

COUNTY OF GUADALUPE

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 AND DEFINITIONS- ADDING UTILITY FACILITIES TO THE LIST OF LAND USES; 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 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, impending growth within the Seguin area will increase the need for utility expansions including the construction of additional electrical substations, water towers, and other essential utility facilities; and

WHEREAS, the UDC does not currently list utility facilities separately in the land use matrix of the Unified Development Code; and

WHEREAS, City staff finds that listing utility facilities separately in the land use matrix and requiring a Specific Use Permit (SUP) for the construction of such facilities would create a more transparent public process whereas conditional approval of an SUP could be granted taking into consideration the impacts on neighboring properties; and

WHEREAS, on April 9, 2019, after conducting a public hearing, the Planning and Zoning Commission voted to recommend to City Council that the amendments to the UDC adding a separate land use for utility facilities 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: Transportation and Utility Uses, of the Seguin Unified Development Code is hereby amended to add a new land use as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

Transportation and Utility 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
<u>Utility Facilities</u>	<u>S</u>	-	-	-	-	-	-	-	-	-	-	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	-

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 All ordinances and resolution or parts of ordinances or resolutions in conflict with this ordinance are repealed.

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

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

PART SIX. 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 May 2019.

PASSED AND APPROVED AND ADOPTED on the second reading this 21st day of May 2019.

Don Keil, Mayor

ATTEST:

Naomi Manski
City Secretary