



## Legislation Details (With Text)

<b>File #:</b>	21-ZA--01	<b>Version:</b>	1
<b>Type:</b>	Zoning Amendment	<b>Status:</b>	Public Hearing
<b>File created:</b>	7/1/2021	<b>In control:</b>	Planning and Zoning Commission
<b>On agenda:</b>	7/12/2021	<b>Final action:</b>	
<b>Title:</b>	Conduct a public hearing and consider a request to amend the Comprehensive Zoning Ordinance related to development standards for outdoor seating areas, including but not limited to amending: Article 2. Zoning Districts and Uses, Article 3. Zoning District Dimensional Standards, and Article 4.3. Parking and Loading; and take appropriate action. Continued from June 14, 2021.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Staff Report, 2. Revised Draft Ordinance, 3. Revised Draft Ordinance with redlines, 4. Information and Questions related to Existing Outdoor Seating Areas (as presented at the June 14, 2021 Planning & Zoning Commission meeting), 5. Open FB Program Information		

Date	Ver.	Action By	Action	Result
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**Conduct a public hearing and consider a request to amend the Comprehensive Zoning Ordinance related to development standards for outdoor seating areas, including but not limited to amending: Article 2. Zoning Districts and Uses, Article 3. Zoning District Dimensional Standards, and Article 4.3. Parking and Loading; and take appropriate action. Continued from June 14, 2021.**

### BACKGROUND:

This is a city-initiated zoning amendment to the City of Farmers Branch Comprehensive Zoning Ordinance (CZO) to establish development standards for outdoor seating areas within the front yard setback for specified uses allowed in the Local Retail-1 (LR-1), Local Retail-2 (LR-2), Commercial (C), Light Industrial (LI), Heavy Industrial (HI), and Planned Development (PD) zoning districts with the aforementioned base zoning.

The current development standards require that front yard setbacks be kept free and clear of any improvements and structures. However, due to the recent public health pandemic, there has been an increasing demand for outdoor seating areas for certain uses. In response to this demand, the City has allowed temporary outdoor seating areas through the City's parklet program funded by federal grants through Dallas County (CARES funding).

This ordinance is intended to allow for flexibility that would allow sites to improve the required front yard, which are typically reserved for open space and/or landscaped areas, with outdoor seating areas and establishes development standards for said outdoor seating areas. The proposed associated uses that would be permitted to have outdoor seating areas within the required front yard setback include restaurant, brewery, brewpub, bar or tavern, and distillery uses.

On June 14, 2021, the Planning & Zoning Commission considered this amendment to the CZO and continued the public hearing and consideration of the request to the next meeting on July 12, 2021. The Commission

requested staff provide additional information and modify the proposed outdoor seating areas ordinance including: providing greater flexibility for outdoor seating area improvements; removing setback requirements and size limitations associated with the seating area and perimeter enclosure fencing; and eliminating provisions that could potentially create non-conforming situations for existing outdoor seating areas.

Also, upon further review of recent changes in State law as it relates to alcoholic beverage service, the ordinance seeks to achieve better consistency with State law requirements related to restaurants with mixed beverage permits and food and beverage certificates from the Texas Alcoholic Beverage Commission (TABC).

**RECOMMENDATION:**

Staff recommends approval of the proposed Zoning request, as presented in the revised draft ordinance.

**ACTIONS:**

1. Motion to recommend approval of the Zoning request.
2. Motion to recommend approval of the Zoning request with the following modifications...
3. Motion to recommend denial.
4. Motion to continue discussion at the next meeting.

**ATTACHMENTS:**

1. Staff Report
2. Revised Draft Ordinance
3. Revised Draft Ordinance with redlines
4. Information and Questions related to Existing Outdoor Seating Areas (as presented at the June 14, 2021 Planning & Zoning Commission meeting)
5. Open FB Program Information