

ORDINANCE NO. 2024-007

AN ORDINANCE OF THE CITY COUNCIL OF HUTTO, TEXAS AMENDING CHAPTER 3, LAND USE STANDARDS OF THE HUTTO UNIFIED DEVELOPMENT CODE BY AMENDING SECTION 10.304.7, INDUSTRIAL USES, AND ADDING SECTION 10.308.13, DATA CENTER, AND AMENDING CHAPTER 4, SITE DESIGN STANDARDS OF THE HUTTO UNIFIED DEVELOPMENT CODE BY AMENDING SECTION 10.403.4, BUILDING ENVELOPE, SECTION 10.403.6, BUFFERYARD, AND SECTION 10.405.9, PARKING AND LOADING SPACE NUMBER STANDARDS; PROVIDING FOR PUBLICATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council finds that amending the Hutto Unified Development Code by revising allowable industrial development heights and other requirements related to Data Centers is necessary to foster a cooperative development environment that protects the health, safety, and welfare of the citizens of Hutto.

WHEREAS, the Planning and Zoning Commission recommended approval of the proposed amendment on the 9th day of January, 2024, and;

WHEREAS, on the 18th day of January, 2024, after proper notification, the City Council held a public hearing on the requested amendment, and;

WHEREAS, the City Council determines that the zoning ordinance amendment provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and;

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Article 14.02.002, Code of Ordinances (2020 Edition, as amended), City of Hutto, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now therefore

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTTO, TEXAS, THAT:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. ENACTMENT

The City Council hereby amends the Hutto Unified Development Code Chapter 3, Land Use Standards by amending Section 10.304.7, Industrial Uses, and adding Section 10.308.13, Data

Center, and amending Chapter 4, Site Design Standards by amending Section 10.403.4, Building Envelope, Section 10.403.6, Bufferyard, and Section 10.405.9, Parking and Loading Space Number Standards, as shown on Attachment "A" which is attached hereto and incorporated into this Ordinance.

1. REPEALER

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

2. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

3. EFFECTIVE DATE

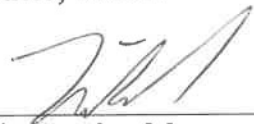
This Ordinance shall be effective immediately upon passage and publication in accordance with Section 3.13 of the City Charter.

4. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

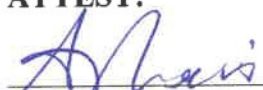
PASSED & APPROVED this, the 18th day of January 2024, by a vote of 5 (ayes) to 2 (nays) to 0 (abstentions) of the City Council of Hutto, Texas.

READ, PASSED, & ADOPTED this, the 1th day of February 2024, by a vote of 7 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Hutto, Texas.



Mike Snyder, Mayor

ATTEST:



Angela Lewis, City Secretary



ATTACHMENT “A”

Section 10.304.7 Industrial Uses

Industrial uses	Zoning District										Transect Zones (for FBC Form Based Code and OT Old Town zoning districts)										
	SF-R	SF-1	SF-2	MF	MH	B-1	B-2	LI	I	REC	T-1	T-2	T-3	T-4	T-5	OT-3	OT-4R	OT-4I	OT-5H	OT-5C	SD-A
Data Center	::	::	::	::	::	::	::	S	S	::	::	::	::	::	::	::	::	::	::	::	::

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Section 10.308.13 Data Center

10.308.13.1 Definition

Data Center: an industrial facility primarily engaged in the storing, processing, and distribution of data through on-site, networked computer systems or other electronic devices; including accessory offices for employees and security personnel; either in conjunction with a business not located on the site, or for individual compensation.

10.308.13.2 Permitted Locations

Data Centers are considered subject to specific use permit review in the LI and I districts.

10.308.13.3. Conditions

- Data Centers are allowed with Planning and Zoning Commission recommendation and City Council approval. Data centers are permitted a maximum height of 120 feet.
- Regardless of height, Data Centers shall be subject to the criteria applicable to all Industrial uses identified by this Unified Development Code.

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Section 10.403.4 Building Envelope

10.403.4.1 General

If there is a conflict among the setback and landscape/bufferyard standards in this code when applied to a certain site, the more restrictive standards will apply.

10.403.4.2 Primary and accessory structures

Default bulk standards for primary and accessory structures are as follows:

	Zoning District									
	SF-R	SF-1	SF-1 zero lot line	SF-1 village	SF-2	MF	MH	B-1	B-2	LI/I

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Building height (max)	45 ft. / 3 stories	35 ft. / 2.5 stories	35 ft. / 2.5 stories	35 ft. / 2.5 stories	35 ft. / 3 stories	35 feet; 45 feet along Freeways, Arterials, and Major Non-Residential Collectors	1 story	35 feet	45 feet	45 feet <u>60 feet</u>
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Section 10.403.6 Bufferyard

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10.403.6.3 Required bufferyards

The table below indicates the level of bufferyard required between each zoning district or land use. Letters “a” to “c” correspond to the type of bufferyard required and the specific situations in which the bufferyard is required. A box with “—” indicates that a bufferyard is not required between those development types.

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c. A high level bufferyard (“c”) shall consist of the following:

- A 30 ft. wide planting area; or a 25 ft. wide planting area plus a 6+ ft. tall masonry wall;
- Any industrial/light industrial zoned property or use adjacent to a residentially zoned property or use shall provide a 40ft wide planting area with a minimum width equal to 1.5 feet of bufferyard to the greater of the maximum height allowed in the industrial/light industrial zoning, or the height of the industrial use. The planting area shall have and an eight foot (8ft) tall masonry wall with two (2) native evergreen tall trees and one (1) native evergreen short tree per every fifty (50) linear feet of bufferyard.

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Section 10.405.9 Parking and loading space number standards

10.405.9.1. Required parking spaces

Uses should offer only the minimum amount of parking that is necessary to meet anticipated normal demand. The number of required off-street parking and truck loading spaces for a use is as follows.

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Industrial use classification	Required spaces (minimum)	Maximum spaces	Required loading spaces (minimum)
<u>Data Center</u>	<u>1 per 5,000 sq.ft. GFA</u>	<u>1 per 2,500 sq.ft. GFA</u>	<u>1 per building</u>