



PLANNING & CODES

Planning and Zoning Commission Report Amendments to Section 2.16 of the UDC

The following request was considered during a public hearing at the Planning & Zoning Commission meeting on September 13, 2016:

Amendments to the City of Seguin Unified Development Code, Section 2.16 – Variance for onsite consumption of alcohol.

Helena Schaefer presented the staff memo. She explained the reasons for amending two subsections of this variance, the measurement methodology and the notification of property owners within 200 feet. In section 2.16.2 Applicability, measuring the distance of the front door of the business to the front door of the church or school doesn't match the method using by Texas Local Government code. The method cited in this code measures along the front property lines. In Section 2.16.3 Procedure for Requesting Variance Hearing, notify property owners within 200 ft is not necessary. The notification of the church or school is the primary reason for the variance; the applicant is required to obtain a letter from the church or school that they are okay with the establishment selling alcohol. The Commission asked questions about the difference between the measurements. Staff responded that the State Law measures along front property lines and not a straight line from front door to front door. The Commission also asked about grandfathering and if it was necessary for a variance when applying for another license. Staff responded that this variance is only necessary when a restaurant moves close to a church and not when a church moves close to an established restaurant. In regards for the need of a variance when applying for a type of alcohol license, Staff would defer to the City Attorney for guidance. The Commission asked about the 1,000 foot distance rule with schools. Staff cited that this rule only applies if the school district requests the rule.

There being no further questions for staff, the regular meeting was recessed and a public hearing was held. There being no response from the public the regular meeting reconvened for action.

After consideration of staff's memo and all information given regarding the Amendments to the City of Seguin Unified Development Code, Section 2.16 – Variance for onsite consumption of alcohol, the Planning and Zoning Commission voted 8-0-0, to Recommend to City Council to Approve the request.

RECOMMENDATION TO APPROVE THE REQUEST FOR AMENDMENTS TO THE CITY OF SEGUIN UNIFIED DEVELOPMENT CODE, SECTION 2.16 – VARIANCE FOR ONSITE CONSUMPTION OF ALCOHOL– MOTION PASSED 8-0-0

A blue ink signature of Dora Tonga te, consisting of a stylized 'D' followed by a horizontal line and some loops.

Dora Tonga te
Planning Assistant

A blue ink signature of Pamela Centeno, featuring a large 'P' and 'C' with a cursive 'enteno'.

ATTEST: Pamela Centeno
Director of Planning/Codes