

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AMENDING THE UNIFIED DEVELOPMENT CODE (UDC), SECTION 3.6.2 – LOT DIMENSIONAL AND DEVELOPMENT STANDARDS AND SECTION 5.2.6 – BUFFER YARDS; 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**, the Seguin City Council desires to establish buffers between multi-family land uses and adjacent single-family land uses by increasing building setbacks and requiring the planting of trees for adequate screening between land uses; and

**WHEREAS**, the Seguin City Council desires to modify the height restrictions in multi-family zoning districts to allow medium and high density developments with adequate buffers and screening; and

**WHEREAS**, the Seguin City Council desires to add height restrictions in aircraft approach zones as defined by the Federal Aviation Administration (FAA) in order to minimize negative impacts on existing airports as growth and development occur within the city limits; and

**WHEREAS**, on July 10, 2018, after conducting a public hearing, the Planning and Zoning Commission voted to recommend to City Council that the amendments be made to the UDC to require buffers between multi-family and single-family developments; and

**WHEREAS**, on August 14, 2018, after conducting a public hearing, the Planning and Zoning Commission voted to recommend to City Council that amendments to the UDC be made to modify height restrictions in multi-family districts and in FAA aircraft approach zones.

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

**PART ONE.** Section 3.6.2 – Lot Dimensional and Development Standards, of the Seguin Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

### 3.6.2 Standards-

#### Residential Districts

	A-R	R-R	S-R	R-1	R-2	DP-1	DP-2	ZL	MF-1	MF-2	MF-3	M-R
Height of Structures Max. (whichever is less)	30' or 2 ½ stories	30' or 2 ½ stories	30' or 2 ½ stories	30' or 2 ½ stories	30' or 2 ½ stories	30' or 2 ½ stories	30' or 2 ½ stories	30' or 2 ½ stories	30' or 2 ½ stories	<del>45 feet</del> <del>of 3</del> <u>stories</u> <u>60' or 5 stories*</u>	<del>45 feet</del> <del>of 3</del> <u>stories</u> <u>96' or 8 stories*</u>	30' or 2 ½ stories

\*In aircraft approach zones (as defined by the Federal Aviation Administration), the height of structures shall be limited to 45' or 3 stories, whichever is less.

#### Non-residential Districts

	NC	C	P	LI	I
Height of Structures Max. (whichever is less)	N/A*	N/A*	N/A*	N/A*	N/A*

\*In aircraft approach zones (as defined by the Federal Aviation Administration), the height of structures shall be limited to 45' or 3 stories, whichever is less.

**PART TWO.** Section 5.2.6 – Buffer Yards, of the Seguin Unified Development Code is hereby amended as follows (underlining indicates added text, ~~striketrough~~ 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 the case of a 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.

Between any multi-family development and an adjacent property that is zoned for single-family dwellings a buffer shall be provided on the property of the multi-family development in accordance with the following table:

<u>Primary Zoning District of Multi-Family Development</u>	<u>Abutting Zoning Districts of Single-Family Development</u>	<u>Setback Buffer Required in Addition to the Building Setbacks prescribed in Section 3.2.6</u>	<u>Required Landscaping Buffer</u>
<u>MF-1, MF-2, MF-3</u>	<u>A-R, R-R, S-R, R-1, R-2, ZL, M-R</u>	<u>Standard Building Setback plus 10 feet for the first story and 5 feet for each additional story of the multi-family structure.</u>	<u>Shade canopy trees of minimum four-inch caliper shall be planted every twenty feet on center between the multi-family development and the adjacent single-family development.</u>

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

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

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

**PART SEVEN.** 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 4th day of September, 2018.

**PASSED AND APPROVED AND ADOPTED** on the second reading this 11th day of September, 2018.

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Don Keil, Mayor

ATTEST:

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Naomi Manski  
City Secretary