

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AMENDING THE SEGUIN CODE OF ORDINANCES, APPENDIX A, UNIFIED DEVELOPMENT CODE (UDC), CHAPTERS 1, 2, 4, DEFINITIONS, AND TABLE OF CONTENTS; DECLARING AN EMERGENCY; 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 2019 Texas Legislature passed House Bill 3167, effective as of September 1, 2019, wherein significant changes were made to Chapter 212 of the Local Government Code that affect the timelines for the reviews and decisions on subdivision plats and related development plans by municipalities; and

WHEREAS, subdivision development in Seguin is regulated by the Unified Development Code; and

WHEREAS, the City of Seguin is experiencing significant growth, specifically with new residential subdivisions, and recognizes its responsibility to protect and promote the public health, safety, general welfare and quality of life of the present and future citizens of Seguin by conducting thorough development reviews of proposed subdivision plats and the associated development plans; and

WHEREAS, the current processes adopted within the UDC need to be amended to reflect the changes and new requirements that were recently adopted by the State of Texas; and

WHEREAS, on September 10, 2019, 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; and

WHEREAS, in order to prepare new procedures consistent with House Bill 3167, the City Council approved a pause on the acceptance of plats for filing within the City; and

WHEREAS, the filing pause ends at midnight September 30, 2019, and it would be beneficial to city staff and the developers to have all of the new rules in effect by October 1, 2019; and

WHEREAS, by passing this Ordinance on emergency sufficient time will exist to meet all the technical notice requirements so that the Ordinance will be effective on or before October 1, 2019.

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

PART ONE. The above recitals are hereby adopted, in full, as part of this Ordinance.

PART TWO. The **Table of Contents** outlining Chapter 2 and Chapter 4 as contained within the Seguin Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

- **Chapter 2- Development Applications/ Development Review Process**
 - Intent
 - Chapter Components
 - Development Process
 - Development Applications
 - Annexation (Voluntary)
 - Zoning
 - Rezoning Request
 - Specific Use Permits
 - Limited Use Permits
 - Variances (Zoning Board of Adjustments)
 - Certificates of Appropriate Design
 - Subdivision ~~Platting~~ Development
 - ~~Preliminary~~ Subdivision Plat Concept Plans
 - Final Subdivision Plat
 - Minor Plat
 - Amending Plat
 - Replatting without vacating previous plat
 - Plat Vacation
 - Unity of Title Agreement
 - Subdivision Variances
 - ~~Public Improvement~~ Subdivision Construction Plans
 - Floodplain Development Permit
 - Site Development Permit
 - Building Permits
 - Certificates of Occupancy
 - Temporary Certificates of Occupancy
 - Outdoor Festival Permit
 - Variance for on-site consumption of alcohol
 - Amendments to the Comprehensive Master Plan
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- **Chapter 4- Subdivisions**
 - **Subdivision Design**
 - Lot Configuration
 - Easements
 - Street Design
 - Property under common ownership
 - Stormwater and Drainage Standards
 - **Construction of Public Subdivision Improvements**
 - Required Improvements
 - Developers Responsibility
 - Timing of Improvements
 - Phasing of Requirements
 - Maintenance Responsibilities
 - Street Construction Requirements
 - Water Requirements
 - Wastewater Requirements
 - Electric Requirements
 - Street Lighting
 - **Road Adequacy Standards**
 - Boundary Street Improvements
 - Traffic Impact Analysis
 - **Parkland**
 - Dedication
 - Improvements
 - Fee-in-lieu

PART THREE. Chapter 1, General Provisions, Sections 1.2.2, 1.2.7.A, 1.2.7.D, and 1.4 of the Seguin Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

1.2.2 Planning and Zoning Commission

The Planning and Zoning Commission, also referred to as the Planning Commission, shall act as an advisory body to the City Council regarding all matters related to the physical growth and development of the City. The Planning and Zoning Commission shall advise the City Council on applications and petitions for zoning change requests, amendments to the comprehensive master plan, and amendments to the UDC. The Planning and Zoning Commission shall act as the final decision maker on the following development applications:

- A. Specific Use Permits
- ~~B. Preliminary Plats~~
- C. Final Plats
- D. Subdivision Plat Variances- when a request is associated with a new subdivision or undeveloped area the Planning and Zoning Commission may grant a variance to vary the applicable lot area, lot width or frontage, and lot depth requirements.