy depending on the labor force, electrical capacity, transportation used, combined with compliance with environmental laws and regulations, such as the handling of toxic, flammable, corrosive, radioactive materials, and other impacts such as the generation of light, noise and vibrations.

Every industrial activity has an impact on the environment. From the earthworks of land for the construction of an industrial building, as well as the operation of a production plant. In principle, an activity is considered non-contaminating if its impact on the environment is within the parameters of applicable environmental laws, regulations and official norms governing the specific activity, being mitigated, in certain cases, with compensatory actions.

There is also frequent confusion between the environmental impact of an industry with respect to activities that are dangerous or risky, due to the exposure that they may have to the adjacent community in the presence of an accident due to leaks, explosions, spills or fires. To give a conceptual example, a food company may be environmentally clean, but be high risk because it operates cooling systems with ammonia.

The fact that a property is classified in the urban development plan for industrial purposes is not enough, in itself, to confirm that the specific activity to be carried out is compatible and will be authorized by land use authorities.

Therefore, in addition to reviewing the land zoning in the applicable urban development plan and the applicable federal and state legislation, it is important to analyze the substances to be used, as well as the processes, emissions, waste and possible risks, in order to determine the compatibility and feasibility of being approved by the competent authorities prior to an investment, and even to assess the approach with the authorities beforehand.