

To the Mayor and Members of the City Council

January 6, 2026

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SUBJECT: UPDATE ON PROPOSED ZONING AMENDMENTS TO ALLEVIATE THE PROLIFERATION OF CERTAIN BUSINESS USES (LIQUOR OR PACKAGE STORES, RETAIL SMOKE SHOPS AND CREDIT ACCESS BUSINESSES)

On December 2, 2025, staff presented proposed amendments to the Zoning Ordinance related to certain business land uses that tend to proliferate in areas. The proposed amendments are intended to promote balanced land use and protect neighborhood vitality. Feedback received from the Infrastructure and Growth Committee on October 21, 2025 and November 11, 2025 was incorporated into the recommendations presented to the City Council. The purpose of this Informal Report is to inform the City Council of a change to the proposed amendments related to pawn shops, provide a summary of the recommended amendments, and provide an update on the revised public hearing and adoption timeline.

Change to Staff Recommendation on Pawn Shop Distance

Following the presentation to the City Council, staff received feedback from pawn shop businesses and conducted additional research. Based on this additional information, staff proposes to remove the change previously proposed for pawn shops that would have increased the distance separation between pawn shops from 500 feet to 1,000 feet. The Texas Pawnshop Act provides that in counties greater than 250,000 in population, the state will not approve a new pawn shop license where the proposed facility is within two miles of an existing licensed pawn shop. The state's provision is effectively more restrictive than the proposed 1,000-foot distance requirement.

Summary on Proposed Amendments and Timeline for Consideration

In accordance with state law, staff mailed a notice to all property owners and tenants of the uses that could be impacted by the proposed changes informing them of the proposed amendments and public hearing dates. Additionally, staff emailed all registered neighborhood associations and presented the information to the Development Advisory Committee (DAC).

At the Zoning Commission meeting on December 10, 2025, staff requested to continue the public hearing to January 13, 2026, to allow additional time for public input on the proposed ordinance amendments. Following the Zoning Commission public hearing, the City Council will consider adopting the amendments on January 27, 2026. The proposed changes are summarized as follows:

Liquor or Package Stores

- Add a definition of **LIQUOR OR PACKAGE STORES** as "An establishment principally for the retail sale of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code, for off-premise consumption."
- Remove "Liquor or Package Stores" as a permitted use in the "E" Neighborhood Commercial zoning district and the "MU-1" Mixed Use form-based code district. "Liquor or Package Stores" would continue to be allowed by right in the following zoning districts: "F" General Commercial, "G" Intensive Commercial, "H" Central Business District, "I" Light Industrial, "J" Medium Industrial, "K" Heavy Industrial zoning districts, "MU-2" Mixed-Use-2,

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“NS/T4R” Near Southside, “NS-T4” Near Southside, “NS-T4N” Near Southside, “NS/T5” Near Southside, “PI” Panther Island, “CB/HC” Camp Bowie, “CB/RG” Camp Bowie, “CB/RU V C-North” Camp Bowie, “CB/RU V C-South” Camp Bowie, “CB/GC-MU” Camp Bowie, “CB/IA” Camp Bowie, “CB/WB” Camp Bowie, “BU-CX” Berry/University, “BU-SH” Berry/University, and “BU-IX” Berry/University.

- Establish a 1,000-foot distance separation requirement between liquor stores.

Credit Access Businesses (“Payday Lenders”)

- Add a definition consistent with the Texas Finance Code.
- Add “Credit Access Business” as a new land use in the Zoning Ordinance Uses Tables.
- Allow as a permitted use by right in the following zoning districts: “G” Intensive Commercial, “I” Light Industrial, “J” Medium Industrial and “K” Heavy Industrial.
- Allow as a permitted use in all form-based code districts except “TL-NB” Trinity Lakes, “BU-RA” Berry/University, “BU-RX” Berry/University, and “BU-CIV” Berry/University.
- Establish a 1,000-foot separation distance between credit access businesses.

Retail Smoke Shops

- Amend the definition of **RETAIL SMOKE SHOP** to mean: “Stores that derive 51% [currently 90%] or more of its gross annual sales from the sale of tobacco, cigarettes, smoking and electronic smoking devices, or related products and accessories and does not sell alcoholic beverages for onsite consumption.”
- Establish a 1,000-foot separation distance requirement between retail smoke shops.
- Increase the distance requirement from “sensitive uses” from 300 feet to 500 feet.
- Expand the list of sensitive uses to include public parks, places of worship, daycare centers. Current sensitive uses are schools, universities, and hospitals.

Bars

- Add a definition of **BAR** to mean: “An establishment that is principally for the sale and consumption of alcoholic beverages on the premises that derives 75 percent or more of its gross revenue on a quarterly (three-month) basis from the sale or service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code for on-premise consumption.”



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Restaurants

Amend the current definition of **RESTAURANT** to mean: "A place which is regularly open to the public, has suitable seating for guests, and which operates as a permanent food service facility through the preparation and service of multiple entrees in a kitchen as defined in this Subchapter with commercial cooking equipment, for consumption on or off premises. Accessory uses may include an outdoor dining area, a sidewalk café and/or space for dancing."

For questions, please contact LaShondra Stringfellow, Assistant Director of Development Services at 817-392-6214 or Stephanie Scott-Sims, Planning Manager, at 817-392-2412.

Jesus "Jay" Chapa
City Manager