



GARLAND
NOTICE OF MEETING
CITY OF GARLAND, TEXAS

Plan Commission
Public Meeting
Council Chambers
William E. Dollar Municipal Building
200 N. Fifth Street
Garland, Texas
May 11, 2026
6:30 PM

A meeting of the Plan Commission of the City of Garland, Texas will be held at the aforementioned location, date, and time to discuss and consider the following agenda items.

INVOCATION AND PLEDGE OF ALLEGIANCE: It is the custom and tradition of the members of the Plan Commission to have an invocation and recital of the Pledge of Allegiance prior to the beginning of the meeting. Members of the audience are invited to participate. However, members of the audience are not required to participate. The decision to participate is strictly a matter of personal choice and has no bearing on matters to be considered by the Plan Commission and will not affect the decisions to be made during the meeting.

The meeting will be broadcast on City of Garland Government Access Television (CGTV). CGTV is available via GarlandTX.gov, channel 16 (Spectrum), Channel 44 (Frontier), and channel 99 (AT&T U-verse). Meetings are broadcast online via live-streaming, on-demand, and air on CGTV with several rebroadcasts during the week of the meeting.

Public Comments

Your comments must relate to an item on this agenda - non-germane comments are not in order. Time limits will be imposed by the Chairman as appropriate to the nature of the agenda item. Generally, public speakers are given three minutes.

IN-PERSON COMMENTS: Registration will be required for any citizen wishing to speak. Speaker cards are available with the Secretary.

Garland City Hall and Council Chambers are wheelchair accessible. Special parking is available on the east side of City Hall and on Austin & State Street west of City Hall. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services must contact the City Secretary's Office at (972) 205-2404 at least two working days prior to the meeting so that appropriate arrangements can be made. BRAILLE IS NOT AVAILABLE.

If the Plan Commission adjourns into executive session during this meeting, the executive session will be conducted between and among the members of the Plan Commission and relevant City staff. Public access to that meeting is prohibited by State law.

AGENDA:

- 1. ITEMS FOR INDIVIDUAL CONSIDERATION**
 - a. April 27, 2026 Plan Commission Minutes**

2. PUBLIC HEARING

a. GDC Amendment ORD 26-04

Hold a public hearing to consider amendments to Chapter 2 Zoning Regulations and Chapter 6 Definitions generally related to Smoke Shops and Tobacco/Cigar Shops.

3. ADJOURN

NOTICE: The Plan Commission may recess from the open session and convene in a closed session if the discussion of any of the listed agenda items concerns matters regarding privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, Tex. Gov't Code.

NOTE: A quorum of the City Council may be in attendance and may or may not participate in the discussions of the Committee or board.



GARLAND

MINUTES

The Plan Commission of the City of Garland convened in regular session at 6:30 PM on April 27, 2026, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, Garland, Texas, with the following members present:

Present: Scott Roberts, Chairman
Wayne Dalton, 2nd Vice Chair
Julius Jenkins, 1st Vice Chair
Stephanie Paris, Commissioner
Georgie Cornelius, Commissioner
Jaric Jones, Commissioner
Patrick Abell, Commissioner
Edgar Miranda, Commissioner
Bob Duckworth, Commissioner

Staff Present: Nabila Nur, Planning Director
Emma Chetuya, Planning Administrator - Development
Kalyan Mutukundu, Planner I
Kurt Banowsky, Sr. Assistant City Attorney II
Elisa Morales, Recording Secretary

1. ITEMS FOR INDIVIDUAL CONSIDERATION

a. April 13, 2026 Plan Commission Minutes

Motion was made by Commissioner Jenkins to **approve** the Minutes as presented. Seconded by Commissioner Abell. **Motion carried: 9 Ayes, 0 Nays.**

2. PUBLIC HEARING

a. Z 26-10 Jose Murga (District 3)

*Hold a public hearing and consider the application of **Jose Murga**, requesting approval of 1) a Specific Use Provision (SUP) for a Restaurant, Drive-Through use on property zoned Community Retail (CR) District and 2) a concept plan for a Restaurant, Drive-Through use. The site is located at 480 West Interstate Highway 30. (District 3) (File Z 26-10)*

Kalyan Mutukundu, Planner I, presented the request to the Commission and remained available for questions.

The applicant, Jose Murga, 14001 Dallas Parkway, Suite 400, Dallas, TX 75240, provided an overview of the request and remained available for questions.

Motion was made by Commissioner Paris to close the public hearing and approve the application as presented with a 15-year SUP. Seconded by Commissioner Jenkins. **Motion carried: 9 Ayes, 0 Nays.**

3. ADJOURN

There being no further business to come before the Plan Commission, the meeting adjourned at 6:59 p.m.

Submitted By:

Scott Roberts, Chair

Elisa Morales, Secretary

Planning Report

GDC Amendment ORD 26-04

Agenda Item:

Meeting: Plan Commission

Date: May 11, 2026



GARLAND

TEXAS MADE HERE

REQUEST

A public hearing to consider amendments to Chapter 2 Zoning Regulations and Chapter 6 Definitions generally related to Smoke Shops and Tobacco/Cigar Shops and clarifying some provisions for multifamily standards.

BACKGROUND

The Garland Development Code (GDC) currently has a Smoke Shop use whose standards make regulation of this use challenging. Additionally, this use does not include standards for vaping products, nor do the standards distinguish the use from a Tobacco/Cigar Shop.

To address these issues, the Development Services Committee directed staff to come up with some recommendations. The Committee and staff propose amendments to the GDC's use regulations and definitions to more clearly define a Smoke Shop and distinguish it from a Tobacco/Cigar Shop.

First, the proposal is to add a Tobacco/Cigar Shop use, defined as a commercial establishment in which more than 75 percent of the store's inventory consists of "the following tobacco products in the original manufacturer's packaging: cigarettes, cigars, pipe tobacco, snuff, or chewing tobacco." In contrast, the use regulations at § [2.52\(A\)\(39\)](#) will continue to stipulate that a Smoke Shop is a commercial establishment in which these tobacco products make up less than 75 percent of the store's inventory.

Next, it is recommended to amend the use regulations of a Smoke Shop so the 75 percent threshold applies to a store's inventory, rather than its revenue. Additionally, this standard would now apply specifically to "publicly displayed" inventory. This standard would also be included in the proposed definition of a Tobacco/Cigar Shop.

Lastly, it is proposed to amend the definition of a Smoke Shop at § [6.03](#) to include products for the "vaporizing" of any substance. This would ensure that vaping products are included in the definition of a Smoke Shop use.

For all recommended amendments to use regulations, see Attachments 2 and 3. For amendments related to definitions, see Attachment 4.

The proposed amendments to multifamily are not substantial, it is to clarify the recently updated standards in another section of the GDC to bring all provisions in alignment.

STAFF RECOMMENDATION

Staff recommends approval of the GDC amendment.

ADDITIONAL INFORMATION

GDC Sections Related to the Amendments.

PREPARED BY:

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ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 2.52, "SPECIAL STANDARDS FOR CERTAIN USES," AND SECTION 2.51, "THE LAND USE MATRIX," OF CHAPTER 2, "ZONING REGULATIONS," OF THE GARLAND DEVELOPMENT CODE OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY UNDER THE PROVISIONS OF SECTION 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That Section 2.52, "Special Standards for Certain Uses," of Article V, "Use Regulations," of Chapter 2, "Zoning Regulations," of the Garland Development Code of the City of Garland, Texas, is hereby amended *in part by repealing the existing subsection A(39)* and adding subsections A(39) and A(40) to read as follows:

(39) *Smoke Shops.* A smoke shop, as defined in Chapter 6 of this GDC, may only operate with a valid SUP. There shall be a rebuttable presumption that a tobacco/cigar shop is operating as a smoke shop where (1) tobacco products in their original manufacturer packages (e.g., cigarettes, cigars, pipe tobacco, snuff, or chewing tobacco) make up less than 75% of its publicly displayed inventory, or (2) the establishment's marketing or advertising, whether on-premise or off-premise, encourages or promotes the use of cannabis, illegal substances, hemp-derived products, or controlled substances, including items labeled as "novelty" or "not for human consumption."

(40) *Mixed-use and Multifamily Residential Use.* Mixed-use and Multifamily residential use must comply with the following provisions of this Subsection (40):

(a) Definitions. For purposes of this Subsection:

(i) For purposes of this subsection, "Mixed-use residential" shall have the definition set forth in Section 218.001 of the Texas Local Government Code.

(ii) For purposes of this subsection, "Multifamily residential" shall have the definition set forth in Section 218.001 of the Texas Local Government Code.

(b) In accordance with Section 218.101 of the Texas Local Government Code and notwithstanding any other provision of this Garland Development Code to the contrary, Mixed-use residential and Multifamily residential uses and development are allowed in zones NO, CO, NS, CR, LC, HC, subject to the following restrictions:

(i) The maximum density shall be the highest residential density allowed within the City.

(ii) The maximum building height per Table 2-4 shall apply.

(iii) The setback requirement per Table 2-4 shall apply.

(iv) The parking requirement shall be one space per dwelling unit.

(v) Mixed-use residential and Multifamily residential use shall not be permitted within:

- (1) One thousand feet (1,000') of an existing heavy industrial use or development site;
- (2) Three thousand feet (3,000') of an airport or military base; or
- (3) Within an area which has been designated as a clear zone or accident potential zone.

Section 2

That Section 6.03, "Definitions," of Chapter 6, "Definitions," of the Garland Development Code of the City of Garland, Texas, is hereby amended, *in part*, to read as follows:

. . . .

SMOKE SHOP: (X) A commercial establishment to which the public is admitted or invited, whose primary business purpose is the sale, distribution, or exchange, for any form of consideration, of items, instruments, or devices that are intended, designed, or marked for use in the~~which: (i) as its principal business purpose, offers for sale, distribution or exchange, for any form of consideration, any items, instruments, devices, equipment, accessories, or products that are intended, designed or marketed for use in the smoking, or inhaling, vaporizing, or consumption of any substance, including but not limited to tobacco, salts, incense, marijuana, hashish, hashish oil, cocaine or other controlled substances as defined in the Texas Health and Safety Code regardless of whether the substance itself is sold on the premises. For the purpose of this definition, a commercial establishment's primary business purpose is the sale of such items, instruments, or devices where (1) the display or sale of such items, instruments, or devices predominates over the sale or display of consumable tobacco products, or (2) the establishment's marketing or advertising encourages or promotes the use of cannabis, illegal substances, hemp-derived products, or controlled substances, including items labeled as "novelty" or "not for human consumption.;~~ and (ii) holds itself out, taking into account its business operations, its general inventory, and its commercial promotions whether on or off premise, as encouraging or promoting the use of cannabis, illegal or controlled substances, or on which controlled substances are sold, marketed, or displayed even if marked as being sold for "novelty" or not for human consumption purposes. This definition does not include, and categorically excludes, commercial establishments that derive more than seventy five percent of their revenue from the sale of the following tobacco products contained in the original manufacturer package: cigarettes, cigars, pipe tobacco, snuff, or chewing tobacco.

. . .

TOBACCO/CIGAR SHOP: A tobacco/cigar shop is a commercial establishment to which the public is admitted or invited in which more than seventy-five percent (75%) of the store's publicly displayed inventory consists of the following tobacco products in the original manufacturer's packaging: cigarettes, cigars, pipe tobacco, snuff, or chewing tobacco. This definition does not include, and categorically excludes any establishment that markets, promotes, or advertises,

whether on or off-premise, the use of cannabis, illegal substances, hemp-derived products, or controlled substances.

. . .

Section 3

That Section 2.51, "The Land Use Matrix," of Chapter 2, "Zoning Regulations," of the Garland Development Code of the City of Garland, Texas, is hereby amended, *in part, certain requirements related to multi-family and apartment dwellings,* as more particularly described and depicted in Exhibit "A," which is attached hereto and incorporated herein by reference.

Section 4

That Section 2.51, "The Land Use Matrix," of Chapter 2, "Zoning Regulations," of the Garland Development Code of the City of Garland, Texas, is hereby amended, *in part, certain requirements related to smoke shops and tobacco/cigar shops,* as more particularly described and depicted in Exhibit "B," which is attached hereto and incorporated herein by reference.

Section 5

That Division 2, "Land Use Matrix," of Article V, "Use Regulations," of Chapter 2, "Zoning Regulations," of the Garland Development Code of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 6

That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas.

Section 7

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 8

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2026.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

PUBLISHED:

EXHIBIT "A"

**Revised Land Use Matrix
(Multi-Family & Apartments)**

Exhibit "B"
Land Use Matrix
(Smoke Shops & Tobacco Shops)

Exhibit A – Land Use Matrix

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	CO	NS	CR	LC	HC	IN	UR	UB	DT (see Ch. 7)	Parking Requirements	Cross-Reference(s) for Special Standards
Dwelling, Two-Family (duplex)							P	P										-	2 enclosed/dwelling unit	Sec. 2.38
Dwelling, Industrialized Housing Unit	P	P	P	P	P	P	P											-	2 enclosed/dwelling unit	Sec. 2.52(A)(5)(d)
Dwelling, Manufactured/HUD-Code Home	S																	-	2 enclosed/dwelling unit	-
Dwelling, Mobile Home	S																	-	2 enclosed/dwelling unit	-
Dwelling, Multifamily								P	*	*	*	*	*	*		P	P	-	Efficiency: +1 space 1 bedroom: 1.5 spaces 2+ bedrooms: 2 spaces 1 space/dwelling unit	Sec. 2.39; Sec. 2.52(A)(3940)
Dwelling, Live/Work																P	P	-	2 spaces, plus nonresidential requirement	Sec. 2.52(A)(5)(e)
Dwelling, Zero-Lot-Line Home					P			P										-	2 enclosed/dwelling unit	Sec. 2.36(C)
Dwelling, Single-Family Detached	P	P	P	P	P	P	P	P										-	2 enclosed/dwelling unit	Sec. 2.36
Dwelling, Single-Family Attached (Townhouse)						P		P	*	*	*	*	*	*		P	P	-	2.25 enclosed/dwelling unit	Sec. 2.37

Exhibit A – Land Use Matrix

Dwelling, Apartment									*	*	*	*	*	*		P	P	-	Efficiency: 1 space 1-bedroom: 1.5 spaces 2+ bedrooms: 2 spaces 1 space/dwelling unit	Sec. 2.52(A) (3940)
Manufactured/Mobile Home Park or Subdivision																		-	-	-

Exhibit B – Land Use Matrix

	AG	SF-E	SF-10	SF-7	SF-5	SFA	2F	MF (MF-0, MF-1 and MF-2)	NO	NS	CR	LC	HC	IN	UR	UB	DT (see Ch. 7)	Parking Req's	Cross- Reference(s) for Special Standards
...														.			-
Smoke Shop														S			-	1/250 gfa	- <u>Sec. 2.52(A)(39)</u>
...																			
<u>Tobacco/Cigar Shop</u>										<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>S</u>	-	<u>1/150 gfa</u>	-