

STATE OF TEXAS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AMENDING SECTIONS 3.4.3 (LAND USE MATRIX) AND 3.5.3 (LIMITED USES DEVELOPMENT STANDARDS) 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 September 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 3.4.3, Land Use Matrix: Educational and Daycare Facilities, of the Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

Educational and Daycare 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
Daycare- six or more children	S	S	S	S	S	S	S	S	S	S	P	P	P	-	-	P
Day Nursery or Kindergarten (6 or less children, excluding family members) * residential use is the primary use	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	P
School, K-12	S	S	S	S	S	S	S	S	-	-	S	S	P	-	-	S
Vocational School	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	-	-	<u>P</u>
University/ College	-	-	-	-	-	-	-	-	-	-	-	P	P			P

PART TWO. Section 3.4.3, Land Use Matrix: Overnight Accommodations, of the Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

Overnight Accommodations

	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
Bed and Breakfast	S	S	S	S	-	-	-	-	-	-	P	P	-	-	-	L
Hotel/Motel	-	-	-	-	-	-	-	-	-	-	P	<u>P</u>	-	-	-	L
RV Park	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-

PART THREE. Section 3.4.3, Land Use Matrix: Entertainment/Recreation, of the Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

Entertainment/Recreation

	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
Commercial Amusement Facility (outdoor)	-	-	-	-	-	-	-	-	-	-	S	S	-	P	P	S
Commercial Amusement Facility (indoor)	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	P
Athletic/ Personal Fitness Club	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	P
Bar/ Nightclub	-	-	-	-	-	-	-	-	-	-	L	<u>L</u>	-	-	-	L
Outdoor Festivals	-	-	-	-	-	-	-	-	-	-	L	L	L	L	L	L
Driving Range	-	-	-	-	-	-	-	-	-	-	-	S	S	P	P	-
Event Facilities/ Meeting Halls	S	-	-	L/S	-	-	-	-	-	-	P	P	P	P	P	P
Fairground	S	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-
Firing Range, Indoor	-	-	-	-	-	-	-	-	-	-	-	-	-	S	P	-
Firing Range, Outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-

PART FOUR. Section 3.4.3, Land Use Matrix: Retail/Services, of the 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	MF 1,2,3	MR	MHP	NC	C	P	LI	I	DHD
Farmer's or Gardener's Market	L	-	-	-	-	-	-	-	-	-	L	L	L	-	-	L
Financial	-	-	-	-	-	-	-	-	-	-	L	<u>P</u>	-	-	-	P

Institution with Drive-Thru											<u>S</u>					
Financial Institution without Drive-Thru	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-	-	-	<u>P</u>
Pay-Day Loan Office	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	-	-	-	<u>S</u>
Bail Bonds	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	-	-	-	<u>S</u>
Funeral Home	-	-	-	-	-	-	-	-	-	-	<u>S</u>	<u>P</u>	-	-	-	<u>P</u>
Gasoline service station	-	-	-	-	-	-	-	-	-	-	<u>L</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	-
Manufactured Home Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>S</u>	<u>S</u>	-
Office, professional	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	<u>P</u>
Pawn Shop	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	-	-	-	<u>S</u>
Restaurant with drive thru *	-	-	-	-	-	-	-	-	-	-	<u>L</u>	<u>P</u>	-	<u>P</u>	-	<u>L</u>
Restaurant without drive-thru*	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-	<u>P</u>	-	<u>P</u>
Retail/Service with drive-thru	-	-	-	-	-	-	-	-	-	-	<u>L</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	<u>L</u>
Retail/Service without Drive-thru	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	<u>P</u>
Retail/Service with outside storage and/or display	-	-	-	-	-	-	-	-	-	-	<u>L</u>	<u>L</u>	-	<u>L</u>	<u>P</u>	-
Retail/ Service without outside storage and/or display	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	<u>P</u>
Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	<u>L</u>	-	<u>L</u>	<u>L</u>	-
Tattoo Studio	-	-	-	-	-	-	-	-	-	-	-	<u>P</u>	-	-	-	-
Vet Clinic/Hospital (enclosed)	-	-	-	-	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-	<u>P</u>	-	<u>P</u>
Vet Clinic/ Hospital or Kennel (outside pens allowed)	-	-	-	-	-	-	-	-	-	-	-	<u>S</u>	-	<u>P</u>	-	-
Working and licensed automotive, recreational vehicle or boat storage facilities	-	-	-	-	-	-	-	-	-	-	-	<u>S</u>	-	<u>S</u>	<u>P</u>	-

PART FIVE. Section 3.5.3 Limited Uses, Development Standards of the Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text)

K. Drive-through facilities (retail establishments, ~~financial institutions~~, and restaurants)

Drive-through facilities in the “NC” zoning district and the Downtown Historic District shall be subject to a limited use permit and the following requirements:

1. No service speaker shall be located within seventy-five (75) feet of a residential district unless such district is utilized for a non-residential use.
2. Service speakers include speakers used to conduct business with people outdoors or in partially enclosed structures including, but not limited to, drive-through payment windows, drive through restaurant ordering boards, service station pump islands and car washes.

L. ~~Gasoline Service Station~~ RESERVED

~~Gasoline service stations in the "NC" zoning district shall be subject to a limited use permit and the following requirements:~~

- ~~1. Gasoline pumps or dispensers and canopies shall be located no closer than 20 feet from any property line.~~
- ~~2. When a vehicle fuel station adjoins any lot in a residential zoned property a minimum 6-foot high masonry wall shall be erected and maintained along such property line~~

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

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

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

PART TEN. 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 6nd day of October, 2015.

PASSED AND APPROVED AND ADOPTED on the second reading this 20th day of October, 2015.

DON KEIL
Mayor

ATTEST:

Thalia Stautzenberger
City Secretary