



Legislation Details (With Text)

**File #:** 18-309      **Version:** 1

**Type:** New Business      **Status:** Approved

**File created:** 10/24/2018      **In control:** City Council

**On agenda:** 11/6/2018      **Final action:** 11/6/2018

**Title:** PUBLIC HEARING: Consider an ordinance amending the City of Keller’s Unified Development Code (UDC), by providing provisions for a winery land use and modifying Article Three - Definitions, and Article Eight - Zoning/Districts; providing penalties; providing a severability clause; providing a conflicting of ordinances clause; authorizing publication; and establishing an effective date. City of Keller, applicant. (UDC-18-0020)

**Attachments:** 1. 1913110618\_WineryTextAmendmentUDC-18-0020\_Ordinance

Date	Ver.	Action By	Action	Result
11/6/2018	1	City Council	close the public hearing	
11/6/2018	1	City Council	approve	

**To:** Mark R. Hafner

**From:** Trina Zais, Director of Public Services/Economic Development

**Subject:** PUBLIC HEARING: Consider an ordinance amending the City of Keller’s Unified Development Code (UDC), by providing provisions for a winery land use and modifying Article Three - Definitions, and Article Eight - Zoning/Districts; providing penalties; providing a severability clause; providing a conflicting of ordinances clause; authorizing publication; and establishing an effective date. City of Keller, applicant. (UDC-18-0020)

**Background:** Recently, a business proposed to revitalize a building in the Old Town Keller district and open a winery. This particular kind of winery does not locate next to a vineyard, but brings in the immature wine to be monitored, developed and maintained on-site in large barrels until it is ready to be bottled; then bottles and sells the wine.

A winery is defined as a building or property that produces wine, an establishment where wine is made or a business involved in the production of wine, such as a wine company.

Currently, there is no provision for winery in the City of Keller ordinances.

**Analysis:** A winery is in keeping with the goals and objectives of the City of Keller by attracting and retaining quality commercial developments that increase our residents’ property values and improve their quality of life.

**Current UDC Regulation:** Currently, a winery is not mentioned in the UDC.

**Proposed UDC Text Amendment:**

Section 3.01: Definitions, adding: Winery - A building or property that produces wine, an

establishment where wine is made or a business involved in the production of wine.

Section 8.03.O: Retail Zoning District. Providing Winery as a permissible (P) use if in conjunction with retail sales (either on or off premise).

Section 8.03.P: Town Center Zoning District. Providing Winery with a specific use permit (SUP) if in conjunction with retail sales (either on or off premise).

Section 8.03.Q: Old Town Center Zoning District. Providing Winery as a permissible (P) use if in conjunction with retail sales (either on or off premise).

Section 8.03.S: Commercial Zoning District. Providing Winery as a permissible (P) use.

### **Professional Analysis & Opinion:**

The overall economic impact of wine in Texas was \$1.88 billion in 2013, according to a 2013 study<sup>1</sup>. Winery sales alone accounted for \$86 million and over 11,000 FTE jobs. 2017 statistics show the industry has grown to \$2.25 billion and is the fifth (5<sup>th</sup>) largest wine producing state in the nation<sup>2</sup>.

It is the professional opinion of staff to support this additional use to the UDC and the City of Keller as it diversifies our economy and aligns with the overall Mission and Goals of the City of Keller.

### **Board Action:**

The Planning and Zoning Commission considered this UDC amendment at their meeting on October 22, 2018 and voted unanimously to recommended approval.

1. **Frank, Rimerman + Co. LLP** report updated January 2015: *The economic impact of wine and wine grapes on the state of Texas - 2013*;  
<https://www.depts.ttu.edu/hs/texaswine/docs/Economic-Report-2014-Final.pdf>
2. *Wines Vines Analytics 2017 Data Report*; <https://www.winesandvines.com/template.cfm?section=widc&widcDomain=wineries>