



PLANNING & CODES

Planning and Zoning Commission Report Amendments to the City of Seguin Unified Development Code, Section 2.16 – Variances for Businesses that Sell Alcoholic Beverages.

Pamela Centeno, Planning and Codes Director presented the proposed amendments to Section 2.16 of the UDC- Variances for Businesses that Sell Alcoholic Beverages. She explained that as permitted in Section 109.33 of the Texas Alcoholic Beverage Code, the City of Seguin sets distance requirements between businesses that sell alcoholic beverages and nearby churches, schools, and public hospitals. Mrs. Centeno explained that the current ordinance requires updates to reflect the State's present regulations identifying how the distance is to be measured between the business and nearby facilities. She stated that the distance from churches and hospitals is measured from front door to front door and the distance between businesses and schools is measured property line to property line. The City measures the distances in accordance with the Texas Alcoholic Beverage Code as required but is proposing to update the City of Seguin's ordinance to reflect the same methods. She further explained that the proposed amendments to Section 2.16 of the UDC, and to amend the ordinance to allow package stores, including liquor stores, to apply for a variance. She added that bars, taverns, restaurants, and similar businesses with 50% or more of their total income would not be eligible for a variance. Staff recommended to also amend the ordinance to remove the requirement to submit letters in opposition, but continue to send notices to affected schools, churches, and hospitals to allow for written comment responses and/or input at the public meeting, and update the Ordinance to reflect the current measurement requirement for schools- from property line to property line.

The Commission and staff discussed amending the language from 50 % or more to 51% or more. The Commission suggested that churches, schools, and public hospitals receive notification by certified mail of all future alcohol variance requests.

The regular meeting recessed, and a public hearing was held. There being no responses from the public, the regular meeting was reconvened for action.

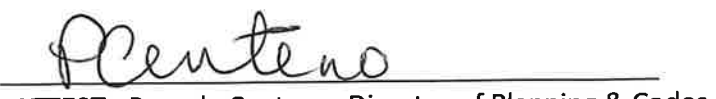
After consideration of the staff report and all information given regarding the proposed amendments to Section 2.16, Commissioner Windle moved that the Planning and Zoning Commission recommend approval of the amendments to the UDC to include changing 50% to 51% and that schools, churches and public hospitals receive notification by certified mail of any alcohol variance requests. Commissioner Pedigo seconded the motion. The following vote was recorded:

RECOMMENDATION TO APPROVE AMENDMENTS TO SECTION 2.16.

MOTION PASSED

6-0-0


Francis Serna, Recording Secretary


ATTEST: Pamela Centeno, Director of Planning & Codes