

CITY OF SEGUIN

ORDINANCE NO.

STATE OF TEXAS

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AMENDING SECTIONS OF THE SEGUIN UNIFIED DEVELOPMENT CODE AS DESCRIBED HEREIN; 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 recently adopted the Unified Development Code (UDC) that will encourage better planning and development throughout the city and will be easier for the public to use; and

**WHEREAS**, the Seguin City Council desires to provide for the orderly, safe and healthful development of land located within the community; and

**WHEREAS**, the City Council of the City of Seguin desires to promote the health, safety, morals and general welfare of the citizens of the city, by regulating the land uses within the Seguin City Limits and subdivision development within the Seguin City Limits and Extraterritorial Jurisdiction; and

**WHEREAS**, on June 9, 2015, after conducting a public hearing, the Planning and Zoning Commission voted to recommend to City Council that the amendments to the UDC as described herein be adopted.

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

**PART ONE.** Section 3.1.5, Single Family Residential Zoning Districts, is hereby deleted in its entirety.

**PART TWO.** Definitions of the Unified Development Code is hereby amended as follows (underlining indicates added text):

**49. Dwelling unit.** A room or suite or set of rooms occupied or suitable for occupancy as a family residence and having kitchen, bath and sanitary facilities, together with appropriate appurtenances to such occupancy.

- a. Single-family detached dwelling unit: A building designed for and occupied exclusively by one family as a separate dwelling unit and not meeting the requirements of a townhouse or row house. Occupancy shall be limited to no more than four (4) individuals who are unrelated by blood, legal adoption, or marriage. The owner and any agent of the owner shall be legally responsible for any dwelling unit use.
- b. Single-family attached dwelling unit: A building designated or occupied exclusively by one family as a separate dwelling unit, and meeting the requirements of a townhouse or row house. Occupancy shall be limited to no more than four (4) individuals who are unrelated

by blood, legal adoption, or marriage. The owner and any agent of the owner shall be legally responsible for any dwelling unit use.

**PART THREE.** Section 5.2.6, Buffer Yards, is hereby amended as follows (~~strickethrough~~ indicates deleted text):

#### **5.2.6 Buffer Yards**

Between any non-residential property and the adjacent right-of-way a visual landscape buffer shall be provided. The landscape buffer shall consist of shrubs and a tree planted on average of every 50 feet. Shrubs shall generally be planted to maintain a visual landscaping of the parking area. Trees may be clustered to create visual gateways or enhancement areas however the number of required trees shall not be reduced. ~~In addition, all off-street parking, loading spaces and docks, outside storage areas, mechanical equipment, and the rear of structures on reverse frontage lots, must be screened from view from the street or public rights-of-way by a landscaping buffer or privacy fencing.~~ In the case of development in which there is not a parking lot located between the front façade of the building and the right-of-way the property owner may submit an alternative landscape plan for review.

**PART FOUR.** Section 5.3.6, Screening of Parking/Loading Areas, is hereby deleted in its entirety;

**PART FIVE.** Section 5.6, Screening, is hereby amended adding Parking and Unsightly Areas, adding Section 5.6.12, Screening of Parking and adding 5.6.13, Other Unsightly Areas, as follows (underlining indicates added text):

### **Section 5.6 Screening**

#### **Parking and Unsightly Areas**

##### **5.6.12 Screening of Parking**

All multi-family residential and commercial parking spaces shall be designed and constructed to protect adjacent residences from the direct glare of headlights of vehicles using the parking area. In accordance, all off-street parking areas shall be effectively screened on each side by a solid wall or fence from any adjoining residentially zoned property. Such wall or fence shall not be less than four (4) feet or more than six (6) feet in height, and shall be maintained in good condition without any advertising thereon. Any space between such wall or fence and the lot line of any adjoining residential property shall be landscaped with grass, hardy shrubs, or evergreen ground cover. In lieu of such wall or fence, a strip of land not less than ten (10) feet in width and planted and maintained with evergreen hedges, or dense planting of evergreen shrubs, not less than four (4) feet in height, may be substituted.

##### **5.6.13 Other Unsightly Areas**

Unsightly areas, including but not limited to loading spaces and docks, outside storage areas, mechanical equipment, and the rear of structures on reverse frontage lots, must be screened from view from the street, public rights-of-way, and adjacent property by a landscaping buffer or

privacy fencing. The Director may waive the screening requirement between similar uses or where similar unsightly areas abut each other.

**PART SIX.** Section 3.4.3, Land Use Matrix: Residential Uses, and Government and Community Facilities is hereby amended as follows (underlining indicates added text):

**Residential 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
Modular Homes	L	L	L	L	L	L	L	-	-	-	<u>L</u>	-	-	-	-	-

**Government and Community Facilities**

	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
<u>Food Bank</u>	-	-	-	-	-	-	-	-	-	-	<u>S</u>	<u>P</u>	<u>S</u>	<u>P</u>	<u>P</u>	-
<u>Social Service</u>	-	-	-	-	-	-	-	-	-	-	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-

**PART SEVEN.** If any word, phrase, clause, sentence, or paragraph of this ordinance or the Unified Development Code is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance or the Unified Development Code will continue in force if they can be given effect without the invalid portion.

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

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

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

**PART ELEVEN.** 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 7th day of July, 2015.

**PASSED AND APPROVED AND ADOPTED** on the second reading this 21st day of July, 2015.

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DON KEIL  
Mayor

ATTEST:

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Thalia Stautzenberger  
City Secretary