

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AMENDING THE UNIFIED DEVELOPMENT CODE (UDC), SECTION 4.3 EASEMENTS; PROVIDING A SEVERABILITY CLAUSE; AUTHORIZING CITY STAFF TO PREPARE THIS ORDINANCE FOR SUBMISSION AS A SUPPLEMENT TO THE CODE OF ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, subdivision improvements in Seguin is regulated by the Unified Development Code in order to promote sound infrastructure development in the subdivision of land; and

WHEREAS, the Unified Development Code regulates when subdivision improvements are required and how they are constructed; and

WHEREAS, the City of Seguin desires to restrict drainage easements in one- and two-family residential developments from crossing lot and property lines and require that drainage easements be placed in separate common area lots; and

WHEREAS, on April 12, 2022, after conducting a public hearing, the Planning and Zoning Commission voted to recommend to City Council that the amendments to Section 4.3 of the UDC as described herein be adopted.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Seguin, Texas, as follows:

PART ONE. Section 4.3 – Easements, of the Seguin Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strike through~~ indicates deleted text):

Sec. 4.3. Easements.

4.3.2. Drainage Easement (DE). Where conditions require, there shall be provided an adequate stormwater drainage easement. Where such easement is adjacent to lots, tracts, or reserves, the easement shall be noted on the final plat as follows: "The easement indicated shall be kept clear of fences, buildings, planting, and other obstructions to the operation and maintenance of the drainage facility, and abutting property shall not be permitted to drain into this easement except by approved means." For one- and two-family residential subdivisions, drainage easements crossing lots and property lines are prohibited. Drainage easements shall be placed in separate common area lots.

PART TWO. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

PART THREE. City staff is authorized to prepare this Ordinance for submission as a supplement to the Seguin Code of Ordinances.

PART FOUR. This ordinance shall be published in a newspaper of general circulation.

PART FIVE. This ordinance shall be effective upon ten (10) days following passage on second reading and shall be published in a newspaper of general circulation.

PASSED AND APPROVED on the first reading this 3rd day of May 2022.

PASSED AND APPROVED AND ADOPTED on the second reading this 24th day of May 2022.

Donna Dodgen, Mayor

ATTEST:

Naomi Manski
City Secretary