

ORDINANCE No. 02013-001

AN ORDINANCE AMENDING CHAPTER 36, DEFINITIONS, CERTAIN USE REGULATIONS AND ARTICLE VI - TABLES OF THE CITY OF SHAVANO PARK CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 211 of Vernon’s Local Government Code empowers the City Council of the City of Shavano Park to enact zoning regulations and provides for their administration, enforcement and amendment; and

WHEREAS, the City Council of the City of Shavano Park has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of Shavano Park; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the City Council desires to amend the Zoning regulations to allow for certain uses not currently delimited but consistent with existing uses in certain districts; and

WHEREAS, the City Council specifically finds that the requirements specified herein are rationally related to protecting the public purposes of lessening congestion in the streets, securing the safety of its citizens from fire, panic, and other dangers, promoting the health and the general welfare of its citizens; preventing the overcrowding of land, and avoiding undue concentration of population.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHAVANO PARK, TEXAS THAT:

**I
CODE AMENDMENT**

Chapter 36 of the City of Shavano Park Code of Ordinances, Section 36-1 Definitions is hereby amended to include the following Definitions:

Religious, cultural and fraternal activity - A use or building owned or maintained by organized religious organizations or nonprofit associations for social, civic or philanthropic purposes, or the purpose for which persons regularly assemble for worship.

Boutique automobile sales – low-volume sales of automobiles on lots not exceeding two (2) acres. Low-volume shall mean that no more than twenty (20) automobiles shall be kept on the lot at any given time.

Chapter 36 of the City of Shavano Park Code of Ordinances, Section 36-39 (6) a. 1. is hereby amended as follows:

6) *B-1 Business District.*

a. *Use regulations.*

1. This district is composed of light commercial uses, provided all business activities, except for outdoor dining, are completely contained within an enclosed structure or court.

Chapter 36 of the City of Shavano Park Code of Ordinances, Section 36-39 (7) a. 1. is hereby amended as follows:

7) *B-2 Business District.*

a. *Use regulations.*

1. This district allows for general commercial uses, provided all business activities, except for outdoor dining, are completely contained within an enclosed structure or court.

Chapter 36 of the City of Shavano Park Code of Ordinances, Article VI – Tables, Table No. 3, table of Permitted uses, O-1 zoning Category is hereby amended to include the following categories of uses:

Accounting

Tax Preparation Services

Chapter 36 of the City of Shavano Park Code of Ordinances, Article VI – Tables, Table No. 4, table of Permitted uses, B-1 zoning Category is hereby amended as follows:

Table No. 4
Table of Permitted Uses
B-1 Zoning Category

As required by Section 36-39 (6) a. 1. all business activities, except for outdoor dining, are required to be completely contained within an enclosed structure or court.

Any use permitted in O-1 Zoning Category, See Table No. 3

. . .

Restaurant.

Religious, cultural and fraternal activity up to 5,000 square feet.

Schools up to 5,000 square feet.

The Chapter 36, Article VI – Tables, Table No. 5, table of Permitted uses, B-2 zoning Category of the City of Shavano Park Code of Ordinances is hereby amended to include the following categories of uses:

Table No. 5
Table of Permitted Uses
B-2 Zoning Category

As required by Section 36-39 (7) a. 1. all business activities are required to be completely contained within an enclosed structure or court.

Any use permitted in B-1 Zoning Category, see Table No. 4

. . .

Boutique automobile sales with outdoor display (no overnight outdoor, parking, storage or display unless completely contained within an enclosed structure or court (with a height of not less than six feet))

Religious, cultural and fraternal activity over 5,000 square feet.

Schools over 5,000 square feet.

II CUMULATIVE CLAUSE

That this ordinance shall be cumulative of all provisions of the City of Shavano Park, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.

III SEVERABILITY

That it is hereby declared to be the intention of the City Council of the City of Shavano Park that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

IV PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government

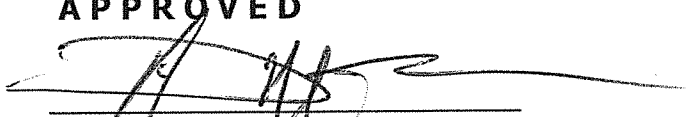
V EFFECTIVE DATE

This ordinance shall be effective upon passage and publication as required by State and Local law.

FIRST READING by the City Council of the City of Shavano Park this the 25 day of March, 2013.


PASSED, ADOPTED AND APPROVED ON THE SECOND READING by the City Council of the City of Shavano Park this the 22 day of April, 2013.

APPROVED



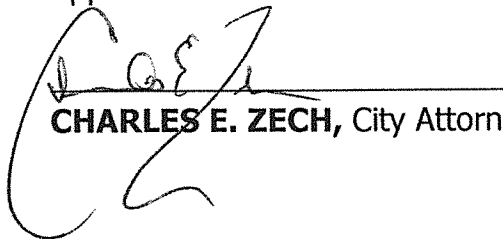
A. DAVID MARNE, MAYOR

Attest:



Zina Tedford, City Secretary

Approved as to Form:



CHARLES E. ZECH, City Attorney