



City of Seguin

210 E. Gonzales Street
Seguin TX, 78155

Public Meeting Agenda

Planning & Zoning Commission

Tuesday, March 10, 2026

5:30 PM

Council Chambers

1. **Call To Order**

2. **Roll Call**

3. **Approval of Minutes**

[26-072](#)

Approval of the Planning and Zoning Commission Minutes of the February 10, 2026 Regular Meeting.

Attachments: [2.10.26 PZ Mins draft](#)

4. **Public Hearing and Action Items**

a. [SUP 01-26](#)

Public Hearing and possible action for a Specific Use Permit to allow a single-family residence in a Commercial Zoned District for property located at 817 W. Court St., Property ID 167193 (SUP 01-26)

Attachments: [SUP 01-26 Staff Report & Maps](#)

b. [26-087](#)

Public Hearing and possible action on amendments to the City of Seguin's Unified Development Code Section 3.4.3 Land Use Matrix, to add "Data Center" as a new use, and Chapter 7 (Definitions), to add a definition for data centers.

Attachments: [P&Z Memo March 2026 Data Centers](#)

c. [26-088](#)

Public hearing and possible action on amendments to the City of Seguin's Unified Development Code Section 1.2.7.C Floodplain Administrator, Section 1.4 Expiration of Applications, Section 2.10 Flood Plain Development Permit, Section 4.6 Stormwater and Drainage Standards, and Section 4.3.2 Drainage Easement (DE), to modify floodplain regulations and related administrative provisions.

Attachments: [PZ Memo UDC Amendments Flood March2026](#)

[Proposed Amendments to sections 1.2.7.c, 1.4, 2.10, 4.6, 4.3.2](#)

5. **Adjournment**

I certify that the above notice of meeting was posted in the Display Case in front of the Municipal Building, 210 E. Gonzales Street of the City of Seguin, Texas on the 4th day of March 2026 at 11:00 a.m. Said place is readily accessible to the General Public.

Francis Serna
Recording Secretary

The City of Seguin is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Secretary at (830) 401-2468 at least 48 hours in advance. This meeting site is accessible to disabled persons.



Meeting Minutes

Planning & Zoning Commission

Tuesday, February 10, 2026

5:30 PM

Council Chambers

Public

1. Call To Order

The City of Seguin Planning and Zoning Commission met in a Regular Meeting on February 10, 2026 at 5:30 p.m. at the City Council Chambers, 210 E. Gonzales Street, Seguin, Texas. Chair Felty presiding over the meeting.

2. Roll Call

Present: 7 - Vice Chair Eddie Davila, Chairperson Patrick Felty, John Flores, Bobby Jones III, Kelly Schievelbein, Pete Silvius, and Wayne Windle

Absent: 2 - Tomas Hernandez Jr, and Yesenia Rizo

3. Approval of Minutes

a. 26-027

Approval of the Planning and Zoning Commission Minutes of the December 9, 2025 Regular Meeting.

A motion was made by Vice Chair Davila, seconded by Commissioner Schievelbein, that the minutes of the December 12, 2025 Planning Commission meeting be approved. The motion carried by the following vote:

Aye 7 - Vice Chair Davila, Chairperson Felty, Flores, Jones III, Schievelbein, Silvius, andWindle

b. 26-028

Approval of the Planning and Zoning Commission Minutes of the January 13, 2026 Regular Meeting.

A motion was made by Vice Chair Davila, seconded by Commissioner Schievelbein, that the minutes of the January 12, 2026 Planning Commission meeting be approved. The motion carried by the following vote:

Aye 7 - Vice Chair Davila, Chairperson Felty, Flores, Jones III, Schievelbein, Silvius, andWindle

4. Public Hearing and Action Item

ZC 03-26

Public hearing and possible action on a request for a zoning change from Single-Family Residential (R-2) and Commercial (C) to Multifamily High Density (MF-3) for the property located near the southeast corner of SH 46

and Jefferson Ave., Property ID: 52779, (ZC 03-26)

Kyle Warren, Planner, presented the staff report. He stated that the case was postponed from January's Planning and Zoning Commission meeting and advised that he would be brief with the presentation.

Mr. Warren stated the 15.005-acre tract of land is located near the intersection of Jefferson Ave and SH 46 zoned both Commercial and Single-Family Residential. The request is for Multifamily-3, High Density Multifamily for the entire 15 acres. He reminded the Commission that the maximum allowable number of units in the zoning district was 20, and that the applicant said they were only going to have 17 units per acre.

Mr. Warren reminded the Commission that the proposed use was inconsistent with both the FLUPs. Traditional Residential by maximum units allowed (20) and Commercial Corridor because Multifamily needs to be by two arterial street. He noted that the University Center FLUP was adjacent to the property, across Jefferson Avenue which is supportive of Multifamily High-Density zoning.

Mr. Warren stated that if the apartments were developed, the property would have a double-sided planting buffer of 30 feet for a three-story complex, against the single-family zoned properties to the east and south.

He stated that two additional letters were received, one in favor with nothing noted and one in opposition stating concerns of increase in crime and congestion. The previous two letters of opposition touched on potential drainage issues a new development could bring to the area.

The regular meeting recessed, and a public hearing was held. Kalie Gast, and attorney Rob Killen of Killen, Griffin & Farrimond, LLC gave a presentation of the zone change request. Mr. Killen presented his power point touching on traffic impact, site analysis, walk ability, potential community and economic benefits, a City Grant for sidewalk infrastructure, and renderings of the project. Mr. Killen also proposed that a deed restriction would be created to put a density cap of 17 units per acre and would be recorded prior to the first city council meeting of March if the zoning change were approved.

Kalie Gast answered questions from the Commission on market studies for the project concerning demand, growth patterns, and income levels. She said 255 units were being proposed for working/middle class income levels.

Carlos Moreno, Habitat for Humanity spoke on the case, asking for support of the project as it was Habitat's land that was in question for the zone change. He said The Kittle Group aligned with their outlook of trying to provide affordable housing for Seguin.

Elizabeth McCowan, Habitat for Humanity also came forward in support of the zoning change as it would allow Habitat to fulfill their mission and vision.

Madeline Zwicke, Habitat for Humanity approached the Commission. Chair Patrick Felty asked her how this large multifamily development would affect the ability to build single family homes on the remaining 15 acres to the south.

Michael Taylor, Habitat for Humanity, addressed questions from the Commission. He said the mix of affordable single-family homes as well as work force apartment housing

would certainly benefit Habitats goals for Seguin. He also stated that Habitat’s ability to develop the site without the sale of the 15 acres in question would be very limited. He said the remaining 15 acres would be reserved for 4 acres of retail commercial and 11 acres of single-family zoning.

There being no additional responses from the public the regular meeting reconvened for action.

Chair Felty asked staff if the grant for sidewalks was on Ermel Street or SH 46. Jennifer Shortess, Assistant City Engineer, stated the grant is a safe route to school grant through TxDOT and the Alamo area MPO and is a concrete trail from B&B road to Kingsbury Street along SH 46. She then stated it would be in construction from 2029-2031.

A motion was made by Vice Chair Davila, seconded by Commissioner Silvius, that the Zoning Change to Multi-Family High Density 3 (MF-3) be recommended for approval. The motion carried by the following vote:

Nay 1 - Jones III

Aye 6 - Vice Chair Davila, Chairperson Felty, Flores, Schievelbein, Silvius, andWindle

5. Adjournment

There being no further discussion before the Planning and Zoning Commission, the meeting adjourned at 6:03 p.m.

Patrick Felty, Chair
Planning & Zoning Commission

Francis Serna
Recording Secretary



PLANNING & CODES

SUP 01-26
817 W. Court St.
Specific Use Permit

Applicant:

Carlos Carbajal
779 W. Court St.
Seguin, TX 78155

Property Owner:

Carlos David Carbajal
779 W. Court St.
Seguin, TX 78155

Property Address/Location:

817 W. Court St.

Legal Description:

Templin Lot #6-A
1.094 AC.
Property ID: 167193

Lot Size/Project Area:

1.094 AC.

Future Land Use Plan:

Traditional Residential

Notifications:

Mailed: February 26, 2026
Published: February 22, 2026

Comments Received:

None at the time of publication

Staff Review:

Brenda Joyas, CNU-A
Planner

Attachments:

- Location Map
- Zoning Map
- FLUP Map

REQUEST:

A Specific Use Permit request to use an existing single family residential dwelling in Commercial (C) zoning.

ZONING AND LAND USE:

	Zoning	Land Use
Subject Property	C	Residential
N of Property	C	Commercial /Car Lot
S of Property	R-1	Single Family Residential
E of Property	C	Commercial Office /Abandoned
W of Property	C	Commercial / Residential

SUMMARY OF STAFF ANALYSIS & RECOMMENDATION:

The applicant is requesting a Specific Use Permit (SUP) to allow for residential use in Commercial (C) zoning. The existing residential home dates back as far as 1950 and has always been utilized in a residential manner. The property has been without utilities since April 4th 2022, resulting in a loss of the structure’s legal nonconforming use as a residence. The applicant is requesting a Specific Use Permit to allow for the continuation of the site’s past residential use.

Staff is recommending approval of the Specific Use Permit with the following conditions:

- Residential standards seen in the City’s Unified Development Code (UDC) will apply to the property.
- Site can be used for residential use only.
- If property is sold, SUP will transfer to new owner if use remains residential.
- This SUP will be voided if the site is vacant or without utilities for 6 months.

Planning Department Recommendation:	
	Approve as submitted
X	Approve with conditions or revisions as noted
	Alternative
	Denial

PLANNING DEPARTMENT ANALYSIS

SITE DESCRIPTION:

The site is one (1) legal lot totaling 1.094 ac and contains two (2) residential homes (831 & 817 W. Court St). The existing residential homes on the property date back to the 1950's and have been utilized for residential use. The structure at 831 W. Court St. is an active residential home on this lot. Utility service to 817 W. Court St. was disconnected April 4, 2022 and has been off since.

CODE REQUIREMENTS:

Section 3.4.3 Land Use Matrix of the city of Seguin's Unified Development Code (UDC), allows for an existing single-family dwelling within Commercial (C) zoning to be utilized for residential use with the approval of a Specific Use Permit (SUP). The existing structure at 817 W. Court St. has been vacant and without utilities for more than 6 months and it has lost its legal nonconformity status. A Specific Use Permit (SUP) will be required to allow for the existing residential home to be utilized as a residence again.

COMPATIBILITY WITH SURROUNDING LAND USE & ZONING:

The site is located with an area mostly comprised of Commercial zoning and use, with some residential uses within Commercial zoning that was existing prior to the city adopting zoning in 1989. The property to the east is zoned commercial containing an unoccupied building, to the west, Commercial (C) zoning is utilized for residential use. To the south is residential zoning and use, and a car lot zoned Commercial (C) to the north.

COMPREHENSIVE PLAN:

The Comprehensive Plan proposed to have development located on arterial roadways connecting Seguin to surrounding towns and metropolitan areas. The property is in the Commercial zoning but the city's FLUP has the property under Traditional Residential.

The Traditional Residential classification encompasses the residential development surrounding Seguin's Downtown area with an eclectic character and neighborhood design that has evolved over the years. This area connects the more traditional grid pattern of the Downtown area to a more curvilinear, suburban-style development with various homes and lot sizes based on the era of construction. New residential development within this area should be evaluated site-by-site to prevent incompatible scaling and density.

Neighborhood-scaled commercial services should be located along the major thoroughfares to support a walkable, mixed-use environment. High-density residential uses can be appropriate at the scale of neighboring developments, and vacant tracts should utilize compatible design criteria with nearby buildings.

HEALTH, SAFETY, AND GENERAL WELFARE:

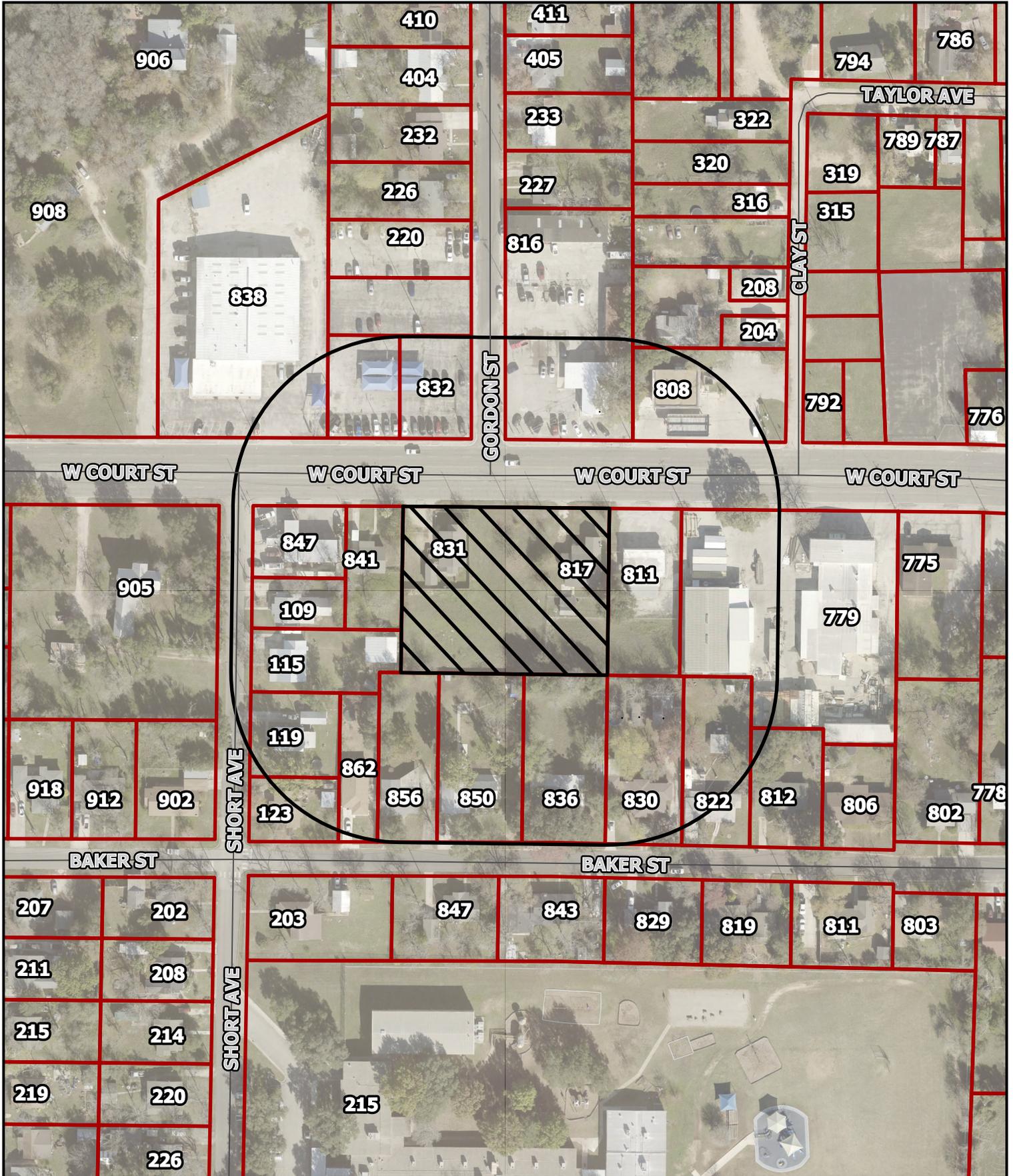
No health or safety issues have been identified.

STREET FRONTAGE & ACCESS:

The property contains an existing curb cut and driveway accessed from West Court St.

LOCATION MAP

SUP 01-26 817 W. Court St.



This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for errors on this map or use of this information.


 Site Location
 200' Buffer
 Parcel

1 inch = 150 feet

Printed: 2/17/2026

ZONING MAP

SUP 06-25 4520 IH 10 W



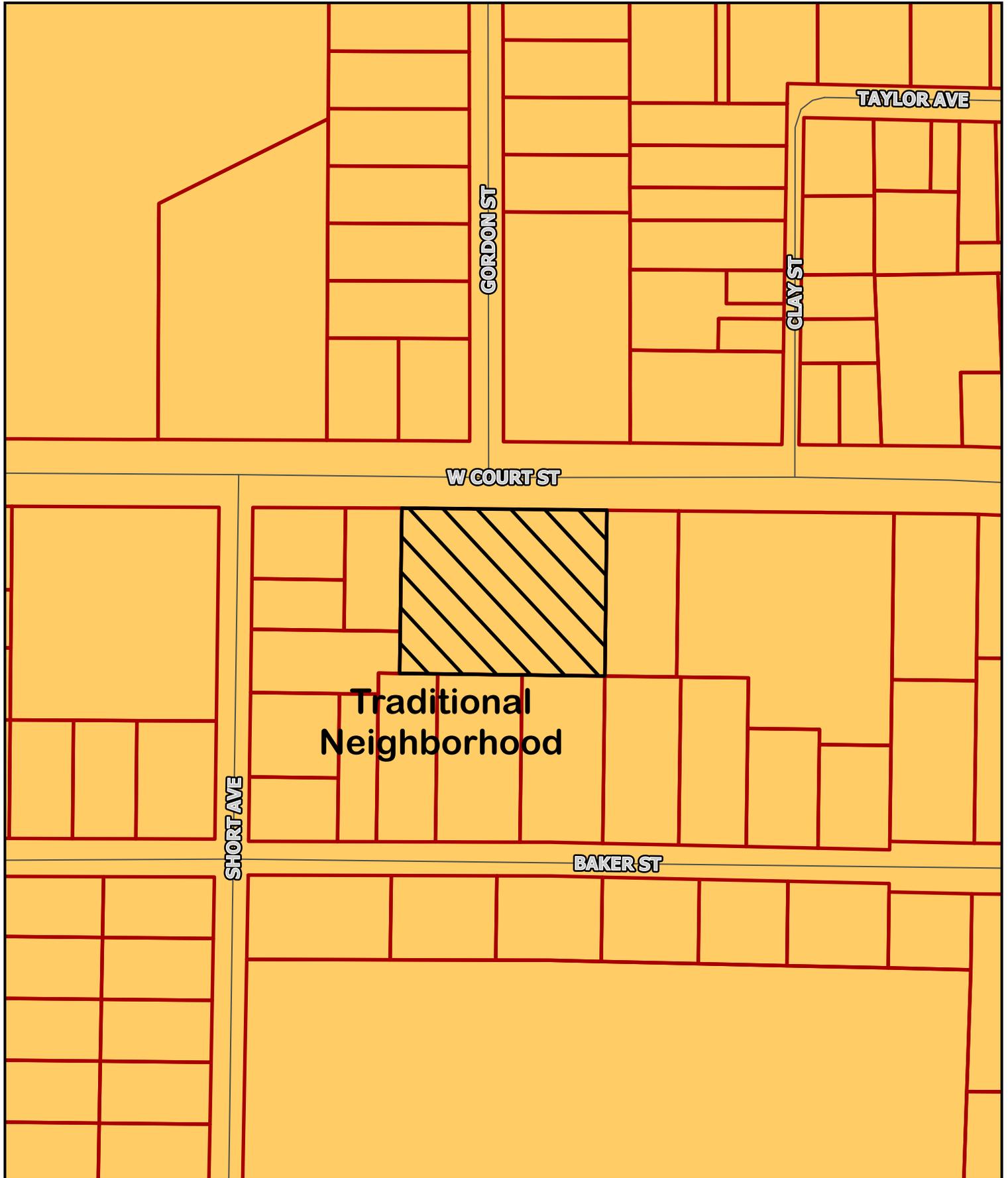
- | | | | | |
|----------------------|--------------------------|--------------------------|-----------------------------|------------------------------|
| Agricultural - Ranch | Light Industrial | Manufactured Home Park | Single Family Residential 1 | Zero Lot Lines |
| Commercial | Manufactured-Residential | Neighborhood Commercial | Single Family Residential 2 | Corridor Overlay Districts |
| Duplex 1 | MultiFamily 1 | None | Rural Residential | Downtown Historical District |
| Duplex 2 | MultiFamily 2 | Public | ROW | |
| Industrial | MultiFamily 3 | Planned Unit Development | Suburban Residential | |

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Site Location
 Parcel

1 inch = 150 feet

Printed: 2/17/2026



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Site Location



Parcel

1 inch = 150 feet

Printed: 2/17/2026



It's real.

MEMORANDUM

To: Seguin Planning & Zoning Commission
From: Pamela Centeno, Director of Planning & Codes
Subject: Amendments to Section 3.4.3 Land Use Matrix- Industrial Uses and to Chapter 7- Definitions, to add and define a data center as a new use
Date: March 2, 2026

The number of data centers being constructed in Texas is rapidly increasing as companies pursue sites in cities and counties across the state. Unlike counties, Texas cities have the authority to adopt zoning regulations to promote the public health, safety, morals, and general welfare of their communities. While data centers are vital to today’s digital economy, careful consideration must be given to where they are permitted within city limits. To help ensure that such facilities are developed in appropriate locations and that adequate safeguards are in place to protect surrounding properties, the Seguin Planning Department is proposing to amend the Unified Development Code (UDC) to add data centers as an industrial use in the Land Use Matrix with a requirement for a Specific Use Permit. Staff is also proposing to add a definition for a data center to the UDC. The proposed amendments to Section 3.4.3 and to Chapter 7- definitions, are as follows:

Section 3.4.3 Land Use Matrix- Industrial Uses

Industrial Uses

	A-R	R-R	S-R	R-1 R-2	DP- 1	DP- 2	ZL	MF 1,2,3	MR	MHP	NC	C	P	LI	I	DHD
Data Center	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-

Chapter 7- Definitions

Data Center – A facility, which may consist of a single building, multiple buildings, or a portion of a building, that houses servers, computing systems, networking equipment and other related infrastructure for processing, storing or distributing digital data.

It's real.

MEMORANDUM

To: Seguin Planning & Zoning Commission

From: Shelly Jackson, Assistant Director of Planning & Codes

Subject: **Unified Development Code (UDC) amendments to modify Section 1.2.7.C Floodplain Administrator, Section 1.4 Expiration of Applications, Section 2.10 Flood Plain Development Permit, Section 4.6 Stormwater and Drainage Standards, and Section 4.3.2 Drainage Easement (DE)**

Date: March 2, 2026

The Planning Department is proposing amendments to modify Section 1.2.7.C (Floodplain Administrator), Section 1.4 (Expiration of Applications), Section 2.10 (Flood Plain Development Permit), Section 4.6 (Stormwater and Drainage Standards), and Section 4.3.2 (Drainage Easement (DE)) of the UDC. The proposed changes are as follows:

- Section 1.2.7.C: Update the responsibilities of the Floodplain Administrator to align with recent amendments to Flood Damage Prevention Ordinance #24-098.
- Section 1.4: Add a “Flood Zone Map Change” permit to the list of applications required in the UDC. This permit allows applicants to request a revision or amendment to the Flood Insurance Rate Map (FIRM) administered by FEMA to reflect updated floodplain information or correct flood zone determinations for a property.
- Section 2.10: Update permit standards for a Floodplain Development Permit to clarify application requirements and ensure consistency with the Flood Damage Prevention Ordinance.
- Sec. 4.3.2 and 4.6.5: To provide consistency between the UDC and the Stormwater Criteria Manual, revision to UDC Sec. 4.3.2 and 4.6.5 are required. In areas with floodplain, the subdivider or developer shall designate a drainage easement for the floodway. Additionally, UDC Sec. 4.6.5 requires revision in that waiver requests or variances for floodplain are considered by the appeal board as established by the City, consistent with Code of Ordinance Sec. 54-41.
- Sec. 4.6.1: Based on review of the Stormwater Criteria Manual during the Drainage Master Plan project, further details were added to clarify the zone of influence (or downstream study point) for stormwater management plans. Calculations to verify downstream adequacy shall be performed according to the Stormwater Criteria Manual.

Attached is a copy of the proposed UDC amendments to Sections mentioned above.

Proposed Amendments to Section 1.2.7.C Floodplain Administrator, Section 1.4 Expiration of Applications, Section 2.10 Flood Plain Development Permit, Section 4.6 Stormwater and Drainage Standards, and Section 4.3.2 Drainage Easement (DE)

1.2.7.C Floodplain Administrator

The Floodplain Administrator or his/her designee shall administer and implement the provisions of this article and other appropriate sections of 44 CFR (Emergency Management and Assistance-National Flood Insurance Program Regulations) pertaining to floodplain management. Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

- Maintain and hold open for public inspection all records pertaining to the provisions of this article.
- Review permit application to determine whether proposed building sites, including the placement of manufactured homes, will be reasonably safe from flooding.
- Review, approve or deny all applications for floodplain development permits.
- Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies (including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
- Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation.
- Notify, in riverine situations, adjacent communities and the state coordinating agency which is the Texas Water Development Board (TWDB) and ~~also~~ the Texas Commission of Environmental Quality (TCEQ) prior to any alteration or relocation of a watercourse; and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).
- Assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.
- When base flood elevation data has not been provided in accordance with Division II, the floodplain administrator shall require the owner of the property, or their representative, to perform the necessary hydraulic studies to determine the one (1) percent annual chance (100-year) floodplain, base flood elevation and floodway to obtain a letter of map revision from FEMA.
- The floodplain administrator may obtain, review, and reasonably utilize any base flood, elevation data, hydrology, and floodway data available from a federal, state, or other source, ~~in order~~ to administer the provisions of [Chapter 54, Article II \(Flood Damage Prevention\) of the City of Seguin Code of Ordinances](#).
- When regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the

proposed development, when combined elevation of the base flood more than ~~one~~ 0.04 foot at any time within the community.

- Under the provisions of 44 CFR Chapter 1, Section 65.12 of the National Flood Insurance Program regulations, a community may approve certain developments in zones A1-30, AE, AH, on the community's FIRM which increased the water surface elevation of the base flood by more than ~~one~~ 0.04 foot, provided that the community first completes all of the provisions required by Section 65.12.
- When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with FEMA floodproofing guidelines.
- Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progress, the Floodplain Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the Floodplain Administrator has the right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.
- Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this Ordinance, the Floodplain Administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed at the person doing or in charge of the work.
- Revoke floodplain development permits as required. The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.
- Review, provide input, and make recommendations for variance requests.
- Maintain a current map repository to include, but not limited to, the FIS Report, FIRM and other official flood maps and studies adopted.

1.4 Expiration of Applications

Development Application	Permit Expiration	Extension of Permit*
Amending Plat	2 years, unless recorded or fiscal surety is posted for subdivision improvements	Property owner may apply for one extension of one year
Building Permit	180 days	Permit holder may apply for one extension of 180 days
Certificate of Occupancy	As long as the use remains the same	As long as the use remains the same
Certificate of Appropriateness	180 days	Property owner may apply for one extension of 180 days
Development Studies	2 years unless alternative expiration is specified by City Engineer	Property owner may apply for one extension of one year
Final Subdivision Plat	2 years, unless recorded or fiscal surety is posted for subdivision improvements	Property owner may apply for one extension of one year
Flood Zone Map Change	1 year	Permit holder may apply for one extension of one year
Floodplain Development Permit	180 days	Permit holder may apply for one extension of 180 days
Limited Use Permit	1 year unless alternative expiration is specified by the Planning Director	Permit holder may apply for one extension of a 1-year period
Minor Plat	2 years unless alternative expiration is specified by the Planning Director	Property owner may apply for one extension of one year
Replat	2 years unless alternative expiration is specified by the Planning Director	Property owner may apply for one extension of one year
Plat Variances	As long as the plat is valid	n/a
Preliminary Plat	2 years unless alternative expiration is specified by the Planning Director	Property owner may apply for one extension of one year
Public Infrastructure Permits	2 years, unless fiscal surety has been posted for subdivision improvements	Permit holder may request an extension of one year
Sign Permit	180 days	Permit holder may apply for one extension of 180 days
Site Plan	One year	Property owner may apply for one extension of one year
Specific Use Permit	1 year unless alternative expiration is specified by the Planning & Zoning Commission	Permit holder may request an extension of one year unless alternative expiration is specified
Subdivision Concept Plan	3 years unless alternative expiration is specified by Planning Director and City Engineer	Property owner may apply for one extension of two years
Tree Removal Permit	1 year unless alternative expiration is specified by the Planning Director	Permit holder may apply for one extension of one year
Alternative Landscape Plan	As long as the site plan remains valid	If the site plan has expired the applicant must resubmit the site plan

2.10 Flood Plain Floodplain Development Permit

2.10.3 Applicability

A floodplain development permit applies to all areas of special flood hazard within the jurisdiction of the City of Seguin, Texas. No structure or land shall be located, altered, or have its use changed without approval of a ~~flood plain~~ floodplain development permit.

2.10.4 Criteria for Approval and Process

~~Floodplain development permit standards are detailed in Chapter 4.~~ Application for a floodplain development permit shall be presented to the Floodplain Administrator. Application materials should include but not be limited to, plans ~~in duplicate drawn~~ to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. For all proposed ~~subdivision~~ developments within, abutting, or adjacent to a floodplain, a Flood Study is required per the Stormwater Criteria Manual and shall be approved by the City Engineer prior to approval of the floodplain development permit. Additionally, the following information is required:

- A. A Pre-Construction elevation certificate, as prepared and sealed by a LPLS, architect, or engineer, with the necessary base flood elevations, hydrological and hydraulic data as needed must be submitted to establish the BFE during the permit application process, prior to concrete foundation being installed;
- B. When the structure is completed (completed and ready for habitation for residential structures) A finished construction elevation certificate, as prepared and sealed by a LPLS, architect, or engineer, with the necessary base flood elevations and building elevation information completed;
- ~~C. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;~~
- D. Dry Floodproofing Certificate for Non-Residential Structures produced by a Professional Engineer or Surveyor that the nonresidential floodproofed structure shall meet the floodproofing criteria; ~~Elevation in relation to mean sea level to which any nonresidential structure shall be flood proofed;~~
- ~~E. A certificate from a registered professional engineer or architect that the nonresidential flood proofed structure shall meet the flood proofing criteria included in Chapter 4.~~
- F. No-Rise Certification for any development in the floodway.
- G. Enclosed areas below the base flood elevation must be equipped with flood openings or vents capable of equalizing water levels and hydrostatic loads. Covers for these openings must not interfere with the equalization of water levels in the event of a flood and should minimize potential blockage by debris. Key requirements include a minimum of two openings on different walls, positioned no more than 12 inches above the final grade, providing 1 sq. inch of net open area per 1 sq. foot of enclosed space;
- H. Manufactured Home Anchoring Design;

- I. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a proposed development.
- J. Detailed drawings for the proposed development. Drawings must clearly indicate that all provisions of these regulations will be met. On developments other than residential accessory buildings less than 150 square feet or other insignificant developments (carports, well houses, gazebos, etc.) drawings must be sealed by a licensed professional engineer or registered architect certifying that all provisions of these regulations will be met if the development is completed in accordance with the sealed drawings.
- ~~K. Approval or denial of a floodplain development permit by the floodplain administrator shall be based on all of the provisions of chapter 7 and the following relevant factors:-~~
 - ~~1.—The danger to life and property due to flooding or erosion damage;~~
 - ~~2.—The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;~~
 - ~~3.—The danger that materials may be swept onto other lands to the injury of others;~~
 - ~~4.—The compatibility of the proposed use with existing and anticipated development;~~
 - ~~5.—The safety of access to the property in times of flood for ordinary and emergency vehicles; Chapter 2—Development Applications/ Development Review Process City of Seguin Unified Development Code;~~
 - ~~6.—The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;~~
 - ~~7.—The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;~~
 - ~~8.—The necessity to the facility of a waterfront location, where applicable;~~
 - ~~9.—The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;~~
 - ~~10.—The relationship of the proposed use to the comprehensive plan for the area~~
- K. Application fee as set forth in the Fee Schedule as adopted in Exhibit C of the Seguin Code of Ordinances.

4.3 Easements

4.3.2 Drainage Easement (DE)

Where conditions require, there shall be provided an adequate stormwater drainage easement, as required by the Stormwater Criteria Manual. In areas where there is an approved and/or mapped floodplain, the subdivider or developer shall designate a drainage easement(s) for the ~~floodplain~~ floodway. 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 easement shall be placed on separate common area lots, as stipulated in the Stormwater Criteria Manual.

Section 4.6 Stormwater and Drainage Standards

4.6.1 General Requirements

All proposed developments shall provide for new drainage facilities, the improvement of existing drainage facilities, channel improvements, grading, driveway adjustments, culvert improvements or other drainage improvements determined by the City Engineer to provide for the stormwater drainage needs of the development and the downstream areas, designed and constructed in accordance with the requirements specified in the Stormwater Criteria Manual. The developer shall provide all necessary information and calculations to the City Engineer to demonstrate that the proposed development does not exceed the capacities of the stormwater management systems as a result of the development. If any appreciable adverse impacts still exist ~~at a distance of 2,000 feet~~ ~~at the zone of influence~~ downstream of the proposed development, the City Engineer may require the construction of additional drainage facilities until any remaining adverse impacts are deemed de minimis (at no cost to the City). It is the responsibility of the developer to provide for conveyance of off-site storm water. The developer's design package submitted to the City shall include a description of all potential off-site impacts caused by the development and the proposed mitigation procedures for the impacts, including but not limited to:

- Alteration of existing upstream drainage areas and/or conveyance systems due to the proposed development.
- The detention facility discharge shall be located to provide the least impact on downstream conditions, including requirements for the discharge to be routed to street curbs, bar ditches, storm sewer or other drainage way.
- The impact of flow concentration from the detention facility discharge point on existing drainage areas and/or conveyance systems.
- Extension of existing conveyance systems through the development.
- The altering of existing on-site conveyance systems.

In order to mitigate the impact of the proposed development, the phasing of development, the use of off-site control methods or the construction of off-site drainage improvements may be necessary. Calculations to verify downstream adequacy shall be performed ~~to the nearest receiving waterway(s)~~ according to the Stormwater Criteria Manual. Should projected stormwater runoff from the proposed development exceed the capacity of the existing drainage facilities and/or natural channels, the developer shall be responsible for improving the existing facilities at its own cost.

4.6.5 Floodplain.

When a proposed subdivision or development has within it a drainageway where no regulatory floodway has been designated and is located within a FEMA mapped floodplain, no new construction, substantial improvement or other development, including fill, shall be permitted in an area that may have flood hazards, unless it is demonstrated that the cumulative effect of the proposed development or improvements, when combined with all other existing and anticipated development and improvements will not substantially increase the water surface elevation. In areas where there is an approved and/or mapped **floodway floodplain**, the subdivider or developer shall designate a drainage easement(s) for the floodway. In areas where a floodway is mapped and approved by the city, a flood study or demonstration of “no flood height increase” shall be required. If a proposed subdivision is within an area where flooding may occur, where there is no floodplain shown on a city-approved floodplain map, or where there is located an approved floodplain but not floodway, the subdivider shall:

- Conduct a study of where the base flood elevation would be, assuming a fully developed watershed, show a drainage easement on the plat, and show the elevation of the floodplain at intervals of every 500 lineal feet, designate the area equivalent to the floodway to be a drainage easement; or
- Conduct a study, using HEC or similar modeling that is approved by the city engineer, to ensure that the proposed development would not increase the elevation of the one percent annual chance base flood and the area equivalent to the floodway will be designated as a drainage easement; or
- Request a variance from the above requirements, ~~The request for the variance shall be assessed with respect to proposed density, land use, lot sizes, building sizes, anticipated impervious cover, and the width and depth of the existing floodplain.~~ all wavier requests shall be considered and decided by ~~the Planning Commission.~~ **the appeal board as established by the City.**