

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AMENDING THE FOLLOWING SECTIONS OF THE SEGUIN UNIFIED DEVELOPMENT CODE (UDC) AS HEREIN DESCRIBED: SECTION 2.9.E- SUBDIVISION PLATTING EXCEPTIONS, SECTION 3.2.16.A- LIGHT INDUSTRIAL PURPOSE, SECTION 3.4.3 LAND USE MATRIX, AND DEFINITIONS- LIGHT INDUSTRY; 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) in order to encourage better planning and development throughout the city; and

WHEREAS, the Seguin City Council 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 October 11, 2016, after conducting a public hearing, the Planning and Zoning Commission voted to recommend to City Council that amendments to the Unified Development Code as described herein be adopted.

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

PART ONE. Section 2.9.E, Subdivision Platting Exceptions, of the Unified Development Code is hereby amended as follows (underlining indicates added text, ~~striketrough~~ indicates deleted text):

E. Exceptions

A plat is required for any tract of land divided into two or more parts, except as provided in the Texas Local Government Code or for the following:

1. Sale, inheritance, or gift of land by metes and bounds of tracts upon which no improvements, development, subdivision or alteration is intended;
2. A division of land created by order of a court of competent jurisdiction;
3. A division of land that results in the creation of two or more parcels, each of which is greater than five acres inside the City limits, or each of which is greater than ten acres within the City's extraterritorial jurisdiction, when each parcel has direct access to an existing public street, and no dedication of public facilities is required under this Unified Development Code in connection with the division;
4. Creation of a remainder tract over 5 acres in size;
5. Acquisition of land for governmental purposes by dedication, condemnation, or easement;
6. Requests for building permits for unplatted properties located within the City Limits for the following:
 - Accessory buildings (as otherwise permitted in accordance with this Code);
 - The construction or repair of a fence.
 - Remodeling or repairs which involve no expansion of square footage; or
 - Building additions on a lot with existing structures ~~to an existing structure~~ which increases the total combined square footage of all existing buildings on the lot by no

more than 30 percent and no more than 10,000 square feet (over a five year time period) of the gross floor area of the structure and does not exceed the maximum impervious cover in accordance with Section 3.6 and does not adversely impact surrounding properties;

7. Requests for building permits for new construction and/or building additions of more than 30 percent of the gross floor area on unplatted ~~parcels~~ properties ~~or existing lots located within the City Limits that are~~ zoned for single-family residential development if the following criteria are met:

- The property has ~~frontage on~~ legal access to a public street; and
- The property has access to utilities; and
- The ~~parcel~~ property ~~existed~~ in its current configuration and was created by a metes and bounds legal description recorded in a deed of transfer or sale at the office of the Guadalupe County Clerk prior to June 26, 1987; ~~excluding those tax parcels which are identified as being created for tax purposes or deed or trust for borrowing money against a tract or parcel or prior to being subject to the City of Seguin's subdivision regulations.~~ Please refer to the table below to determine if the property is eligible for a plat exception under this section.

	Property was located within the Seguin City Limits at the time of creation	Property was located within the Seguin ETJ at the time of creation	Property was located outside both the Seguin City Limits and Seguin ETJ at the time of creation
Property was created prior to June 26, 1987	Platting Not Required	Platting Not Required	Platting Not Required
Property was created between June 26, 1987 and April 1, 2002	Platting Required	Platting Not Required	Platting Not Required
Property was created after April 1, 2002	Platting Required	Platting Required	Platting Not Required

In order to determine the exception for single-family residential in Section 2.9.E.7, an application, fee, and documentation shall be required as outlined in the technical manual.

PART TWO. Section 3.2.16.A, Light Industrial (LI)- Purpose, of the Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

A. Purpose

The Light Industrial zoning district consists of commercial enterprises involved in research and development, light manufacturing, packaging, warehousing, distribution, and skilled mechanical trades. The uses permitted within this district are primarily uses that will take place inside of a building, ~~and will have minimal or no outdoor storage,~~ and do not emit detectable particulates, odor, smoke, gas fumes, light, vibrations or noise beyond the property lines.

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

3.4.3 Land Use Matrix

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
<u>Non-medical Lab/Research Facility</u>	=	=	=	=	=	=	=	=	=	=	=	<u>S</u>	=	<u>P</u>	<u>P</u>	=

PART FOUR. Definitions, of the Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

Industry, light: Establishments engaged in the manufacturing of finished or semi-finished products or parts, predominantly from previously prepared materials, including fabrication, assembly, and packaging of such products; includes warehousing, wholesaling, distribution of products, research and development activities, and high technology use, and incidental storage, sales and distribution of such products, but excluding basic industrial processing. Such activities shall not emit detectable particulates, odor, smoke, gas fumes, light, vibrations or noise beyond the property lines.

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

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

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

PART NINE. 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 18th day of October, 2016.

PASSED AND APPROVED AND ADOPTED on the second reading this 1st day of November, 2016.

DON KEIL
Mayor

ATTEST:

Naomi Manski
City Secretary