

**CITY OF SEGUIN
STATE OF TEXAS**

ORDINANCE NO. 2024-018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AMENDING THE UNIFIED DEVELOPMENT CODE (UDC), SECTION 3.4.3 LAND USE MATRIX, SECTION 3.5 LIMITED USES, AND CHAPTER 7 DEFINITIONS; 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, the Seguin City Council adopted the Unified Development Code (UDC) to encourage better planning and development throughout the city and established in the UDC a list of allowed land uses for the adopted zoning districts; and

WHEREAS, the UDC allows retail sales of all kinds in the downtown historic district; and

WHEREAS, City staff finds that certain retail uses are harmful to the health and safety of the community; and

WHEREAS, the City of Seguin desires to amend the UDC to add a new land use category for Vape & CBD Shops; and

WHEREAS, on December 18, 2023, the Main Street Advisory Board recommended to the Planning and Zoning Commission establishing rules for the Vape & CBD Shops;

WHEREAS, on March 12, 2024, after conducting a public hearing, the Planning and Zoning Commission voted to recommend to City Council that the amendments to Section 3.4.3, Section 3.5, and Chapter 7, Definitions 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 3.4.3 – Land Use Matrix: Industrial Uses, of the Seguin Unified Development Code, is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

Retail/Services

	A- R	R- R	S- R	R- 1 R- 2	DP- 1	DP- -2	ZL	M F 1,2 ,3	M R	MH P	N C	C	P	LI	I	DH D
<u>Vape & CBD Shops</u>	=	=	=	=	=	=	=	=	=	=	=	<u>P</u>	=	<u>P</u>	<u>P</u>	<u>L</u>

PART TWO. Section 3.5 Limited Uses, of the Seguin Unified Development Code, is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

T. ~~RESERVED~~ Vape & CBD Shops

Vape & CBD Shop uses in the Downtown Historic District require a limited use permit. The proposed use shall be required to meet the following requirements:

1. No Vape & CBD Shop shall be within 300 feet of another Vape & CBD Shop (door to door).
2. No Vape & CBD Shop shall be within 300 feet of a church (door to door).
3. No Vape & CBD Shop shall be within 300 feet of a school or day care (door to door).
4. No Vape & CBD Shop shall be within 300 feet of a park.

PART THREE. Chapter 7, Definitions, of the Seguin Unified Development Code, is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

156. Vape & CBD Shop. Any retail establishment that predominately sales electronic cigarettes, e-cigs, vapes, e-hookahs, vape pens, electronic nicotine delivery systems, products containing tetrahydrocannabinol (THC), and paraphernalia for the consumption of products containing THC.

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

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

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

PART SEVEN. 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 2nd day of April 2024.

PASSED AND APPROVED AND ADOPTED on the second reading this 16th day of April 2024.

Donna Dodgen, Mayor

ATTEST:

Kristin Mueller
City Secretary