

AN ORDINANCE AMENDING CHAPTER 13-2A (REVISED ZONING REGULATIONS) OF THE AUSTIN CITY CODE OF 1981, AS AMENDED; ADDING THERETO NEW SECTIONS 1721, 1722 AND 1723 TO DEFINE "RESEARCH TESTING SERVICES", "RESEARCH WAREHOUSING SERVICES", AND "RESEARCH ASSEMBLY SERVICES"; ADDING THERETO NEW SECTIONS 2675 - 2679 TO PROVIDE A USE DISTRICT "R&D" RESEARCH AND DEVELOPMENT; ADDING THERETO A NEW SUBSECTION 13-2A-2832(a)(4) TO ALLOW R & D DISTRICTS IN CONJUNCTION WITH A PLANNED DEVELOPMENT AREA COMBINING DISTRICT; ADDING A NEW SECTION 2836 TO ESTABLISH PDA PERFORMANCE STANDARDS; AMENDING TABLE 2900 THEREOF TO REFLECT THE CHANGES MADE BY THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

PART 1. That Chapter 13-2A of the Austin City Code of 1981, as amended, be and is hereby amended by adding thereto new Sections 13-2A-1721, 13-2A-1722 and 13-2A-1723, to read as follows:

1721. Research testing services are research activities that may be permitted only with the approval of the City Council of such activities within a Planned Development Area (PDA) Combining District Ordinance.
1722. Research warehousing services is the enclosed or screened storage of materials or equipment related to research services. Research associated storage excludes the bulk warehousing or permanent storage of hazardous or toxic substances, except as provided in a Planned Development Area (PDA) Combining District Ordinance. Underground or bulk storage of chemicals outdoors shall be prohibited in all instances.
1723. Research Assembly Services is the assembly of products which are related to research services, and which are used by the owners of the research establishment or by affiliated entities in the delivery of services performed by the owner or affiliated entities. Research assembly services would not include the mass production of products for general sale to customers.

PART 2. That Chapter 13-2A of the Austin City Code of 1981, as amended, be and is hereby amended by adding thereto new sections 13-2A-2675, 13-2A-2676, 13-2A-2677, 13-2A-2679 and 13-2A-2680, to read as follows:

2675 R & D RESEARCH DEVELOPMENT DISTRICT

2676 Purposes

The R & D District is intended to provide a special district for research services. An industrial designation would be

inappropriate because the principal focus of research and development activity should not include fabrication, processing, manufacturing, refining or resource extraction. Site development regulations require a site plan which demonstrates a campus-like environment. Research testing services, research warehousing services and research assembly services are allowed, in accordance with a Planned Development Area (PDA) Ordinance.

2677

Permitted Uses

All uses in an R & D Research and Development District are subject to the Planned Development Area (PDA) Ordinance for the tract. Generally, research services uses are permitted. Research testing services, research warehousing services and research assembly services shall be permitted only as provided by the PDA Ordinances, as approved by the City Council and after the recommendations of the Chief Environmental Officer, Fire Chief and Health Officer have been considered.

The following use types are also permitted, subject to the PDA Ordinance.

a. Commercial Uses

- Administrative and Business Offices
- Art and Craft Studio (Limited)
- Business Support Services
- Business or Trade School
- Communications Services
- Financial Services
- Medical Offices
- Personal Services
- Professional Offices
- Restaurant (Convenience)

b. Civic Uses

- College and University Facilities
- Convalescent Services
- Cultural Services
- Day Care Services (General)
- Day Care Services (Limited)
- Emergency Residential Care Services (Limited)
- Emergency Residential Care Services (General)
- Guidance Services
- Hospital Services (Limited)
- Local Utility Services
- Private Primary Educational Facilities
- Private Secondary Educational Facilities
- Public Primary Educational Facilities
- Public Secondary educational Facilities
- Religious Assembly

Safety Services

2678. CONDITIONAL USES

The following use types may be allowed, subject to approval as provided by Section 6200, and subject to the PDA Ordinance.

a. Commercial Uses

Restaurant (Limited)

b. Civic Uses

Club or Lodge

Day Care Services (Commercial)

Hospital Services (General)

Parking Facilities

2679. Site Development Regulations

Site development plans must demonstrate a campus-like development. Each site in the R & D District shall be subject to the following site development regulations.

FeatureRegulation

Lot size

Minimum contiguous area of 25 acres, with a minimum lot size of 5 acres.

Lot width

Minimum lot width, 100 feet.

Floor area ratio

Maximum floor/area ratio, .35 to 1, provided, however that the floor to area ratio shall not exceed .25:1 in the following areas:

- (a) the Barton Creek Watershed, as defined in Section 13-3-278 of this Code;
- (b) the Aquifer related Williamson Creek Watershed, as defined in Section 13-3-403 of this Code;
- (c) the Aquifer related Watersheds, as defined in Section 13-3-478 of this Code;
- (d) the Lake Austin Watershed, as defined in Section 13-3-601 of this Code;
- (e) the Lake Travis Watershed, as defined in Ordinance No. 840308-K.
- (f) the Northwest Area, as defined in Ordinance No. 841206-

Height

Maximum height, 45 feet. Provided however, that building height may be increased one foot for every two feet that a building is set back beyond the required one-hundred (100) foot front or side setback and the fifty foot (50') rear setback, but not to exceed a total height of ninety feet (90'). For property located across the street from or adjoining property zoned or used SF-5 or more restrictive, or for other property within 540 feet of property zoned SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.

Front yard

Minimum required setback, 75 feet. For property located across the street from or adjoining property zoned or used SF-5 or more restrictive, or for other property within 540 feet of property zoned SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.

Street side yard

Minimum required setback, 100 feet on any portion of a site within 100 feet of property classified or used as LA, RR, SF-1, SF-2, SF-3, SF-4, SF-5, or SF-6; reduced to 25 feet within 100 feet of property classified or used as MF-1, MF-2, MF-3, MF-4, MF-5, MF-6 or MH. For property located across the street from or adjoining property zoned or used SF-5 or more restrictive, or for other property within 540 feet of property zoned SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.

Interior side yard

Minimum required setback, 100 feet on any portion of a site within 100 feet of property classified or used as LA, RR, SF-1, SF-2, SF-3, SF-4, SF-5, or SF-6; reduced to 25 feet within 100 feet of property classified or used as MF-1, MF-2, MF-3, MF-4, MF-5, MF-6 or MH; reduced to 15 feet within 100 feet of property classified or used as NO, LO, GO, LR, or GR; reduced to 10 feet within 100 feet of property classified or used as L, CBD or less restrictive. For property located across the street from or adjoining property zoned or

used SF-5 or more restrictive, or for other property within 540 feet of property zoned SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.

Rear yard

Minimum required setback, 50 feet on any portion of a site within 100 feet of property classified or used as LA, RR, SF-1, SF-2, SF-3, SF-4, SF-5 or SF-6; reduced to 25 feet within 100 feet of property classified or used as MF-1, MF-2, MF-3, MF-4, MF-5, MF-6 or MH; reduced to 15 feet within 100 feet of property classified or used as NO, LO, GO, LR, or GR; reduced to 10 feet within 100 feet of property classified or used as L, CBD or less restrictive. For property located across the street from or adjoining property zoned or used SF-5 or more restrictive, or for other property within 540 feet of property zoned SF-5 or more restrictive, refer to Compatibility Standards beginning with Section 4700.

Building coverage

Maximum coverage, 40 percent of the lot area.

Impervious coverage

Maximum coverage, 50 percent on slopes of 0-15% slope gradient; no impervious coverage on slopes of greater than 15% grade.

PART 3. That a new subsection 13-2A-2832(a)(4) be and is hereby added to the Austin City Code, as amended, to read as follows:

4. R & D Research and Development District.

PART 4. That a new Section 13-2A-2836 of the Austin City Code of 1981, as amended, be and is hereby added, to read as follows:

2836 PERFORMANCE STANDARDS

The PDA Ordinance must comply with the performance standards enumerated in this section. These standards may not be modified by the PDA Ordinance.

1. General: No land or structure shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable noise, smoke, dust, odor or other form of air pollution, heat, humidity, liquid or solid refuse or wastes, light or glare or other substance, condition, radiation or element in such a manner

or in such amount as to adversely affect any use or premises within the vicinity; the foregoing are hereinafter referred to as "dangerous or objectionable elements." This statement, however, should not be interpreted so as to exclude resource recovery systems utilizing solid waste.

2. Locations where Determinations are to be made for Enforcement Standards:
 - a. Noise, odor, vibration, radiation, light and glare: At the location of the use creating the same at a point on the source property line which has the highest readings, and at any other points where the existence of such elements may be more apparent.
 - b. Smoke, Toxic and Noxious Matter: At the place of emission into the atmosphere.
3. Noise: At the points of measurement, the maximum sound level radiated by any use or facility, other than transportation facilities or temporary construction work, shall not exceed 55 Ldn during daylight hours and 45 Ldn during night time hours. Refer to Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety, Environmental Protection Agency, 1974, for definition of the Ldn noise parameter.
4. Vibration: At the points of measurements, earthborne vibrations from any operation or plan shall not exceed the limits set forth in Column I below, for the area in which located, unless the point of measurement is located on a property line which is also the boundary line of a residential area or within eighty feet of a residential area boundary line which is located within a street right-of-way, in which case the limits set forth in Column II below shall apply.

Frequency Cycles per Second	Column I* Displacement (inches)	Column II* Displacement (inches)
0 to 10	.0010	.0004
10 to 20	.0008	.0002
20 to 30	.0005	.0001
30 to 40	.0004	.0001
40 and over	.0003	.0001

* Steady State -- vibrations, for the purpose of this instrument, which are continuous or more frequent than sixty pulses per minute. Impact vibration, those less frequent than sixty pulses per minute, shall not cause more than twice the displacement stipulated.

5. **Light or Glare:** Any operation or activity producing intense light or glare shall be performed in such a manner as not to create a nuisance or hazard across lot lines. Direct illumination from any source of light or direct welding flash shall be screened from adjoining properties and reflected light from these sources shall not exceed 0.4 foot candles across the source property line.
6. **Smoke and Particulate Matter:** Smoke emitted from any vent, stack, chimney, skylight, window, building opening, or combustion process shall not exceed any opacity of Ringelmann No. 0, 0 percent opacity, as observed on the Ringelmann Chart.

The emission of particulate matter from all sources shall not exceed one pound per acre of property within the boundary of any plan site under consideration during any one hour. Dust coarser than forty-four microns shall be limited to 0.05 pounds per acre of property during any one hour.

Open industrial operations involving dust-producing or dust-causing equipment of operations such as sandblasting, paint spraying, gravel and concrete batching and similar operations, shall be so conducted that such dusts do not cross lot lines in concentrations exceeding one million particles per cubic foot when measured at ground level or habitable elevation, at or beyond, the lot line, whichever is more restrictive.

Toxic and Noxious Matter: At a minimum, all applicable Environmental Protection Agency and Texas Air Control Board standards and permit requirements shall be fully met. All toxic and hazardous material utilized on the tract shall be registered with the City of Austin Fire Department to comply with the Hazardous Materials Storage and Registration Ordinance requirements.

7. **Fire and Explosive Hazards:** Activities involving the storage and utilization of materials or products which decompose by detonation are permitted only when specifically approved by the City of Austin Fire Department. Such materials shall include but are not limited to all primary explosives such as lead azide, lead styphnate, fulminates and tetracene; all high explosives such as TNT, HMX, PETN, and picric acid; propellants and components thereof such as nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate, and potassium nitrate; blasting explosives such as dynamite and nitroglycerin; unstable organic compounds such as perchloric acid, perchlorates, chlorates, and hydrogen peroxide in concentrations greater than thirty-five

percent; and nuclear fuels, fissionable materials and products, and reactor elements such as Uranium 235 and Plutonium 239.

Explosives shall be stored, utilized, and manufactured in accordance with applicable local, state, and federal codes. All applications for uses involving fire and explosive hazards may be referred to the Office of the City of Austin Fire Department for approval. Such approval shall indicate compliance with all applicable fire codes and ordinances of the City of Austin and shall be indicated on the application within ten days from the date such application was made in the office of the Building Inspector.

8. Liquid or Solid Wastes: No discharge shall be made into a public storm or sanitary sewer, waterway, or stream unless in accordance with the City's Industrial Waste Ordinance for storm and sanitary sewers.

PART 5. That Table 2900 of Chapter 13-2A of the Austin City Code of 1981, as amended, be and is hereby amended to reflect the changes made by this Ordinance.

PART 6. If any provision, section, subsection, sentence, clause or phrase of this ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the invalidity of the remaining portions of this ordinance shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion thereof or provisions, or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof and all provisions of this ordinance are declared to be severable for that purpose.

PART 7. The rule requiring that ordinances shall be read on three separate days is hereby suspended, and this ordinance shall become effective ten (10) days following the date of its passage.

PASSED AND APPROVED

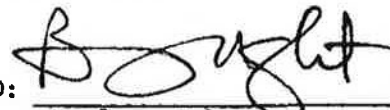
February 21, 1985

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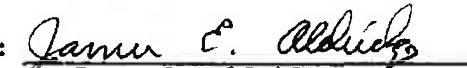
Ron Mullen
Mayor

APPROVED:



Paul C. Isham
City Attorney

ATTEST:



James E. Aldridge
City Clerk

WMC/saf