



City of La Vernia  
**CITY COUNCIL AND PLANNING AND ZONING  
COMMISSION JOINT WORKSHOP**

102 E. Chihuahua St., La Vernia, Texas 78121

February 28, 2024

6:00 PM

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## MINUTES

### 1. Call to Order

The meeting was called to order at 6:00 pm,

For City Council, Members, Oates, and Rabel as well as Mayor Poore were present

For Planning and Zoning, members Robbins, Real, and Tanneberger were present

### 2. Invocation & Pledge of Allegiance

Councilmember Oates led the prayer and Mayor Poore led the pledge

### 3. Citizens to Be Heard

*(At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to Be Heard section no council action may take place and no council discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the council may extend this time at their discretion.)*

None

### 4. Discussion Only

- A. Discuss options for establishing a new permitted use not currently in existence in our code of ordinances per Sec. 38-303. - Classification of new and unlisted uses being known as a variant of botanical sales- smoke/ vape shop- smoke lounge or otherwise relates uses

The City Attorney, Dan Santee, presented

He discussed that the state of Texas already regulates smoke shops, and thus, age restrictions, distancing requirements and so on exist in that area,

However, the state does not yet regulate much of the non-smokable CBD product area, thus, the city could certainly make an argument for regulating this area, until the time it may be challenged on the matter,

With this in mind: smokable CBD products are still illegal in Texas

The commission and council decided to pursue an option where CBD shops will be allowed in any of the commercial districts and industrial districts by SUP only, and being allowed in no district by right

The SUP will have requirements built into it regarding distancing from facilities involving children, and signage restrictions

A CBD shop, and a smokeshop will be distinguished from one another, but be allowed to operate simultaneously

**5. Future Items**

None

**6. Adjourn**

Councilmember Rabel made a motion to adjourn the meeting at 6:53 pm, seconded by Councilmember Oates, all in favor

**DECORUM REQUIRED**

*Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.*

*The City Council for the City of La Vernia reserves the right to adjourn into executive session at any time during this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), and §551.087 (Economic Development), and any other provisions under Texas law that permit a governmental body to discuss a matter in closed executive session.*

*The City of La Vernia Council meetings are available to all persons regardless of disability. The facility is wheelchair-accessible and parking spaces are available. Request for accommodations, should you require special assistance, must be made 48 hours before this meeting. Braille is not available. Please contact the City Secretary at (830) 779-4541 or email [Lboyd@lavernia-tx.gov](mailto:Lboyd@lavernia-tx.gov).*

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above-named La Vernia City Council is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin boards of the City Hall of said La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **FEB 23, 2024 at 5:00 PM** and remained so posted continuously for at least 72 Hours preceding the scheduled time of said meeting.

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Lindsey Wheeler, City Secretary