



City of Azle Regular Meeting Agenda City Council

505 W. Main Street
Azle, Texas 76020

November 19, 2024

6:00 PM

Council Chambers

Pursuant to Section 551.071 of the Texas Government Code, the Council may convene into Executive Session(s) from time to time as deemed necessary during the meeting for any posted agenda item and may receive advice from its attorney as permitted by law.

CALL TO ORDER

INVOCATION

The City of Azle is accepting volunteers from all Religions and Denominations to provide the invocation at the beginning of the City Council meeting. If you are interested in giving the invocation at a future meeting, please call the city secretary's office at 817-444-7101 or email: yhoffman@cityofazle.org

Dr. Larry Lormand, Minister of Education & Administration, Ash Creek Baptist Church.

PLEDGE OF ALLEGIANCE

PUBLIC PARTICIPATION

This is an opportunity for the public to address the City Council on posted agenda items or non-agenda items. In order to address the Council, please complete a Speaker's Request Form and submit to the City Secretary prior to the start of the council meeting. All comments must be directed to the Presiding Officer, rather than an individual council member or city staff. All speakers must refrain from personal attacks toward any individual. Comments are limited to three (3) minutes and must pertain to the subject matter listed on the Speaker's Request Form. Speakers requiring the assistance of a translator shall be provided four (4) minutes. Council may not comment publicly on non-agenda items, but may direct the City Manager to resolve the matter or request the matter be placed on a future agenda. Public comments regarding non-agenda items shall not include any "deliberation" as defined by Chapter 551 of the Government Code, as now or hereafter amended. If you have a subject that may require City Council action, you may obtain a form from the City Secretary and request the item be placed on a future agenda.

PROCLAMATIONS

1. Proclamations:
Municipal Court Week
Animal Shelter Week
Alan Brundrett, Mayor

PRESENTATIONS

2. Municipal Court Week Coloring Contest.
Felicia King, Municipal Court Admin
3. Honor and recognize employees who have dedicated 25 years of service to the City.
Alan Brundrett, Mayor
4. Department Annual Report - Fire Department.
Thomas Scott, Fire Chief

ACTION ITEMS

5. Consider any action on minutes for the Regular City Council Meeting held on October 15, 2024, the Joint Meeting with the Planning and Zoning Commission held on October 29, 2024, and the Special Meeting held on November 11, 2024.
Yael Hoffman, City Secretary

6. Consider any action on the appointment of David "Mickey" Clark to the Parks Board, Place 4.
Yael Hoffman, City Secretary
7. Consider any action on Resolution No. 2024-19 adopting the Covered Applications and Prohibited Technology Policy.
Cat Schlueter, HR Manager

PUBLIC HEARING

8. Conduct a public hearing and consider any action on Ordinance No. 2024-25 regarding text amendments to Chapter 14 "Zoning Ordinance" of the Code of Ordinances, City of Azle, Texas. The purpose of the text amendment is to consider adding regulations for Wineries.
David Hawkins, Director of Planning and Development

DISCUSSION ITEMS

9. Encroachment Agreement between the City of Azle and Asvalo Real Estate to allow private infrastructure within the street rights-of-way of Sandy Beach Road.
David Hawkins, Director of Planning and Development
10. City Manager Updates
Lawrence Bryant, Assistant City Manager

ITEMS TO BE PLACED ON FUTURE MEETING AGENDAS

MAYOR/COUNCIL COMMENTS OF COMMUNITY INTEREST

ADJOURNMENT

I, the undersigned authority, do hereby certify the above Agenda was posted at City Hall on November 15, 2024, at the City's official bulletin board and is readily accessible to the public at all times in accordance with V.T.C.A. Chapter 551, Texas Government Code.



Yael Hoffman, TRMC, CMC
City Secretary

This facility is wheelchair accessible and handicapped parking spaces are available. Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in city functions and activities. Auxiliary aids and services or accommodations should be requested forty-eight hours prior to the scheduled starting time by calling the City Secretary's Office at 817-444-7101. Complete City Council agenda packet is available for review at the City Secretary's Office and on our website www.cityofazle.org.



Presenter: Alan Brundrett, Mayor
Agenda Item: Proclamations:
Municipal Court Week
Animal Shelter Week

Background and Explanation:

Proclamations presented by Mayor Brundrett.

Board/Commission/Committee Recommendation:

Staff Recommendation:

Attachments:

None



Presenter: Felicia King, Municipal Court Admin
Agenda Item: Municipal Court Week Coloring Contest.

Background and Explanation:

To commemorate Municipal Court Week, which was November 4-8, Court staff held a coloring contest. Each participant received a Municipal Court Coloring Book and Buckle Up Coloring Book. Approximately 60 entries were received. The winners are:

1st Place - Warren Geary
2nd Place - Olivia McGraw
3rd Place - Annie Murphree

Runners-Up include Huntleigh Wyble, Rylee Alonzo, Zoey Anthony, Ezra Salas and Ryder Shannon.

Prizes were donated from local businesses, including Burton Trophy, Custom Thread Art, Fidelity National Title, Azle Lions Club, National Bank of Texas, Pinnacle Bank, Brace Chiropractic & Wellness Center, Rock Bottom Liquidations, Servolution Network, Southern Honey, State Farm, Sites Plumbing, Whataburger, Casa of Tarrant County, Karma Apple and Dinosaur Land.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

N/A.

Attachments:

None



Presenter: Alan Brundrett, Mayor

Agenda Item: Honor and recognize employees who have dedicated 25 years of service to the City.

Background and Explanation:

Honor and recognize employees who have dedicated 25 years of service to the City. Acknowledging their commitment, contributions, and impact on the community.

Susie Hiles

Cliff Porch

John Behm

Board/Commission/Committee Recommendation:

Staff Recommendation:

Attachments:

None



Presenter: Thomas Scott, Fire Chief

Agenda Item: Department Annual Report - Fire Department.

Background and Explanation:

Fire Department annual report.

Board/Commission/Committee Recommendation:

Staff Recommendation:

NA

Attachments:

None



Presenter: Yael Hoffman, City Secretary

Agenda Item: Consider any action on minutes for the Regular City Council Meeting held on October 15, 2024, the Joint Meeting with the Planning and Zoning Commission held on October 29, 2024, and the Special Meeting held on November 11, 2024.

Background and Explanation:

Procedural.

Board/Commission/Committee Recommendation:

Staff Recommendation:

Attachments:

1. Minutes 10-15-24
2. Minutes 10-29-24
3. Minutes 11-11-24



MINUTES

Regular Meeting

Azle City Council

505 W. Main Street
Azle, Texas 76020

October 15, 2024

6:00 PM

Council Chambers

CALL TO ORDER

Mayor Brundrett called the meeting to order at 6:10 PM

Members Present:

Mayor Alan Brundrett
Mayor Pro Tem Randa Goode
Councilmember Derrick Nelson
Councilmember Stacy Peek
Councilmember Rouel Rothenberger
Councilmember Brian Conner

Members Absent:

Councilmember Amy Estes

Staff Present:

Tom Muir	City Manager
Lawrence Bryant	Assistant City Manager
Yael Hoffman	City Secretary
Andrea Russell	City Attorney
Martin Avila	Finance Director
David Hawkins	Director of Planning and Development
Jennifer Wells	Purchasing Agent
Rick White	Director of Public Services
Ben Hall	Police Chief
Will Scott	Fire Chief
Lee Godbold	Assistant Fire Chief

INVOCATION

Lee Sipe - Senior Pastor, First Baptist Church Azle, gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Brundrett led the Pledge of Allegiance.

PUBLIC PARTICIPATION

Sayed Syed, 6705 Sapphire Circle North, Colleyville, Tx - introduced herself as a Tarrant Appraisal District Board nominee and provided information on her background.

PROCLAMATION

1. National Domestic Violence Awareness Month

No representative was present to receive the proclamation.

PRESENTATION

2. Annual Presentation - Water/Wastewater/Utility Maintenance/Garage

Mayor Brundrett recognized Director of Public Services Rick White, who reported on the activities of the various Public Works Departments for the past year.

ACTION ITEMS

3. Consider any action on the September 17, 2024 Council meeting minutes.

Councilmember Rothenberger moved to approve the September 17, 2024 Council meeting minutes, as presented. Mayor Pro Tem Goode seconded the motion.

Yes: (6) Alan Brundrett, Randa Goode, Derrick Nelson, Stacy Peek, Rouel Rothenberger, Brian Conner

4. Consider any action on appointing Hunter Richey to the Planning and Zoning Commission in Place 8 - Alternate position.

Applicant was not present; therefore, Council chose to take no action on the application.

5. Consider any action on appointing Aspen Castaneda to Place 5 (AISD Student), and Ryan Nelson to Place 7 of the Beautification Board.

Mayor Brundrett and Council interviewed the applicants and thanked them for their interest in serving the community.

Councilmember Rothenberger moved to approve the appointment of Aspen Castaneda to Place 5 (AISD Student), and Ryan Nelson to Place 7 of the Beautification Board. Mayor Pro Tem Goode seconded the motion.

Yes: (6) Alan Brundrett, Randa Goode, Derrick Nelson, Stacy Peek, Rouel Rothenberger, Brian Conner

6. Consider any action on Resolution No. 2024-18 supporting the closure of Main Street and provide Police and Fire assistance for "Azle Christmas on Main Street," and waive all applicable fees.

Councilmember Rothenberger moved to approve Resolution No. 2024-18 supporting the closure of Main Street and providing Police and Fire assistance for "Azle Christmas on Main Street," and waive all applicable fees. Councilmember Peek seconded the motion.

Yes: (6) Alan Brundrett, Randa Goode, Derrick Nelson, Stacy Peek, Rouel Rothenberger, Brian Conner

7. Consider any action on awarding the Request for Proposal (RFP) for Wrecker Services (RFP No. 2024-003).

Mayor Brundrett recognized Purchasing Agent Jennifer Wells, who provided an explanation of the RFP process. She stated only one RFP was received, and the recommendation is to award the RFP to Woods Wrecker LLC.

Councilmember Rothenberger moved to Award the Request for Proposal (RFP) for Wrecker Services (RFP No. 2024-003), to Woods Wrecker LLC, as presented. Mayor Pro Tem Goode seconded the motion.

Yes: (6) Alan Brundrett, Randa Goode, Derrick Nelson, Stacy Peek, Rouel Rothenberger, Brian Conner

8. Consider any action on awarding the Elevated Tank Rehabilitation Project (Bid No. 2024-009)

Public Services Director Rick White reported twelve (12) bids were received for this project with N.G. Painting submitting the lowest bid. However, they withdrew their bid due to an error. The second lowest bidder was O&J Coatings, Inc of Hurst, TX with a base bid of \$270,000. Staff and Jacob Martin, engineer, recommended awarding the bid to O&J Coatings.

Councilmember Peek moved to award the Elevated Tank Rehabilitation Project (Bid No. 2024-009) to O&J Coatings, Inc. of Hurst, TX in the amount of \$270,000. Councilmember Rothenberger seconded the motion.

Yes: (6) Alan Brundrett, Randa Goode, Derrick Nelson, Stacy Peek, Rouel Rothenberger, Brian Conner

9. Consider any action on awarding the Walnut Creek Force Main Project (Bid No. 2024-010)

Public Services Director Rick White reported fourteen (14) bids were received for this project with Stampede Utility Construction, LLC of Decatur, TX submitting the lowest bid of \$597,014.25. Staff and Jacob Martin LLC, engineer, recommended awarding the bid to Stampede Utility Construction, LLC.

Councilmember Rothenberger moved to award the Walnut Creek Force Main Project (Bid No. 2024-010) to Stampede Utility Construction, LLC in the amount of \$597,014.25, as presented. Mayor Pro Tem Goode seconded the motion.

Yes: (6) Alan Brundrett, Randa Goode, Derrick Nelson, Stacy Peek, Rouel Rothenberger, Brian Conner

10. Consider any action on Resolution No. 2024-17 approving the Investment Policy.

Councilmember Rothenberger moved to approve Resolution No. 2024-17 approving the Investment Policy, as presented. Councilmember Peek seconded the motion.

Yes: (6) Alan Brundrett, Randa Goode, Derrick Nelson, Stacy Peek, Rouel Rothenberger, Brian Conner

11. Consider any action approving the annual appointments to the Boards and Commissions.

Mayor and Council reviewed the re-appointment list for the City's Boards and Commissions and expressed some concerns regarding the attendance records for the Planning and Zoning (P&Z) Commission and the Zoning Board of Adjustment (ZBA).

Mayor Pro Tem Goode moved to approve the annual re-appointments to the Boards and Commissions except for the Planning and Zoning (P&Z) Commission and Zoning Board of Adjustment (ZBA), and appoint Alan Brundrett to the vacant position on the Municipal Development District Board, Place 6. Councilmember Nelson seconded the motion.

Yes: (6) Alan Brundrett, Randa Goode, Derrick Nelson, Stacy Peek, Rouel Rothenberger, Brian Conner

PUBLIC HEARING

12. Conduct a public hearing and consider any action on Ordinance No. 2024-23 regarding text amendments to Chapter 14 "Zoning Ordinance" of the Code of Ordinances, City of Azle, Texas.

The purpose of the text amendment is to consider an amendment to the Permitted Use Schedule to allow Tattoo Parlors in the Central Business District (CBD) by Specific Use Permit (SUP).

Mayor Brundrett recognized Director of Planning & Zoning David Hawkins, who provided an overview of the rezoning request.

Mayor Brundrett opened the public hearing at 7:28 PM.

No one spoke.

Mayor Brundrett closed the public hearing at 7:28 PM.

Councilmember Nelson moved to approve Ordinance No. 2024-23 regarding text amendments to Chapter 14 "Zoning Ordinance" of the Code of Ordinances, City of Azle, Texas. The purpose of the text amendment is to consider an amendment to the Permitted Use Schedule to allow Tattoo Parlors in the Central Business District (CBD) by Specific Use Permit (SUP), as presented. Mayor Pro Tem Goode seconded the motion.

Yes: (6) Alan Brundrett, Randa Goode, Derrick Nelson, Stacy Peek, Rouel Rothenberger, Brian Conner

ITEMS TO BE PLACED ON FUTURE MEETING AGENDAS

None.

MAYOR/COUNCIL COMMENTS OF COMMUNITY INTEREST

- **The splash pad is closed for the season.**
- **10/19/2024** - Farmers Market at The FeedLot
- **10/21/2024** - Early voting starts
- **10/26/2024** - Clean-Up Day
- **10/26/2024** - Azle PD Trunk or Treat event at Azle Library parking lot
- **10/29/2024** - Joint meeting with Planning and Zoning Commission regarding the Comprehensive Plan. Meeting will be held at Azle Christian Church, 117 Church Street
- **11/02/2024** - Arbor Day (tree giveaway at The FeedLot)
- **11/02/2024** - Library Gala at The Orchard at 6 PM

EXECUTIVE SESSION

Mayor Brundrett convened to Executive Session at 7:35 PM.

551.071 CONSULTATION WITH THE CITY ATTORNEY

Zoning and land use

Mayor Brundrett reconvened to open meeting at 7:59 PM.

ADJOURNMENT

Mayor Brundrett adjourned at 7:59 PM.

Presented and approved on November 19, 2024.

Alan Brundrett, Mayor

Attest:

Yael Hoffman, TRMC, CMC
City Secretary



MINUTES
Joint Meeting of Azle City Council
and Planning & Zoning Commission
Azle City Council

Azle Christian Church
117 Church Street
Azle, Texas 76020

October 29, 2024

6:00 PM

Fellowship Hall

CALL TO ORDER

Mayor Brundrett called the Council meeting to order at 6:01 PM.

Members Present:

Mayor Alan Brundrett
Mayor Pro Tem Randa Goode
Councilmember Derrick Nelson
Councilmember Amy Estes
Councilmember Stacy Peek
Councilmember Rouel Rothenberger
Councilmember Brian Conner

P&Z Chairperson Leonard Wheeler called the meeting to order at 6:01 PM.

Members Present:

Chairperson Leonard Wheeler
Vice Chairperson Jim Carlson
Commissioner Ricky Simmons
Commissioner Jared Arneson
Commissioner Curt Lampkin
Commissioner Laurel Mosier

Members Absent:

Commissioner Cynthia Barrios

Staff Present:

Tom Muir	City Manager
Lawrence Bryant	Assistant City Manager
Yael Hoffman	City Secretary
Susie Hiles	Assistant to the City Manager
David Hawkins	Director of Planning and Development
Kristen Pegues	Community & Marketing Specialist
Kyle Culwell	Parks Superintendent

PUBLIC PARTICIPATION

None.

PRESENTATION

1. Receive a presentation from Halff Associates on the 2024 Comprehensive Master Plan and 2024 Parks and Recreation Master Plan for the City of Azle.

Brad Johnson and Maddie Skidmore, with Halff Associates, presented an overview of the Comprehensive Master Plan and the Parks and Recreation Master Plan for the City of Azle.

PUBLIC HEARING

2. Conduct a joint public hearing on the 2024 Comprehensive Master Plan and 2024 Parks and Recreation Master Plan for the City of Azle.

Mayor Brundrett opened the public hearing at 6:34 PM.

P&Z Chairperson Wheeler opened the public hearing at 6:35 PM.

Pamela Lindsey, 1123 Scotland Ave, asked whether the plan includes additional parking spaces at Central Park.

Mayor Brundrett closed the public hearing at 6:38 PM.

P&Z Chairperson Wheeler closed the public hearing at 6:38 PM.

ACTION ITEMS

3. Planning and Zoning Commission to consider a recommendation to the City Council on the 2024 Comprehensive Master Plan.

Commissioner Simmons moved to recommend the approval of the City of Azle 2024 Comprehensive Master Plan, as presented. Commissioner Mosier seconded the motion.

Yes: (6) Leonard Wheeler, Jim Carlson, Ricky Simmons, Jared Arneson, Curt Lampkin, Laurel Mosier

4. City Council to consider any action on Ordinance No. 2024-24 adopting the 2024 Comprehensive Master Plan and 2024 Parks and Recreation Master Plan for the City of Azle.

Councilmember Conner moved to approve Ordinance No. 2024-24 adopting the 2024 Comprehensive Master Plan and 2024 Parks and Recreation Master Plan for the City of Azle, as presented. Mayor Pro Tem Goode seconded the motion.

Yes: (7) Alan Brundrett, Randa Goode, Derrick Nelson, Amy Estes, Stacy Peek, Rouel Rothenberger, Brian Conner

Chairperson Wheeler adjourned the Planning and Zoning Commission meeting at 6:48 PM.

EXECUTIVE SESSION

Mayor Brundrett convened to Executive Session at 6:50 PM.

551.074 PERSONNEL MATTERS

Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Board or Commission members.

Mayor Brundrett reconvened to open meeting at 7:06 PM.

5. Take any action pursuant to the Executive Session.

Mayor Pro Tem Goode moved to approve the reappointment of members of the Planning & Zoning Commission and the Zoning Board of Adjustment who are up for reappointment. Councilmember Rothenberger seconded the motion.

Yes: (7) Alan Brundrett, Randa Goode, Derrick Nelson, Amy Estes, Stacy Peek, Rouel Rothenberger, Brian Conner

ADJOURNMENT

Mayor Brundrett adjourned at 7:07 PM.

Presented and approved on November 19, 2024.

Alan Brundrett, Mayor

Leonard Wheeler, Chairman

Attest:

Yael Hoffman, TRMC, CMC
City Secretary

David Hawkins, AICP
Director of Planning and Development



MINUTES Special Meeting Azle City Council

505 W. Main Street
Azle, Texas 76020

November 11, 2024

6:00 PM

Council Chambers

CALL TO ORDER

Mayor Brundrett called the meeting to order at 6:06 PM.

Members Present:

Mayor Alan Brundrett
Councilmember Derrick Nelson
Councilmember Amy Estes
Councilmember Stacy Peek
Councilmember Rouel Rothenberger
Councilmember Brian Conner

Members Absent:

Mayor Pro Tem Randa Goode

Staff Present:

Tom Muir	City Manager
Lawrence Bryant	Assistant City Manager
Susie Hiles	Assistant to the City Manager
Andrea Russell	City Attorney
Cat Schlueter	Human Resources Manager
Beckie Wethington	Human Resources Generalist
David Hawkins	Director of Planning & Development
Will Scott	Fire Chief
Lee Godbold	Assistant Fire Chief

PLEDGE OF ALLEGIANCE

Mayor Brundrett led the Pledge of Allegiance.

PUBLIC PARTICIPATION

None

ACTION ITEMS

1. Consider any action authorizing the City Manager to execute an agreement with Blue Cross Blue Shield of Texas for Health Insurance Benefits for calendar year 2025

Human Resources Manager Cat Schlueter provided Council with an overview of the health insurance quote process and results. She advised Blue Cross Blue Shield of Texas provided the most cost-effective health insurance benefits proposal while still offering similar/richer benefits than those offered by our current provider, United Healthcare. She introduced Mitchell Rose, benefits consultant from Clark Adamson Ins, who presented an overview of the various options for the employee health

insurance renewal. Mr Rose and Staff recommended approving Blue Cross Blue Shield of Texas as the 2025 employee health insurance provider.

Councilmember Rothenberger moved to approve authorizing the City Manager to execute an agreement with Blue Cross Blue Shield of Texas for Health Insurance Benefits for calendar year 2025, as presented. Councilmember Peek seconded the motion.

Yes: (6) Alan Brundrett, Derrick Nelson, Amy Estes, Stacy Peek, Rouel Rothenberger, Brian Conner

EXECUTIVE SESSION

Mayor Brundrett convened to Executive Session at 6:33 PM.

551.087 – DELIBERATION REGARDING ECONOMIC NEGOTIATIONS

Discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations for properties located at 700-804 Boyd Road (east side of the road).

Mayor Brundrett reconvened to open meeting at 7:32 PM.

2. Take any action pursuant to the Executive Session.

No action was taken.

ADJOURNMENT

Mayor Brundrett adjourned at 7:33 PM.

Presented and approved on November 19, 2024.

Alan Brundrett, Mayor

Attest:

Yael Hoffman, TRMC, CMC
City Secretary



Presenter: Yael Hoffman, City Secretary

Agenda Item: Consider any action on the appointment of David "Mickey" Clark to the Parks Board, Place 4.

Background and Explanation:

Board/Commission/Committee Recommendation:

An application has been received from Mr. David Clark for the Parks Board, Place 4.

Staff Recommendation:

N/A

Attachments:

1. Boards and Commissions Application - David 'Mickey' Clark



Boards and Commissions Application

The following information is necessary to apply for potential service on a City of Azle Board or Commission. The information you provide will become a public record and available to the press and the public. In order to apply and serve as a Board or Commission member, you must meet eligibility requirements of the specific Board or Commission for which you apply. Please fill out this form and submit it to the Office of the City Secretary at 505 W. Main St. Azle, TX 76020 or by fax at 817.444.7149 By signing this application you are acknowledging that you have applied for an appointed position with the City, and agree to serve on the Board or Commission for which you have applied in good faith.

Personal Information

Name	David 'Mickey' Clark
E-Mail	mickeyclark@charter.net
Address	509 Corriente Trail
City	Azle
State	TX
Zip	76020
Phone (M):	8177710250
Length of Residence in Azle (Months):	77

You must be a resident of Azle for at least 12 consecutive months preceding your appointment

Registered Voter	Yes
Have you or do you currently serve on any City Board or Commission?	No

Professional Information

Business Name	N/A
Profession	Construction Consultant
Business Address	N/A
City	Azle
State	TX
Zip	76020
Business Phone	8177710250

Please briefly tell us why you are interested in serving on a Board or Commission:

I am interested in serving on the City of Azle's Parks and Recreation Board to support the enhancement of our community's recreational spaces and programs, making them accessible, enjoyable, and reflective of Azle's unique character. With a commitment to fostering a healthy, vibrant community, I hope to contribute my skills and insight to strengthen our parks, promote outdoor activities, and ensure that these spaces serve the needs of all residents. Serving in this role would be a valuable way to give back to the city and help shape Azle's natural and recreational resources for future generations.

What do you think qualifies you to serve on a Board or Commission?

I have over 20 years of experience in construction management/design focused on electrical services. I'm also familiar with the community and it's needs as I've been a longtime Azle resident.

Please indicate your area(s) of interest. You may select one option or select more by ranking them according to your preferences.

- Parks & Recreation Board

Have you attended any meetings of the Board/Commission for which you wish to be considered?

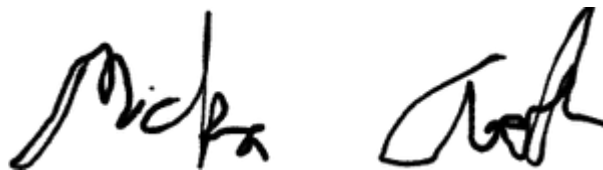
No

Will you commit to:

Frequent Involvement

I certify that the foregoing information is true and correct.

Signature





Presenter: Cat Schlueter, HR Manager

Agenda Item: Consider any action on Resolution No. 2024-19 adopting the Covered Applications and Prohibited Technology Policy.

Background and Explanation:

In 2023, the Texas Legislature passed Senate Bill 1893 ("SB 1893" herein), which prohibits the use of TikTok and certain other social media applications and services on governmental devices. SB 1893 specifically requires cities and other political subdivisions to adopt a policy: (i) prohibiting the installation of TikTok or another covered application on any device owned or leased by the governmental entity; and (ii) requiring the removal of covered applications from those devices.

This proposed policy will be inserted into Article XV Technology Policy of the City's Personnel Policy.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

Adopt Resolution No. 2024-19.

Attachments:

1. Resolution 2024-19 - Covered Applications
2. Proposed Technology Policy - 2024

RESOLUTION NO. 2024-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AZLE, TEXAS ADOPTING THE CITY OF AZLE COVERED APPLICATIONS AND PROHIBITED TECHNOLOGY POLICY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 88th Texas Legislature passed Senate Bill 1893 which prohibits the use of covered applications such as Tik Tok on governmental entity devices and requires cities to adopt, by November 20, 2024, appropriate policies prohibiting installation or use of covered applications or prohibited technologies on applicable devices; and

WHEREAS, City staff has proposed a policy patterned on the model policy prepared by the Texas Department of Public Safety (DPS) and the Texas Department of Information Resources (DIR); and

WHEREAS, the City Council has determined that the Covered Applications and Prohibited Technology Policy attached hereto as Exhibit "A" should be adopted;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AZLE, TEXAS THAT:

SECTION 1

The City of Azle Covered Applications and Prohibited Technology Policy, attached hereto and incorporated herein by this reference as Exhibit "A," is hereby adopted by the City Council of the City of Azle.

SECTION 2

This resolution shall serve as an amendment adding the Covered Applications and Prohibited Technology Policy to (1) the City's City Council, Boards, Commissions, and Committees Rules and Procedures and (2) the City Personnel Policy.

SECTION 3

This Resolution shall take effect immediately upon its passage.

DULY RESOLVED AND ADOPTED ON THIS THE 19th DAY OF NOVEMBER 2024, BY THE CITY COUNCIL OF THE CITY OF AZLE, TEXAS.

APPROVED:

Alan Brundrett, Mayor

ATTEST:

Yael Hoffman, City Secretary

ARTICLE XV. TECHNOLOGY POLICY [amended to add]:

SEC. 15.07 Covered Applications and Prohibited Technology Policy (subsequent Sections of current Personnel Policy will be renumerated in final Policy revision)

Purpose

In 2023, the Texas legislature passed Senate Bill 1893 (88th Leg. R.S.) ("SB 1893" herein), which prohibits the use of TikTok and certain other social media applications and services on governmental devices. SB 1893 specifically requires cities and other political subdivisions to adopt a policy: (i) prohibiting the installation of TikTok or another covered application on any device owned or leased by the governmental entity; and (ii) requiring the removal of covered applications from those devices.

This Covered Applications and Prohibited Technology Policy (this "Policy" herein) is intended to fulfill the requirements of SB 1893, Chapter 620 of the Texas Government Code (the "Code" herein), and the Office of the Governor's directive regarding the installation and use of prohibited technologies on devices used to conduct official business of the City of Azle, Texas (the "City" or "Azle" herein).

Scope and Definitions

This Policy applies to any and all full- and part-time employees, contractors, and paid or unpaid interns of the City, as well as any and all other users of the City's networks (collectively the "Users" herein). All Users, which necessarily includes City employees, are responsible for strictly complying with this Policy.

For the purpose of this Policy, a "Covered Application" means:

- A. The social media service TikTok or any successor application or service developed or provided by ByteDance Limited, or an entity owned by ByteDance Limited; or
- B. A social media application or service specified by proclamation of the Governor of the State of Texas under Section 620.005 of the Code.

Covered Applications on City-owned or Leased Devices

Except where approved exceptions apply, the use or installation of a Covered Application is strictly prohibited on all City-owned or -leased devices, including, without limitation, cell phones, tablets, desktop and laptop computers, and other internet-capable devices.

The City will identify, track, and manage all City-owned or -leased devices, including, without limitation, mobile phones, tablets, laptops, desktop computers, or any other internet-capable devices, to:

- A. Prohibit the installation of a Covered Application;
- B. Prohibit the use of a Covered Application;
- C. Remove a Covered Application from a City-owned or -leased device that was on the device prior to the passage of SB 1893; and
- D. Remove a Covered Application from a City-owned or -leased device if the Governor of the State of Texas issues a proclamation identifying it as a Covered Application.

The City will manage all City-owned or -leased mobile devices by implementing the security measures listed below:

- A. Restricting access to “app stores” or unauthorized software repositories to prevent the installation of a Covered Application;
- B. Maintaining the ability to remotely wipe non-compliant or compromised City-owned or -leased devices, including, without limitation, mobile phones, tablets, laptops, desktop computers, or any other internet-capable devices;
- C. Maintaining the ability to remotely uninstall unauthorized software from all City-owned or -leased devices, including, without limitation, mobile phones, tablets, laptops, desktop computers, or any other internet-capable devices; and
- D. Such other City-implemented security measures deemed necessary and appropriate by the City to carry out the purpose, intent, and scope of this Policy.

Ongoing and Emerging Technology Threats

To provide protection against ongoing and emerging technological threats to the City’s sensitive information and critical infrastructure, the City will classify as a Covered Application and remove the same from all City-owned or -leased devices, including, without limitation, mobile phones, tablets, laptops, desktop computers, or any other internet-capable devices, any social media applications or services that pose a risk to the City, including, without limitation, social media applications or services identified by the Governor of the State of Texas as a potential risk to the State.

Covered Application Exceptions

The City may permit exceptions authorizing the installation and use of a Covered Application on City-owned or -leased devices consistent with the authority provided by Section 620.004 of the Code. Section 620.004 of the Code only allows the City to install and use a Covered Application on an applicable device to the extent necessary for:

- A. Providing law enforcement; or
- B. Developing or implementing information security measures.

If the City authorizes an exception allowing for the installation and use of a Covered Application, the City must (i) adopt, implement, and use necessary measures to mitigate the risks posed to the City during the installation and subsequent use of the Covered Application; and (ii) document whichever measures it took to mitigate the risks posed to the City during the use of the Covered Application.

Policy Compliance

The City will verify compliance with this Policy through various methods, including, but not limited to, IT/security system reports and feedback to City management.

An employee found to have violated this Policy may be subject to disciplinary action, including, without limitation, termination of employment.

Policy Review

This Policy will be reviewed and updated on an as needed basis to (i) reflect changes in applicable laws, rules, and regulations, including, without limitation, Section 620.006 of the Code; and/or (ii) suit the needs of the City.



Presenter:	David Hawkins, Director of Planning and Development
Agenda Item:	Conduct a public hearing and consider any action on Ordinance No. 2024-25 regarding text amendments to Chapter 14 “Zoning Ordinance” of the Code of Ordinances, City of Azle, Texas. The purpose of the text amendment is to consider adding regulations for Wineries.

Background and Explanation:

At the City Council meeting on October 15, 2024, there was a discussion about a possible winery business venture to be located within the Azle Downtown area. The purpose of this agenda item is to define the business type: **Winery** and to amend the Permitted Use Schedule to assign the zoning districts in which a **Winery** would be permitted, either by right or by a Specific Use Permit (SUP). Permitted by right would only require a Site Plan approval and submission of a Building Permit to be approved administratively by City staff (if no variances are requested). Specific Use Permits require a public hearing and approval by the P & Z Commission and City Council before opening that type of business and can be considered on a case-by-case basis.

Current Text Language:

Zoning Ordinance - Section 3 Definitions and Section 4.10 - Permitted Use Schedule are attached to this agenda item.

Proposed Text Amendment:

At the October 15, 2024 meeting, City Council directed City staff to proceed forward with a Code Amendment to consider adding **Winery** as a new business type to the Zoning Ordinance, as the City's ordinances do not address wineries at all. Below is a proposed new definition for this business type and a proposed new Winery use listed within the Permitted Use Schedule. The proposed additions/changes are in red text. City staff also conducted the benchmarking of other cities' development ordinances as it pertains to the use of **Winery** for comparison and is included in this packet. The recent updated Permitted Use Schedule (Ord. No. 2024-11) is also attached to the end of this staff report.

Zoning Ordinance - Section 3.2 - Definitions - Add the following new definition:

WINERY: Winery means a facility used for the manufacturing, bottling, labeling and packaging of wine and if necessary, may include the manufacturing and importation of grape brandy for fortifying purposes only. A winery may include the following accessory uses: a vineyard for the growing, cultivation or planting of grapes or other fruits, a tasting room to dispense wine for on-premises consumption, meeting or banquet facilities, restaurants, retail gift shops and retail sales area of wine for off-premises consumption.

Zoning Ordinance - Section 4.10 - Permitted Use Schedule

Commercial Uses	AG	LFO	E-1	E-2	E-3	SF-1	SF-2	SF-3	SF-4	SF-5	SF-MHP
<i>Winery</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>						

Commercial Uses	MD-1	MD-2	MF-1	MF-2	O	CBD	INS	C	HC	IND
<i>Winery</i>					<i>S</i>	<i>P</i>	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>

P = Permitted

S = Specific Use Permit

Board/Commission/Committee Recommendation:

On November 7, 2024, the P & Z Commission conducted a public hearing and made a recommendation of approval on the proposed amendments to the Zoning Ordinance as presented. The motion carried unanimously by a vote of 5-0 (Commissioners Arneson and Wheeler were absent).

Staff Recommendation:

Staff forwards this proposed code amendment for City Council consideration.

Attachments:

1. Ordinance No. 2024-25
2. ORD - 2024-11 - City Council Signed
3. 9 - Winery Benchmarking

ORDINANCE NO. 2024-25

AN ORDINANCE OF THE CITY OF AZLE, TEXAS, AMENDING SECTION 3, "DEFINITIONS" OF EXHIBIT A, "ZONING ORDINANCE" OF CHAPTER 14, "ZONING"; AND AMENDING SECTION 4, "ZONING DISTRICT REGULATIONS" OF EXHIBIT A, "ZONING ORDINANCE" OF CHAPTER 14, "ZONING" OF THE CODE OF ORDINANCES, CITY OF AZLE, TEXAS, TO ADD A NEW DEFINITION AND AMEND THE PERMITTED USE SCHEDULE PERTAINING TO WINERIES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Azle is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Azle heretofore adopted the Zoning Ordinance of the City, codified in Chapter 14 of the City Code, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

WHEREAS, the Planning and Zoning Commission of the City of Azle, Texas held a public hearing on November 7, 2024, and the City Council of the City of Azle, Texas held a public hearing on November 19, 2024, with respect to the zoning ordinance changes described herein; and

WHEREAS, the Planning & Zoning Commission and the City Council of the City of Azle, in compliance with the laws of the State of Texas and the ordinances of the City of Azle, have given requisite notice of publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance should be amended as described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AZLE, TEXAS THAT:

SECTION 1.

Section 3, "Definitions" of Exhibit A, "Zoning Ordinance" of Chapter 14, "Zoning" shall be amended to amend subsection 3.2 to add a new definition to read as follows:

WINERY: Winery means a facility used for the manufacturing, bottling, labeling

and packaging of wine and if necessary, may include the manufacturing and importation of grape brandy for fortifying purposes only. A winery may include the following accessory uses: a vineyard for the growing, cultivation or planting of grapes or other fruits, a tasting room to dispense wine for on-premises consumption, meeting or banquet facilities, restaurants, retail gift shops and retail sales area of wine for off-premises consumption.

SECTION 2.

Section 4, "Zoning District Regulations" of Exhibit A, "Zoning Ordinance" of Chapter 14, "Zoning" shall be amended to amend subsection 4.10 to read as follows:

Zoning Ordinance - Section 4.10 - Permitted Use Schedule

Commercial Uses	AG	LFO	E-1	E-2	E-3	SF-1	SF-2	SF-3	SF-4	SF-5	SF-MHP
Winery	S	S	S	S	S						

Commercial Uses	MD-1	MD-2	MF-1	MF-2	O	CBD	INS	C	HC	IND
Winery					S	P	S	S	S	S

SECTION 3.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances, City of Azle, Texas, as amended, except where the provisions are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

Any person, firm or corporation who violates, disobeys, omits, neglects, refuses or fails to comply with, or who resists the enforcement of any provision of this ordinance shall be fined not more than Five Hundred dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6.

All rights and remedies of the City of Azle are expressly saved as to any and all violations of the provisions of the Code of Ordinances, City of Azle, Texas, as amended, which have accrued at the time of the effective date of this ordinance; and, as such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, shall not be affected by this ordinance but may be prosecuted until final disposition by the court.

SECTION 7.

This ordinance shall be in full force and effect from and after its passage as provided by law, and it is so ordained.

AND IT IS SO ORDAINED.

DULY PASSED AND APPROVED by the City Council of the City of Azle, Texas, on November 19, 2024.

Mayor, Alan Brundrett
ATTEST:

Yael Hoffman, City Secretary

APPROVED AS TO FORM:

Andrea Russell, City Attorney

ORDINANCE NO. 2024-11

AN ORDINANCE OF THE CITY OF AZLE, TEXAS, AMENDING SECTION 3, "DEFINITIONS" OF EXHIBIT A, "ZONING ORDINANCE" OF CHAPTER 14, "ZONING"; AND AMENDING SECTION 4, "ZONING DISTRICT REGULATIONS" OF EXHIBIT A, "ZONING ORDINANCE" OF CHAPTER 14, "ZONING" OF THE CODE OF ORDINANCES, CITY OF AZLE, TEXAS, TO ADD NEW DEFINITIONS AND AMEND THE PERMITTED USE SCHEDULE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Azle is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Azle heretofore adopted the Zoning Ordinance of the City, codified in Chapter 14 of the City Code, which Ordinance regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

WHEREAS, the Planning and Zoning Commission of the City of Azle, Texas held a public hearing on March 21, 2024, and the City Council of the City of Azle, Texas held a public hearing on April 2, 2024, with respect to the zoning ordinance and subdivision changes described herein; and

WHEREAS, the Planning & Zoning Commission and the City Council of the City of Azle, in compliance with the laws of the State of Texas and the ordinances of the City of Azle, have given requisite notice of publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance should be amended as described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AZLE, TEXAS THAT:

SECTION 1.

Section 3, "Definitions" of Exhibit A, "Zoning Ordinance" of Chapter 14, "Zoning" shall be amended to amend subsection 3.2 to add a new definition to read as follows:

SMOKE SHOP AND TOBACCO STORE: Any retail establishment that is dedicated, in whole or in part, to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, tobacco paraphernalia, electronic vaping devices or other similar substances; provided, however, that any grocery store, supermarket, convenience store or similar retail use that only.

SECTION 2.

Section 4, "Zoning District Regulations" of Exhibit A, "Zoning Ordinance" of Chapter 14, "Zoning" shall be amended to amend subsection 4.10 to read as follows:

Zoning Ordinance - Section 4.10 - Permitted Use Schedule

Commercial Uses	O	CBD	INS	C	HC	IND
Auto and RV sales					S	S
Bar		S		S	S	S
Bed and breakfast		S				
Broadcasting or production studio				P	P	P
Car wash				S	S	S
Commercial parking lots	S	S	S	S	S	S
Equestrian facilities						
Equipment rental						S
Food Truck Park	S	S	P	S	S	S
Free standing emergency medical care facility/urgent care	L10	L10	L10	L10	L10	L10
Hotel /motel	S	S	S	S	S	P
Indoor recreation		P	P	P	P	P
Laundry facilities				S	S	P
Major event entertainment				S	S	S
Medical laboratories	P	P	P	P	P	P
Movie theaters				P	P	P
Outdoor recreation				P	P	P
Private club		S		S	S	S
Professional services and offices	P	P	P	P	P	P

Quick vehicle servicing		S		P	P	P
Restaurant	P	P	P	P	P	P
Retail sales and service	S	P	P	P	P	P
RV camp ground/park				S	S	
Scientific research	P	P		P	P	P
Sexually oriented business						S
Smoke Shop and Tobacco Store					S	S
Temporary construction office	L8	L8	L8	L8	L8	L8
Vehicle repair					S	P
Industrial Uses	O	CBD	INS	C	HC	IND
Bakeries		P		P	P	P
Construction equipment sales/storage						P
Distribution center				S	S	S
Feed lots						
Food processing						S
Gas wells/oil wells	S	S	S	S	S	S
Junk yards and auto wrecking						S
Kennels				S, L9	S, L9	S, L9
Manufacturing, light		S, L7		S, L7	S, L7	
Manufacturing, heavy					S, L7	S, L7
Manufacturing of non-odoriferous foods						P
Motor freight terminal						S
Printing/publishing		P			P	P
Radio, tv or cellular towers	S	S	S	S	S	S
Recycling business					S	S
Sanitary landfills, commercial incinerators, transfer stations						S

Self-service storage					S	S
Temporary concrete batch plant	P	P	P	P	P	P
Veterinary clinics				P	P	P
Wholesale sales				S	P	P
Wholesale nurseries						
Wholesale storage and distribution					S	S
Wrecker services and impound lots	S	S	S	S	S	S
Service Uses	O	CBD	INS	C	HC	IND
Barber, beauty & nail salon	P	P		P	P	P
Dance studio	P	P		P	P	P
Fitness facility	P	P	P	P	P	P
Health studio	P	P	P	P	P	P
Tattoo parlor				S	S	S
Tanning Salon		P		P	P	P

P - Permitted Use	S Specific Use Permit Required	L Permitted Use with designated limitations	L1 - Live stock permitted in accordance with Chapter 2 of the City of Azle Code of Ordinances	L2- HUD- Code manufactur ed homes	L3	L4
L5 - Building mounted wind generators may not extend <u>higher than</u> ten(10) feet above where the wind generator is mounted on the building.	L6 - Lots where the proposed wind generator s will be located shall have a minimum lot area of two (2) acres.	L7 - No outside storage of materials is allowed. No measurable increase in ambient sound shall be detectable at the property line.	L8 Temporary Construction Office may be erected 30 days prior to construction activities and shall be removed within 10 days of completion of construction activity[.]		- Accessory structures directly related to an agriculture function are allowed without a primary structure on platted land greater than 5 acres.	Accessory Dwelling shall not exceed the total square footage of the primary use, including all ancillary uses. Accessory Dwelling are only allowed on properties with frontage on and addressed from Main Street. Accessor y
The height shall be measured from the base of the wind generator where it is mounted on the building to the highest point of the arc of the blades' elevation. If the wind generator does not use blades, then height is measured from the base of the wind generator where it is mounted on the	A maximum of one (1) wind generator is permitted by right.					

building to the highest point of the <u>wind</u> generator.	Wind generator s shall be located	Dwellings
L10 - A minimum separation of 300' shall be maintained to any adjacent residential use[.]	minimum of 150 feet from the property lines. Multiple wind generators are permitted only with approval of a SUP. The maximum height of a wind generators shall not exceed the maximum height of a structure per the zoning district without an SUP[.]	must be attached to the structure housing the primary use. Only 1 Accessory Dwelling is allowed per platted lot[.]
		L9 - A minimum separation of 500' from any outdoor kennel or run shall be maintained to any adjacent residential use.

SECTION 3.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances, City of Azle, Texas, as amended, except where the provisions are in direct conflict with the provisions of their ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

Any person, firm or corporation who violates, disobeys, omits, neglects, refuses or fails to comply with, or who resists the enforcement of any provision of this ordinance shall be fined not more than Five Hundred dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6.

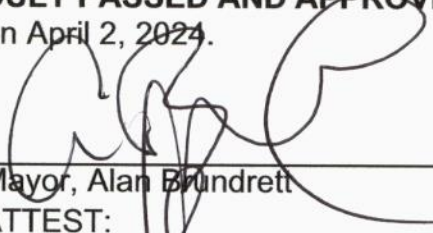
All rights and remedies of the City of Azle are expressly saved as to any and all violations of the provisions of the Code of Ordinances, City of Azle, Texas, as amended, which have accrued at the time of the effective date of this ordinance; and, as such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, shall not be affected by this ordinance but may be prosecuted until final disposition by the court.

SECTION 7.

This ordinance shall be in full force and effect from and after its passage as provided by law, and it is so ordained.

AND IT IS SO ORDAINED.

DULY PASSED AND APPROVED by the City Council of the City of Azle, Texas, on April 2, 2024.



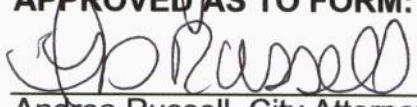
Mayor, Alan Brundrett

ATTEST:



Yael Forgey, City Secretary

APPROVED AS TO FORM:



Andrea Russell, City Attorney

Winery Benchmarking 10.28.24

Comparison City/Town	Definition of Winery (or similar if winery not specifically defined)	Permitted in what Zoning Districts?	Link to Use Chart, Zoning Code, or City Code
Argyle	Winery means a facility used for the manufacturing, bottling, labeling and packaging of wine and if necessary, may include the manufacturing and importation of grape brandy for fortifying purposes only. A winery may include the following accessory uses: a vineyard for the growing, cultivation or planting of grapes or other fruits, a tasting room to dispense wine for on-premises consumption, meeting or banquet facilities, restaurants, retail gift shops and retail sales area of wine for off-premises consumption.	Permitted in PD - planned development district only.	https://library.municode.com/tx/argyle/codes/development_standards/code_of_ordinances?nodeId=PDF_CH02_P0100SE_514.3_0705CH04
Arlington	Microbrewery Microdistillery Winery A microbrewery is a small-scale brewing facility designed for the production of malt liquors such as beer and ale, using grains such as oats, hops, rice, wheat, and barley, designed and managed to brew no more than 75,000 barrels of beer per year. A microdistillery is a small-scale facility designed for the manufacture, bottling, labeling, packaging, and sale of distilled spirits and other liquors. A winery is a facility designed for the manufacture, bottling, labeling, packaging, and sale of wine containing not more than 24 percent alcohol by volume. Bar An establishment, licensed by the State for the sale of alcoholic beverages, that derives more than 75 percent of the establishment's gross revenue from the on-premise sale of alcoholic beverages for on-premise consumption.	Permitted in GC General Commercial; FH Flex Hybrid; LI Light Industrial; IM Industrial Manufacturing; and RMU Regional Mixed Use. Requires Special Use Permit in DB Downtown Business.	https://cdm.com/limited-civiclive.com/UseFiles/Server/Server_14681062/Files/City/620144/Deputy_City%20Secretary/City_Code_of_Ordinances%20Chapter.pdf
Aze	BAR: An establishment where 51% or more of the revenues are from the sale of alcoholic beverages. PRIVATE CLUB: A group of people associated with or formally organized for a common purpose, interest or pleasure, including organizations with facilities for the storage, sale, possession, or serving of any alcoholic beverage permitted by the law of the State of Texas and where none of such facilities are available except to a member or their guests.	Bars and Private Clubs only in CBD, C, HC, and Ind with Special Use Permit	https://council-303.com/3033872430338724
Colleyville	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.	Special Use Permit required in CC1 Village Retail District, CC2 Shopping Center District, CC3 Highway Commercial District. Special Land Use Standards or Section Ref: 9	https://library.municode.com/tx/colleyville/codes/code_of_ordinances?nodeId=PDF_CH02_ARTICLE_0000_CH02A105_53_3405P010
Denton	Bar, Tavern, or Lounge: An eating and drinking establishment providing or dispensing the drink for on-site consumption fermented malt beverages, and/or malt, special malt, vinous, or spirituous liquors, and in which the sale of food products is secondary. A bar, tavern, or lounge may include the provision of live entertainment and/or dancing; however, shall not include any adult entertainment. Accessory uses may include the manufacture of alcoholic beverages for on-site consumption and/or retail sales.	Permitted in: MD Mixed Use Downtown Core, MB Mixed Use Regional, SC Suburban Corridor, HC Highway Corridor, GO General Office, LI Light Industrial, SUP+additional standards apply in MN Mixed Use Downtown Core.	https://library.municode.com/tx/denton/codes/development_code?nodeId=PDF_CH02_ARTICLE_0000_CH02A105_53_3405P010
Flower Mound	Alcoholic beverage means alcohol and any beverage containing more than one-half of the percent of alcohol by volume which is capable of use for beverage purposes, either alone or when diluted. Alcoholic beverage establishment means any establishment primarily engaged in the selling and/or processing and production of alcoholic beverages, as defined within the Texas Alcoholic Beverage Code, as amended, to the general public. Such establishments are limited to the functions allowed by their Texas Alcoholic Beverage Commission permit and the town's local option status. Examples of uses include brewery, distillery, winery, and wine and/or beer retail establishments. Wine and/or beer retail establishment means any establishment which derives the majority of its gross revenue from the sale of wine and/or beer to the general public for off-premises personal or household consumption and rendering services incidental to the sale of such goods. Wine and vinous liquor means the product obtained from the alcoholic fermentation of juice of sound ripe grapes, fruits, berries or honey, and includes wine coolers.	All subject to section 98-1009 Permitted in: R-1 retail district-1, R-2 retail district-2, C-1 commercial district-1, C-2 commercial district-2, WR water recreation district, REC recreational district, CC campus commercial district. Permitted in: I-1 industrial district-1, I-2 industrial district-2, REC recreational district, CI campus industrial district IF production area GREATER THAN 6,000 square feet. SUP required in: R-1 retail district-1, R-2 retail district-2, C-1 commercial district-1, C-2 commercial district-2, WR water recreation district, CC campus commercial district IF production area GREATER THAN 6,000 square feet. SUP required in: I-1 industrial district-1, I-2 industrial district-2, CI campus industrial district IF production area LESS THAN 6,000 square feet.	https://library.municode.com/tx/flower-mound
Fort Worth	Alcoholic beverage as defined by TABC which is: "Alcoholic beverage" means alcohol, or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.	Permitted in zoning districts: "E" Neighborhood Commercial: All uses permitted in "ER", plus retail sales, banks, restaurants, gasoline sales, bakeries, and alcohol sales for off-premise consumption and as part of food service; and "F" General Commercial; "Q" Intensive Commercial; "H" Central Business; "T" Light Industrial; "F" Medium Industrial; "H" Heavy Industrial.	https://council.library-ardapgl.com/codes/Search?parentSearch=twfr-0-0-36578
Grapevine	Winery, shall mean the manufacturing, bottling, labeling and packaging of wine containing not more than 24 percent alcohol by volume from grapes, fruits and berries grown on-premise or imported, and to include the manufacturing and importation of grape brandy for fortifying purposes only. Wine sales may be to holders of wholesaler's permits, winery permits, wine bottlers permits. Retail sales to ultimate consumers in unbroken packages for off-premise consumption may not exceed an amount of 25,000 gallons annually. A winery may include the following secondary uses: a tasting room to dispense wine for on-premise consumption; meeting/banquet facilities; restaurants and retail sales area of wine for off-premise consumption.	Permitted as a secondary use in GV Grapevine Vintage District with a conditional use permit. Requires conditional use permit in CBD Central Business District for "Winery with alcoholic beverage sales, with, on-premise and off-premise consumption, AND/OR Wine tasting facility with alcoholic beverage sales with on-premise and off-premise consumption. GV zoning designation ordinance: https://library.municode.com/tx/grapevine/codes/code_of_ordinances?nodeId=PDF_CH02_ARTICLE_0000_CH02A105_53_3405P010 And specific design requirements for lighting, parking lot lighting, outdoor storage, refuse disposal areas. And it is recognized that requiring wineries to have exterior fire resistant construction having at least 70 percent of the total exterior walls, excluding doors and windows constructed of brick, stone or other masonry or material of equal characteristics may not allow for vintage type developments. Wineries proposed in the GV not meeting the 70 percent masonry requirement shall present an exterior wall plan to the planning and zoning commission and the commission shall establish the amount of masonry required.	https://library.municode.com/tx/grapevine/codes/code_of_ordinances
Keller	Winery - A building or property that produces wine, an establishment where wine is made or a business involved in the production of wine.	Winery permitted in C - Commercial. Winery with retail sales (either on or off premise) permitted in R - Retail, and in both the Neighborhood and Main Street subdistricts of the OTK - Old Town Keller Overlay District. Requires SUP for Winery with retail sales (either on or off premise) in TC - Town Center District and in the TCM - Town Center Medical Overlay.	https://library.municode.com/tx/keller/codes/code_of_ordinances
North Richland Hills	Winery means a facility that (1) ferments juices from grapes and/or other fruit; (2) blends wines; (3) manufactures, bottles, labels, and packages wine; and/or (4) performs any other activity authorized by Chapter 35, Winery Permit, of the Texas Alcoholic Beverage Code, as amended.	Requires SUP for Brewery, Distillery, Winery in Light Industrial-1 and Medium Industrial-2	https://library.municode.com/tx/north-richland-hills
Roads	Alcoholic beverage means alcohol, or any beverage containing more than one-half (1/2) of one (1) percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted. Beer means a malt beverage containing one-half (1/2) of one (1) percent or more of alcohol by volume and not more than four (4) percent of alcohol by weight, and does not include a beverage designated by label or otherwise by a name other than beer.	Requires SUP for "Alcoholic Beverage Retail Sales, Beer Barns, Bars, Liquor Stores, etc. (No drive through)" in R - Retail; LC - Light Commercial; BP - Business Park and HI - Heavy Industrial.	https://library.municode.com/tx/roads/codes/code_of_ordinances
Saginaw	Winery - An establishment that meets the definition for a winery in the Texas Alcoholic Beverage Code. A winery may include a tasting room to dispense wine for on-premise consumption; meeting/banquet facilities; restaurants and retail sales area of wine for off-premise consumption.	Requires SUP in CC - Community Commercial; LI - Light Industrial; and HI - High Industrial. A site plan will be required in accordance with section 8-1, Site Plan Requirements.	https://library.municode.com/tx/saginaw/codes/code_of_ordinances
Southlake	Bar or Tavern - An establishment that derives 75 percent or more of the establishment's gross revenue from the on-premise sale of alcoholic beverages. (As amended by Ordinance No. 480-000) Private Club - A group of people associated with or formally organized for a common purpose, interest or pleasure, including organizations with facilities for the storage, sale, possession or serving of any alcoholic beverage permitted by the laws of the State of Texas, and where none of such facilities are available except to members or their guests. Restaurant - An establishment that primarily serves food prepared in the kitchen of the same establishment for patrons and may serve alcohol with a valid Texas Alcoholic Beverage Commission License as long as the establishment derives less than 75% of its gross revenues from alcohol sales. (As amended by Ordinance 480-000)	Permitted in DT: Beer, wine, and alcohol sales - No alcoholic beverage use shall be located within three hundred (300) feet of a church, public school or public hospital. Such measurement shall be made in accordance with the requirements set forth in Section 109.33 of the Texas Alcoholic Beverage Code. (As amended by Ordinance No. 480-VVV.) Permitted with SUP in C-3 - General Commercial and C-4 Arterial Mall Commercial District - Taverns, clubs, and other comparable establishments under which the on-premises consumption of alcoholic beverages is permitted subject to issuance of a special use permit as required in Section 46 of this ordinance. The mere reference to this provision within the zoning ordinance does not indicate or imply that the sale or consumption of alcoholic beverages has been or will be permitted under the alcoholic beverage laws of the State of Texas. It is only intended to define a location for this type of use if its existence should be permitted by state law.	https://library.municode.com/tx/southlake
Weatherford	Drinking establishment. A retail business that serves alcoholic beverages for on-premise consumption. No definition for liquor store, winery, distillery, or brewery.	Drinking Establishment permitted in CN - Central Neighborhood; I - Industrial; C1 - General Commercial; C2 - Interstate Commercial; C3 - Heavy Commercial; and CBD - Central Business District. Liquor Store permitted in C1 - General Commercial; and C2 - Interstate Commercial; and C3 - Heavy Commercial Liquor Store requires CUP in CBD - Central Business District Winery/Distillery/Brewery requires SUP I - Industrial	https://library.municode.com/tx/weatherford/codes/code_of_ordinances
Westlake	Does not allow stand-alone bar or liquor store: max 75% of sales can be derived from alcohol. Does not specify between on-premise or off-premise.	Winery/Brewery/Bar or Liquor Store: Sec. 6-23 - Districts in which certain alcoholic beverages sales permitted. Except as otherwise provided in this article, no dealer which derives more than 75 percent of the place of business' gross sales from the on-premise sale of alcoholic beverages will be permitted in the town. Such establishments will only be allowed in the districts, and pursuant to the requirements specified in chapter 302.	www.westlake-tx.gov/Assets/Attachments/Sec%206-23%20Districts%20in%20which%20certain%20alcoholic%20beverages%20sales%20permitted.pdf https://library.municode.com/tx/westlake/codes/code_of_ordinances?nodeId=PDF_CH02_ARTICLE_0000_CH02A105_53_3405P010



Presenter: David Hawkins, Director of Planning and Development

Agenda Item: Encroachment Agreement between the City of Azle and Asvalo Real Estate to allow private infrastructure within the street rights-of-way of Sandy Beach Road.

Background and Explanation:

The zoning for this property at 150 Sandy Beach Road was established back on December 2, 2003, when a Planned Development District was approved by the City Council (Ordinance No. 2003-30). This PD zoning district was created specifically for a proposed 312-unit, three-story multi-family development to be constructed on approximately 16 acres but was never constructed. Ordinance No. 2003-30 with approved concept plan is included in this packet.

Providing utilities to serve this development has been a challenge in the development of this property. Water is available to connect to on Sandy Beach Road and Boyd Road, but the nearest sewer main is located over 2,300' east on Sandy Beach (east of Hoover Elementary School) and south of the property an estimated 3,600' crossing Walnut Creek. Connecting to the existing City sanitary sewer would require a new lift station and private lines to serve this development.

The purpose of this discussion is to consider entering into an Encroachment Agreement with the multi-family developer to allow a private sanitary sewer service line to be located within the street rights-of-way along Sandy Beach Road to connect to the existing sanitary sewer line east of Hoover Elementary School. Section 21.36 of the Texas Administrative Code states that private utility lines are not permitted within public rights-of-way longitudinally unless authorized by the City.

The terms of the agreement would be stated such that the developer would burden the expense of installing, owning, maintaining, repairing, relocating, and removing if needed for the life of the private sewer utilities, both lift station and sewer lines. The City would also be paid annually for the cost of the encroachment up to a specified timeframe, typically 30 years. The City would not be responsible for the private lift station and sewer lines and will not take ownership of the sewer lines.

This private sewer line, if permitted, could also be utilized by other surrounding properties to be developed, either commercially or residential, and would not be any burden or cost to the City, allowing this northern area of Azle to be developed.

Board/Commission/Committee Recommendation:

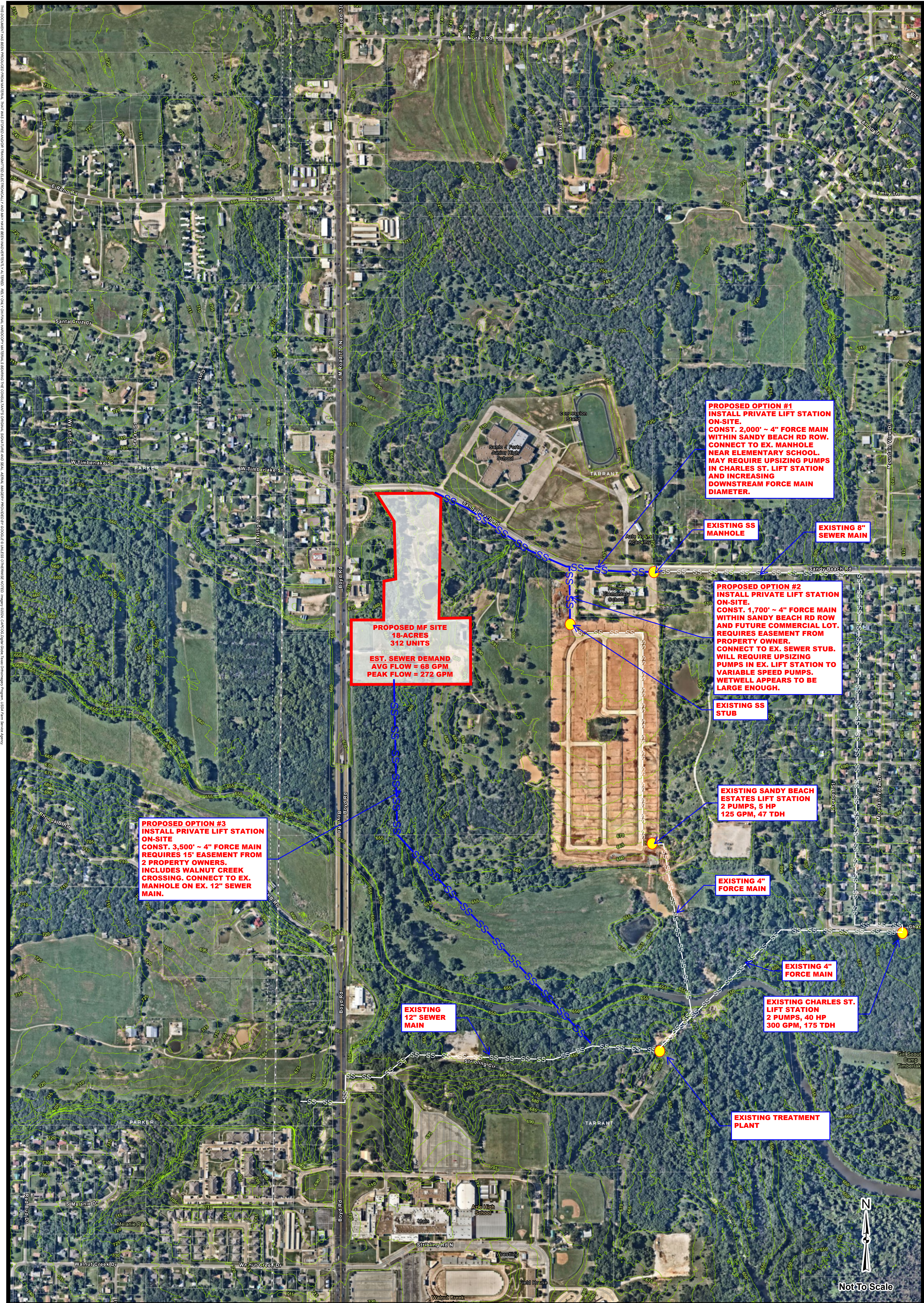
N/A.

Staff Recommendation:

City staff would support an Encroachment Agreement as it would open up development opportunities in this northern part of Azle and the new sewer utilities would not be any cost or burden to the City.

Attachments:

1. Azle MF Sewer Exhibit



DATE Oct 2024		PAPE-DAWSON ENGINEERS AZLE MF DEVELOPMENT SANITARY SEWER EXHIBIT	 201 MAIN STREET, STE 901 FT. WORTH, TX 76102 817.870.3668 TEXAS ENGINEERING FIRM #470 TEXAS SURVEYING FIRM #10028800	NO.	REVISION	DATE
SHEET 1.0						



Presenter: Lawrence Bryant, Assistant City Manager

Agenda Item: City Manager Updates

Background and Explanation:

Mayor Pro Tem Goode requested updates/discussion on the following items:

- Parking lot ordinance - notifying local businesses of the new ordinance and when does the grace period expire;
- Main Street takeover program from TxDOT - is it still active;
- Call back procedure on changes or emailed information (previously discussed during the October 15th Council meeting during a discussion on Investment Policy revisions);
- Donation box ordinance - can it be amended to expedite confiscation of boxes of repeat offenders which have outstanding fines on previous violations;
- "No littering" signs; and
- Amending zoning ordinance(s) to require businesses to orient the front of their respective building(s) to face the adjacent street.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

N/A.

Attachments:

None