

**SECTION ONE.** The Seguin Unified Development Code Section 1.2.7 is amended as follows (underlining indicates added text, ~~striketrough~~ indicates deleted text):

**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 as required by adoption of this article.
- 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.
- 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 Article II.
- When a 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 with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point 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 foot, provided that the community first completes all of the provisions required by Section 65.12.

**SECTION TWO.** The Seguin Unified Development Code Section 2.10.4 is amended as follows (underlining indicates added text, ~~strike through~~ indicates deleted text):

#### **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 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. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
- B. Elevation in relation to mean sea level to which any nonresidential structure shall be flood proofed;
- C. 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.
- D. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a proposed development.
- E. 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;
  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.

**SECTION THREE.** The Seguin Unified Development Code Section 4.1-4.7 is amended as follows (underlining indicates added text, ~~striketrough~~ indicates deleted text):

#### **4.1.1 Intent**

The regulations of this Subdivision Ordinance are authorized under the authority of Texas Local Government Code, Chapter 212 (including Subchapter B) and the City's charter. The provisions of this Subdivision Ordinance expressly extend to all areas inside the City limits and throughout the City's extraterritorial jurisdiction (ETJ), as either may be adjusted in the future, and as provided in the City's interlocal agreement with Guadalupe County. The regulations contained within this chapter are intended to protect the interests of the public and of private parties. This Ordinance is designed and intended to achieve the following purposes, and shall be administered so as to:

- Create orderly, efficient, and coordinated development within the City's jurisdiction.
- Provide neighborhood conservation and prevent the development of slums and blight.
- Harmoniously relate the development of the various tracts of land to the existing community and facilitate the future development of adjoining tracts.
- Provide the most attractive relationship between the land as developed and the circulation of traffic throughout the municipality, having particular regard to the avoidance of congestion on the streets and highways, and the pedestrian traffic movements appropriate to the proposed development, and to provide for the proper location and width of streets.
- Ensure that public or private facilities are available and will have a sufficient capacity to serve proposed subdivisions and developments within the City's jurisdiction.
- Protect and provide for the public health, safety, and general welfare of the community.
- Provide open space and recreational areas in the form of parks and park improvements necessary for the health, welfare, and well-being of the public.

#### **4.1.2 Applications of Requirements**

This section applies in the following areas:

Property within City of Seguin City Limits	Property within City of Seguin ETJ
YES	YES

#### **4.1.3 Chapter Components**

This chapter includes the following sections:

- Subdivision Design
  - Lot configurations

- Easements
- Street Design
- Property under common ownership
- Stormwater and Drainage Standards
- Construction of Subdivision Improvements
  - Required Improvements
  - Developers Responsibility
  - Timing of Improvements
  - Phasing of Requirements
  - Maintenance Responsibilities
  - Street Construction Requirements
  - Water Requirements
  - Waste Water Requirements
  - Electric Requirements
  - Street Lighting
- Road adequacy standards
  - Boundary Street Improvements
  - Traffic Impact Analysis
- Parkland
  - Dedication
  - Improvements
  - Fee-in-lieu

#### **4.1.4 General Principles of Acceptability for Subdivision Design**

Subdivision lot configuration shall follow the following principles of acceptability for Subdivision Design:

- A. The subdivision shall conform to the City of Seguin Comprehensive Master Plan. The subdivision layout shall be in accordance with existing easements, rights-of-way, restrictions, and conditions. Where parks, trails, or roadways are identified on a City adopted master plan the developer for which the park, trail, or roadway traverses through a specific property shall incorporate the park, trail, or roadway into the proposed concept.
- B. The subdivision layout shall make reasonable provisions for development of and connection to adjacent land. All parcels shall have frontage on a public right-of-way. Land locked parcels shall not be permitted.
- C. Lot sizes must conform to the minimum lot area, minimum lot width, and minimum yard standards required in the underlying zoning district; ETJ lots shall conform to the requirements of the Interlocal Cooperation Agreement between Guadalupe County and the City of Seguin.
- D. Lots that front on more than one street other than corner lots, resulting in the need for a large development perimeter walls along a roadway, shall be minimal or avoided.
- E. The street pattern shall provide for adequate circulation within the subdivision and in a manner so as to discourage excessive through traffic on minor streets. The arrangement, character, extent, width, grade, and

location of all streets shall conform to the comprehensive master plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public safety and convenience, and in their appropriate relation to the proposed uses of the land to be served by such streets. If any portion of a collector or major street, as depicted by the City's master plan, traverses any part of the land being subdivided, that portion of the major or collector street as planned shall be incorporated into the subdivision plan.

- F. The street layout shall be devised for the most advantageous development of the entire subdivision and shall conform to connecting streets in land adjacent to the new subdivision. Provision shall be made within the subdivision to provide street access to adjacent undeveloped acreage in such a way as to assure adequate circulation for future development. Dead-end streets and those which do not conform to adjacent established streets are to be avoided.
- G. The street system layout shall be designed (insofar as practicable) to preserve natural features such as vegetation, creeks, views, and related amenities.
- H. If the subdivision is located in a special flood hazard area as identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Guadalupe County, Texas and Incorporated Areas," effective March 27, 2024, with accompanying Flood Insurance Rate Maps dated March 27, 2024, and any revisions thereto, the subdivision is subject to the standards of Chapter 54-Floods of the City Code.
- I. New "island" subdivisions, lots, or streets that would be surrounded by floodwater of the one percent annual chance storm shall not be allowed unless the area is accessible to high ground by a street elevated one foot above the one percent annual chance ultimate condition storm elevation.
- J. Proposed subdivisions or developments shall be developed to ensure that all such proposals are consistent to minimize flood damage; all public utilities and facilities, such as sewer, gas, electric and water systems are located, elevated and constructed to minimize or eliminate flood damage; and adequate drainage is provided so as to reduce exposure to flood hazards.

## **4.2 Lot Configuration – No Revisions Proposed**

## **4.3 Easements**

### **4.3.1 General**

All easements for City owned public utilities must be dedicated to the City and their locations shall be clearly denoted on the plat.

### **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. 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.

#### **4.3.3 Public Utility Easements (PUE)**

The location and width of necessary public utility easement shall be determined by utilities staff, or, in the instance of private utilities, by the private utility company concerned. Where necessary, adequate easements shall be provided for underground street lighting service lines. A PUE shall be provided parallel to the public right of way located within the front yard and side yard for corner lots. The minimum width of the PUE for new developments shall be no less than 10 feet. The location and width of easements shall be determined by utilities staff.

#### **4.4 Streets Design - No Revisions Proposed**

#### **4.5 Private Facilities/ Property under common ownership - No Revisions Proposed**

#### **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 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). 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.

#### **4.6.2 Design Criteria**

All drainage systems shall be designed and constructed in accordance with the UDC Technical Criteria Manual, City of Seguin Stormwater Criteria Manual, and City of Seguin Standard Details.

#### **4.6.3 Stormwater Management**

Stormwater management shall be designed and constructed to prevent adverse conditions from arising on property adjoining and downstream of the subdivision site. Adverse conditions include increases in peak flows, water surface elevations, concentration of flow and flow velocity. The Stormwater Management Report shall show that mitigation of the impacts of development on the drainage system will be provided as part of the development. Mitigation may include detention, retention, infiltration, channel improvements, and other means acceptable to the City Engineer. Stormwater Management facilities shall be designed to reduce post-development peak flow rates of discharge to pre-development rates for the 2, 10, 25, 50 and 100-year storm events at all points of discharge. The Stormwater Management Report shall also include an evaluation of downstream conditions. Drainage improvements shall accommodate runoff from the upstream drainage area in its anticipated maximum "build-out" or "fully developed" ultimate condition and shall be designed to prevent overloading the capacity of the downstream drainage system. No person, individual, partnership, firm or corporation shall deepen, widen, fill, reclaim, reroute or change the course or location of any existing ditch, channel, stream or drainageway without first obtaining written permission (or approved engineering and drainage studies) and a grading permit from the city engineer and any other applicable agency having jurisdiction, such as FEMA or U.S. Army Corps of Engineers. The costs of such study, if required, shall be borne by the developer.

#### **4.6.4 Detention and Drainage Facilities**

On-site stormwater detention shall be required for all new developments to offset increased runoff resulting from new developments except for those developments for which approved regional detention facilities have been established or for which alternate plans have been approved by the City Engineer in accordance with the City's Stormwater Criteria Manual.

#### **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, 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.

## **4.7 Subdivision Improvements**

### **4.7.1 General**

All subdivision improvements shall be designed and installed in accordance with all applicable elements of the Comprehensive Master Plan and Thoroughfare Plan and shall meet the minimum requirements established by this UDC, the Stormwater Criteria Manual, and City Standard Details and Specifications. All improvements shall be designed and installed so as to provide for a logical system of utilities, drainage and streets and to create continuity of improvements for the development of adjacent properties. Water, wastewater, transportation and drainage improvements shall be extended to the perimeter of the development.

### **4.7.2 Required Improvements**

The developer or applicant must make all of the following improvements:

- A. Dedicate right-of-way necessary to achieve the width required by applicable transportation related plans for streets adjoining the property;
- B. Dedicate land and construct trails within the residential subdivision as per the Seguin Comprehensive Master Plan and/or Parks and Recreation Master Plan. Unless specified otherwise by the Director of Parks and Recreation, or designee, all such trails shall be constructed of concrete and shall conform to the requirements of the American with Disabilities, as amended. Specifications

for concrete shall be provided by the Director of Parks and Recreation, or designee. Trails in the Trails Master Plan shall be constructed in accordance with the Technical Manual by the developer at the developer's expense as trails are considered by the City as infrastructure. Trails shall be placed in a right-of-way or pedestrian access easement. Pedestrian access easements shall be a minimum of fourteen (14) feet in width. This may be a shared easement with public utilities as approved by the City.

- C. Pave and install curbs and gutters along streets adjoining the property;
- D. Install sidewalks and pedestrian pathways;
- E. Install street lighting;
- F. For residential development, provide open space and recreational facilities or fee-in lieu of parkland and improvements for parkland;
- G. Install all utilities;
- H. Install required drainage related facilities and easements required to adequately contain and convey stormwater runoff;
- I. Landscaping, drainage, fire protection, and all applicable UDC requirements.

#### **4.7.3 Developer responsibility**

The developer shall construct or provide all applicable subdivision improvements required by this chapter. All improvements which the developer is required to make shall be made at the developer's expense without reimbursement by the City, except as provided otherwise in this UDC.

#### **4.7.4 Timing and inspection of improvements**

Unless otherwise stated, a developer cannot begin construction activities in the City's jurisdiction, including clearing and/or rough grading, before first obtaining all City approvals and permits. For detailed information on the public infrastructure permit process or post permit approval please refer to Chapter 2. For applications materials and information please refer to the UDC Technical Manual.

#### **4.7.5 Phasing plan requirements**

Proposals for projects to be developed in multiple phases must meet all the following requirements unless otherwise approved by the City Engineer and Planning Director:

- A. A Subdivision Concept Plan outlining the proposed phases of the development must be submitted and approved in accordance with the process identified in Chapter 2 of this UDC;
- B. Each phase of a development needs to be "stand alone" for utilities, fire protection, streets and stormwater and drainage management. It is highly recommended that a preliminary plat be submitted and approved to ensure lot layout consistency with the infrastructure layout;
- C. Public Infrastructure Permits for each standalone phase shall be approved by the City Engineer in accordance with the process identified in Chapter 2 of this UDC;

- D. Phase lines must follow reasonable and logical boundaries, such as terminating at intersections or following topographical breaks;
- E. Phases must be constructed in the approved manner to ensure orderly and planned development;
- F. Phases must be planned to ensure the efficient construction of adjacent future phases (phases immediately next to the subject phase, sharing a common boundary line), and to ensure that phased development is contiguous;
- G. Right-of-way and/or easements for public infrastructure servicing the respective phase must be recorded with the first plat.

#### **4.7.6 Maintenance of required improvements**

The owner or owners of the subdivision shall be responsible for the maintenance of all required improvements within said subdivision until such improvements are completed and accepted for maintenance by the City of Seguin. This shall include the maintenance and repair of all drainage and erosion control features and facilities on-site and off-site pertaining to the development, the daily cleanup of paved streets and of drainage areas impacted by on-site or off-site construction, the strict adherence of the site's stormwater pollution prevention plan (SWPPP, SW3P) and all state and federal requirements. Upon completion of the required improvements, the owner or owners of the subdivision shall request, in writing, acceptance for maintenance by the City of said improvements. Upon receipt of such request, the City Engineer shall inspect the required improvement and, if found to be in compliance with the approved engineering plans and specifications for said improvements, shall notify within five days, in writing, the subdivider of acceptance for maintenance by the City. Should the City Engineer find noncompliance with said plans and specifications, he shall notify within ten days, in writing, the subdivider of those deficiencies which must be corrected prior to acceptance for maintenance by the City of the required improvements. Prior to acceptance for maintenance of the completed improvements by the City, the subdivider shall file with the City Engineer either:

- A two-year warranty bond executed by a corporate surety licensed in the State of Texas, warranting the improvements are free from defects in materials and workmanship; or
- A letter of credit in the amount of the cost of the improvements from a banking or other financial institution authorized to do business in the State of Texas, committing funds for the correction and repair of any defects in materials or workmanship for a period of two years.

All drainage improvements constructed or installed shall be maintained in accordance with the following:

- Drainage improvements located in the public rights-of-way that have been accepted by the City will be maintained by the appropriate jurisdiction.
- All natural drainage channels, swales, etc., located on private property and which are publicly dedicated easements shall be maintained by the property owner or property owner's association. When such easements are shown on the subdivision

plat, this exclusivity and restriction will be noted on the plat and included in the restrictive covenants. The use of drainage easements on private property shall be minimized as much as practical. Existing drainage between developed lots shall remain the responsibility of the affected property owners.

#### **4.7.7 Streets**

All applications for plat approval, Site Plan approval, or PUD rezoning (depicted on a General Land Use Plan) shall provide for adequate roads to support proposed development through compliance with the following minimum standards governing dedication and improvement of internal roadways and adjacent thoroughfares. For purposes of this Section “adjacent thoroughfares” shall include thoroughfares abutting the proposed subdivision, whether located within the boundaries of the subdivision or within public rights-of-way. The property owner shall dedicate and improve all required rights-of-way for internal roadways and adjacent thoroughfares required by these regulations in accordance with the classification of streets contained in the Thoroughfare Plan. For technical requirements regarding street design and construction specifications please refer to the Technical Manual.

#### **4.7.8 Street signs**

All street designation signs and traffic control signs and devices shall be installed by the developer/applicant. These signs shall be of a type approved by the City and shall be installed according to City standards prior to the acceptance of the subdivision/public improvements by the City Engineer.

#### **4.7.9 Water**

All water systems shall be designed and constructed in accordance with the UDC Technical Manual and City of Seguin Standard Details. The water distribution system shall be designed so as to provide service to each lot within the subdivision, in accordance with applicable engineering design criteria and requirements of the State Board of Insurance for fire flows, water mains and fire hydrants and the State Department of Health.

- A. Property within 300 feet of infrastructure must connect. Except as provided in subsection B, if a subject property is within 300 feet of public water infrastructure the developer/subdivider shall connect to the public water facilities.
- B. Limited waiver of connection requirement. If the City’s Director of Water/Wastewater Utilities makes a written determination that a subject property within 300 feet of public water infrastructure cannot be served by the infrastructure due to lack of water availability through such infrastructure as of the time a plat application for the property is filed, the City Manager may defer the requirement to connect until water becomes available through the infrastructure if adequate capacity from surface or groundwater rights associated with the property are available to serve the proposed uses on the property. If a plat is approved on the basis of such alternative water source and the water rights are unable to be exercised due to the water quality or other environmental prohibitions or regulations, no site development or building permits may be issued for development on the property until water service becomes available to the property through the public water infrastructure. As a condition of plat approval subject to this subsection, the foregoing restriction shall be

disclosed in a written notice, the form of which is approved by the city attorney, recorded in the official public records of the county in which the property is located.

#### **4.7.10 Wastewater**

All wastewater systems shall be designed and constructed in accordance with the UDC Technical Manual and City of Seguin Standard Details. The sanitary sewerage system shall be designed so as to provide service to each developable lot within the subdivision, in accordance with applicable engineering design criteria and requirements of the State Department of Health. The use of on-site sewage facilities in subdivision development is prohibited within the City, but may be permitted on existing lots and minor plats where no main exists within 300 feet, with the approval of the City Engineer and Planning Director. All on-site sewage facilities must be in compliance with all local, state and federal requirements. No septic tank system can be installed on a lot or part of a lot that contains less than one acre, unless the subdivision includes four or fewer buildable lots. In addition, no part of a septic tank system shall be installed any closer to a flowing stream than 150 feet. Buildable lots, in this section, shall refer to lots in which a structure or building is allowed to be constructed on the lot. In either the City limits or within the extraterritorial jurisdiction, a subdivider may, in the alternate, install at his own expense a temporary or package sewerage treatment plant, provided the use of such plant is approved by the City Engineer. Such plant shall be designed to serve the property being subdivided and shall meet all applicable requirements of the state water quality board and Environmental Protection Agency, but in no event shall the effluent exceed the following requirements: 20 parts per million BOD; 20 parts per million suspended solids. It shall be the responsibility of the subdivider to secure all necessary discharge permits. The subdivision shall maintain the treatment plant until such time as the improvements within the subdivision are accepted by the City.

#### **4.7.11 Electrical Service**

The electrical distribution system shall be designed so as to provide service to each lot within the subdivision, in accordance with applicable engineering design criteria and all electrical code requirements of the City.

##### **A. One- and Two-Family Dwelling Residential**

All electrical distribution lines for one- and two-family dwelling residential developments shall be installed underground with the exception of feeder lines that are installed along the perimeter of a subdivision. For the purposes of this section (4.7.11), the perimeter shall be defined as the continuous line forming the boundary of the subdivision.

##### **B. Multi-Family and Non-Residential**

Electrical distribution lines for multi-family and non-residential developments may be installed overhead along the perimeter of a subdivision or lot when installed along interior property lines that do not run parallel to public rights-of-way. Utility service lines providing electric service to each lot must be installed underground. The Planning Director and the Director of Electric Utility of the City of Seguin may waive this requirement and allow overhead electrical distribution lines along public rights-of-way when determined by the City to be necessary and appropriate.

##### **C. City Review of Electrical Distribution Systems**

The location of all electrical distribution lines within the City of Seguin's service area shall be reviewed and approved by the Director of Electric Utility. If electric service is provided by an agency other than the City, the electric service provider shall notify the City of the location(s) of the proposed distribution lines for the development before installation of the lines begins. If written comments are not returned to the electric provider within five (5) business days of being notified, the electric provider may begin installation of the lines as proposed.

#### **4.7.12 Street lighting**

- A. **Location.** For new developments, streetlights shall be installed by the developer at all intersections, at the end of cul-de-sacs, and shall not exceed 500 feet along street frontage. In newly annexed areas, and areas developed prior to the adoption of this article, or for areas served by an electric utility other than the City of Seguin, streetlight locations shall be based on the availability of service and other safety requirements at the discretion of the City of Seguin Director of Electric Utility, and/or the electric provider if other than the City of Seguin. In areas not exceeding a residential density of two units per acre, streetlight requirements may be waived by the Director of Electric Utility, where it is determined that the area does not require such street lighting for safe pedestrian or vehicular traffic.
- B. **Fixtures.** The type, size and service of street lighting shall be determined by the Director of Electric Utility. For areas not served by the City of Seguin, the utility provider shall determine the type, size and service of streetlight service.
- C. **Maintenance and installation.** Streetlights shall be installed by the subdivider, developer or property owner in new developments. The City of Seguin or electric provider may install streetlights within previous developed areas or areas where accommodations cannot be made to make the installation safe for the subdivider, developer, or property owner. The City of Seguin or electric provider may require the installation of conduit by the subdivider, developer, or property owner in this case. Service lines to streetlights shall be underground and shall be extended within an appropriate easement or right-of-way to available transformers and junction boxes. Service lines shall be provided and installed at the sole cost of the subdivider, developer or property owner. The City of Seguin shall be responsible for streetlight maintenance for all nonmetered, public streetlights within the City of Seguin service territory, which have been approved by the Director of Electric Utility. Decorative or other nonstandard streetlight fixtures shall be approved by the Director of Electric Utility. The subdivider, developer or property owner shall be responsible for the installation and maintenance of all private, metered streetlights.



**SECTION FOUR.** The Seguin Unified Development Code Section 5.1.4 is amended as follows (underlining indicates added text, ~~striketrough~~ indicates deleted text):

**5.1.4 General Standards**

If the subject property being developed is located in a special flood hazard area as identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Guadalupe County, Texas and Incorporated Areas," with accompanying Flood Insurance Rate Maps the subdivision is subject to the standards of Chapter 54-Floods of the City Code.