

ORDINANCE NO. 6979

AN ORDINANCE AMENDING SECTIONS 2.51, 2.52, 6.03, AND TABLE 7-1 OF THE GARLAND DEVELOPMENT CODE (ORDINANCE 6773, AS AMENDED) RELATING TO THE CREATION OF A ZONING CLASSIFICATION FOR BREWERIES, WINERIES, AND DISTILLERIES; PROVIDING A PENALTY UNDER THE PROVISIONS OF SEC. 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That the schedule of uses contained in the land use matrix in Section 2.51 of the Garland Development Code is hereby amended by:

(1) Adding, as a land use allowed under the division "Industrial Uses" a land use for "Breweries/Wineries/Distilleries";

(2) Designating Breweries/Wineries/Distilleries in the land use matrix as allowed by right ["P"] in the Industrial-IN zoning district and as allowed by specific use provision ["S"] in the following zoning districts:

- Heavy Commercial (HC)
- Light Commercial (LC)
- Community Retail (CR)
- Urban Business (UB) [Mixed Use District]
- Urban Residential (UR) [Mixed Use District];

(3) Providing, in the "Parking Requirements" column of the land use matrix, a parking ratio of 1/1000 gross floor area (gfa), plus 1 space per employee at maximum shift and a parking ratio of 1/100 gfa for dining/tasting areas; and

(4) Providing, in the "Cross-Reference(s) for Special Standards" column of the land use matrix, a reference to Sec. 2.52(A) (35).

Section 2

That 2.52, "Special Standards for Certain Uses" of the Garland Development Code is hereby amended by adding subsection 2.52(A) (35) to read as follows:

"(35) Breweries, Wineries, and Distilleries. Breweries, wineries, and distilleries are subject to all requirements applicable to the zoning district in which any such use may be located, including all applicable screening and loading requirements.

(a) Manufacturing and production activities must be conducted wholly indoors. An outdoor seating area may be provided for samplings and tasting, if otherwise allowed under the Texas Alcoholic Beverage Code, or as a food service area if the facility is operated as a restaurant as defined in this GDC and under this section.

(b) The facility may not emit dust, odor, smoke, gas, fumes, or vibrations beyond the boundary line of the premises on which the facility is located and shall comply with the noise limits contained in the Code of Ordinances.

(c) Outdoor storage of materials or products is prohibited except in the Industrial (IN) District or when allowed under the terms of a specific use provision.

(d) A facility may provide food service and, if so, shall be considered and may operate under this GDC as a restaurant if the facility derives thirty-five percent or more of its gross revenues from food sales so long as the facility otherwise complies with the provisions of this section. Drive-through food service is not allowed at a brewery, winery or distillery operating under the provisions of this section.

(e) The regulations on alcoholic beverages, including distance limitations, contained in this GDC apply to breweries, wineries, and distilleries. The on premise consumption of alcoholic beverages is allowed if so allowed under the Texas Alcoholic Beverage Code and the person operating the facility holds a valid, current license or permit from the Texas Alcoholic Beverage Commission.

Section 3

That Section 6.03 of the Garland Development Code is amended by adding a definition for Breweries, Wineries, and Distilleries to read as follows:

"**BREWERIES, WINERIES, AND DISTILLERIES:** A facility that manufactures in commercial quantities alcoholic beverages from raw materials or blends of raw and processed materials or by mixing, rectifying or distilling processed materials. The term does not include a warehouse or bulk storage facility."

Section 4

That the schedule of uses contained in the land use matrix in Table 7-1 of the Garland Development Code is hereby amended by:

(1) Adding, as a land use allowed under the division "Industrial Uses" a land use for "Breweries/Wineries/Distilleries";

(2) Designating Breweries/Wineries/Distilleries in the land use matrix in Table 7-1 as allowed by specific use provision ["S"] in the following zoning districts:

- Downtown Historic
- Uptown
- Suburban Corridor;

(3) Providing, in the "Parking Requirements" column of the land use matrix, a parking ratio of 1/1000 gross floor area (gfa), plus 1 space per employee at maximum shift and a parking ratio of 1/100 gfa for dining/tasting areas; and

(4) Providing, in the "Cross-Reference(s) for Special Standards" column of the land use matrix, a reference to Sec. 2.52(A) (35).

Section 5

That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas.

Section 6

That the Garland Development Code (Ordinance No. 6773, as amended), shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 7

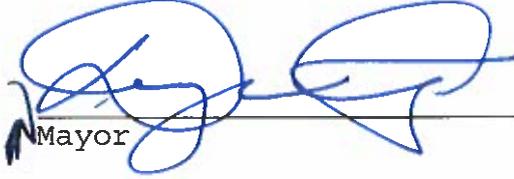
That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 8

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

PASSED AND APPROVED this the 17th day of April, 2018.

CITY OF GARLAND, TEXAS



Mayor

ATTEST:



City Secretary