

**ORDINANCE NO. 101024-02**

**AN ORDINANCE OF THE CITY OF LA VERNIA, TEXAS AMENDING LA VERNIA CODE OF ORDINANCES CHAPTER 38 ZONING, SEC. 38-304. - ADDITIONAL USE REGULATIONS; AMENDING SECTION 6 POOL REGULATIONS; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 211 of the Vernon's Local Government Code empowers a city to enact zoning regulations and provide for their administration, enforcement, and amendment; and

**WHEREAS**, the City has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City to promote the public health, safety, morals, and general welfare of the residents of the City, and

**WHEREAS**, the City of La Vernia Code of Ordinances Chapter 38, which constitutes the City's Zoning Ordinance, requires a property to be zoned in accordance with proper designations as defined by this ordinance; and

**WHEREAS**, the City Council and Planning and Zoning Commission of the City of La Vernia have met and discussed amending the above-mentioned sections of the Zoning code; and

**WHEREAS**, the Planning and Zoning Commission of the City of La Vernia has recommended approval of the amendments to the Zoning Regulations discussed in this ordinance, and the proposed amendments are uniform and conform to the plan and design of the City of La Vernia's Zoning Ordinance; and

**WHEREAS**, the City Council of the City of La Vernia believes the amendments will comply with the standards and purpose of the Zoning Ordinance and are in the best interests of the public safety and the general welfare of the residents of the City of La Vernia;

**NOW THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA VERNIA, TEXAS:**

**Section 1.  
Zoning Regulations Amended.**

**CHAPTER 38 ZONING, SEC. 38-304. - ADDITIONAL USE REGULATIONS** of the City of La Vernia's Code of Ordinances is hereby amended as reflected in the attached document as **Attachment "A."**

**Section 2.  
Severability**

If any section, subsection, paragraph, sentence, clause, phrase, or word in this Ordinance, or the application thereof, to any person or circumstance, is held invalid, such holding shall not affect the validity of the remaining portions of the same and the City Council hereby declares it would have passed such remaining portions despite such invalidity.

**Section 3  
Cumulative**

This ordinance is cumulative of all other laws addressing land use regulations and any prohibitions and sanctions that may be imposed under other laws relating to the subjects covered hereunder.

**Section 4.  
Effective Date**

This ordinance shall take effect immediately after its passage and publication, as may be required by governing law.

**PASSED, APPROVED, AND ADOPTED THIS 10<sup>TH</sup> DAY OF October 2024.**

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Martin Poore, Mayor  
City of La Vernia

**ATTEST:**

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Madison Farrow, City Secretary  
City of La Vernia

## ATTACHMENT A

### Sec. 38-304. - Additional use regulations.

The following additional regulations shall be applicable to the uses identified herein:

(1)

*Commercial amusement.* A commercial amusement use shall be treated acoustically so that no noise of the enterprise is perceptible at the bounding property line.

(2)

*Bed and breakfast.* A bed and breakfast shall not permit the operation of a restaurant for customers other than the occupants of the guestrooms. Parking shall be provided at a minimum of one space per bedroom.

(3)

*Garden center, retail sales.* Items that are displayed for sale to the general public shall be located behind the front yard line established in the district in which the garden center is located.

(4)

*Retirement housing, assisted living, adult day care.* The following subsidiary uses may be permitted to provide on-site goods and services for residents and their guests, but are not intended for use by the general public:

a.

Cafeteria and/or dining room;

b.

Library;

c.

Game room;

d.

Swimming pool and/or Jacuzzi;

e.

Exercise room;

f.

Arts and crafts facilities;

g.

Greenhouse;

h.

Housekeeping service;

i.

Transportation service;

j.

Snack bar with a maximum of 350 square feet per 100 dwelling units;

k.

Beauty/barber shop with a maximum of 450 square feet per 100 dwelling units or a minimum of 250 square feet per 100 dwelling units;

l.

Convenience retail shop with minimum of 350 square feet per 100 dwelling units to provide for sale of food items, nonprescription drugs, small household items, and gifts.

(5)

*Servant's/caretaker's/guard's residence.* The living area of a servant's, caretaker's, or guard's residence shall not exceed 1,000 square feet.

(6)

*Swimming pool (Private or HOA):* Swimming pools shall be located within the required side or rear yards provided, however, that a pool shall not be located closer than ~~eight~~ **five** feet to any property line or utility easement.

(7)

*Community home.* shall provide the following services to persons with disabilities who reside in the home include:

a.

Food and shelter;

b.

Personal guidance;

c.

Care;

d.

Habilitation services; and

e.

Supervision.