

ORDINANCE NO. 2016-083

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY PROVIDING FOR AMENDMENTS AND CHANGES TO ZONING REGULATIONS BY AMENDING SECTION 42, SUPPLEMENTARY DISTRICT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00); DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Zoning Ordinance currently requires a Conditional Use Permit for storage, possession, sale or serving of alcoholic beverages in the City; and

WHEREAS, the City Council wishes to amend Section 42 of the Zoning Ordinance; and

WHEREAS, the City Council of the City of Grapevine deems the passage of this ordinance as necessary to protect the public, health, safety, and welfare; and

WHEREAS, the City Council is authorized by law to adopt the provisions contained herein, and has complied with all the prerequisites necessary for the passage of this Ordinance, including but not limited to the Open Meetings Act.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. That Ordinance No. 82-73, the Comprehensive Zoning Ordinance of the City of Grapevine, Texas, same being also known as Appendix "D" of the City Code is hereby amended in the following particulars, and all other sections, subsections, paragraphs, definitions, words and phrases of said Appendix "D" and not amended but hereby ratified, verified, and affirmed:

- A. That Section 42, Supplementary District Regulations is hereby amended by amending subsection B.1. to add the following definition:

"Package Store – A retail establishment that sells "liquor", as defined by the Texas Alcoholic Beverage Commission, to the public for the purpose of off-premise consumption."

- B. That 42, Supplementary District Regulations, is hereby amended by amending subsection B.2. to add the following:

“The applicant for a Conditional Use Permit for a package store shall include as part of the Conditional Use Permit Application the following:

A detailed floor plan of the proposed business showing, at a minimum, aisle layouts, locations of coolers and freezers, locations of any specialty areas such as humidors, location descriptions for all product sales such as beer, wine and hard liquor, locations of check-out registers and all building ingress and egress points. A proposed security plan must also be submitted and shall include the number of any proposed cameras, alarm system details, locations of burglar bars (if any) and any planned on-site security personnel. The security plan must include, at a minimum, the following:

- (1) Surveillance camera system to record audio and video of the interior and exterior of the premises;
- (2) Video and audio recording and storage system with a minimum of thirty (30) day retention;
- (3) Commercially monitored alarm system with appropriate permit;
- (4) Drop safes anchored to the floor;
- (5) Security signs;
- (6) Height markers;
- (7) Safety training programs.

Also, details should be provided concerning any proposed features that adhere to any Crime Prevention Through Environmental Design (CPTED) site design tenets. CPTED is based upon the concept that the proper design and effective use of the built environment can lead to the reduction in the incidence and fear of crime, and an improvement in the quality of life. The goal of CPTED is to reduce opportunities for crimes to occur that are often inherent in the design of buildings and the layout of neighborhoods and streets.

The detailed site plan must meet the following minimum requirements:

- (1) The front building façade shall be a minimum of eighty percent (80%) non-tinted, clear glass.
- (2) No curtain, display, hanging sign, storage, or other obstruction that prevents a clear view of the interior of a package store.
- (3) The exterior premises must be lit to the maximum allowed under the Zoning Ordinance.
- (4) All requirements of Chapter 4 Alcoholic Beverages of the City of Grapevine Code of Ordinances shall also be meet.”

Section 3. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 4. That if any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a Court or competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. That the fact that the present ordinances and regulations of the City of Grapevine, Texas, are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Grapevine, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 18th of October 2016.

APPROVED:



William D. Tate
Mayor

ATTEST:


Tara Brooks
City Secretary



APPROVED AS TO FORM:


John F. Boyle, Jr.
City Attorney