Ordinance No. 2005.12 Village of Salado County of Bell State of Texas September 29, 2005

## ZONING USE CHART AMENDMENT

AN ORDINANCE AMENDING THE SALADO ZONING ORDINANCE, NO. 2003.12, USE CHART, PROVIDING ALLOWANCE OF FUNERAL HOMES AS A PERMITTED USE UNDER PERSONAL & BUSINESS SERVICES IN LOCAL RETAIL.

- WHEREAS, the Board of Aldermen of the Village of Salado finds that the establishment of a funeral home is a need that warrants inclusion in the Village's Zoning Ordinance Use Chart as allowable in Local Retail; and
- WHEREAS, the Board of Aldermen finds that the state restrictions for operating a funeral home are adequate measures to safeguard the community; and
- WHEREAS, the Board of Aldermen is authorized to make amendments to the Zoning Ordinance in conformance with Chapter 211 of the Texas Local Government Code.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE OF SALADO BOARD OF ALDERMEN:

#### **AMENDMENT**

Add a "P" to the zoning ordinance use chart, page 74, under Personal & Business Services, Funeral Home or Mortuary, LR (local retail).

#### REPEALER

- A. All Ordinances or parts of Ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of any such conflict.
- **B.** Specifically repealed by this Ordinance are ordinances 2001.07 and 2001.22, which shall remain in effect only in regards to permits that were issued and actions that were taken when 2001.07 and 2001.22 were applicable.

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### **SEVERABILITY**

It is hereby declared to be the intention of the Board of Aldermen that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall 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 this Ordinance, and the remainder of this Ordinance shall be enforced as written.

## 4. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required 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 Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED on this, the 29th day of September, 2005, by a vote of \_\_\_\_\_\_ ayes, \_\_\_\_\_ nays, and \_\_\_\_\_\_ abstentions of the Board of Aldermen.

THE VILLAGE OF SALADO, TEXAS

Rick Ashe, Mayor

## **CERTIFICATE**

THE STATE OF TEXAS COUNTY OF BELL

I, Dianna Zulauf, being the current Village Secretary of the Village of Salado, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2005.12, passed and approved by the Board of Aldermen of the Village of Salado, Texas, on the 29 day of September, 2005, and such Ordinance was duly adopted at a meeting open to the public and notice of said meeting, giving the date, place and subject thereof, was posted as prescribed by Government Code 551.043.

Witness my hand and seal of office this 29 day of September, 2005.

Dianna Zulauf

Village Secretary

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Permitted Uses	Residential Uses					Non-Residential Uses							
PERSONAL & BUSINESS SERVICES		SF-21	SF-7	SF-PH	SFA	MF-1	0	ړ≘	LR	RR	MU	BP	С
Funeral Home or Mortuary 🕮									P	$\setminus$		С	P
Motel or Hotel 🕮								С	С	С	P	P	P
Martial Arts School							P	С	P	P	С	Р	P
Kiosk (Providing A Service) 🕮							С	С	С	С	С	С	P
Laundry/Dry Cleaning (Drop Off/Pick Up) 🕮							С	С	P	P	P	P	P
Locksmith							С	P	P	P	С	P	P
Mini-Warehouse/Self Storage 🕮										-	-	С	P
Photo Studio							Р	P	P	P	P	P	P
Photocopying/Duplicating							P	С	P	P	P	P	P
Security Quarters as Associated with a Business (Live-In)							С	С	С	С	С	С	С
Sexually Oriented Business (Refer to Ordinance #2003.09)												Р	
Shoe Repair							P	P	P	P	P	P	P
Studio for Radio or Television (Without Tower)							P	С	P	P	P	P	P
Tailor Shop							P	Р	P	P	P	P	P
Tool and Machinery Rental (Indoor Storage)											С		P
Tool and Machinery Rental (Outdoor Storage)											С		С
Travel Agency							P	P	P	P	P	P	P
Permitted Uses		Res	iden	tial \	Jses		Non-Residential Uses						
RETAIL	ď	SF-21	SF-7	SF-PH	SFA	MF-1	0	Œ	LR	RR	MU	BP	С
All Terrain Vehicle Dealer / Sales Only											С	P	P
Antique Shop 🕮							P	P	P	P	Р	P	P
Art Dealer/Gallery 🕮		<u> </u>					Р	P	Р	P	P	P	P
Auto Sales (New and Used) 🕮		-								C	С	P	
Auto Supply Store for New & Rebuilt Parts 🕮									С	P		Р	P
Bakery or Confectionary (Retail) 🕮					•		С	Р	P	P	P	P	P
Bike Sales and/or Repair								С	P	P	Р	P	P
Book Store							С	P	P	P	P	P	P
Building Material Sales 🕮									С	С	С	Р	С
Cabinet Shop (Manufacturing)											С	С	P
Cafeteria							С	С	P	P	P	P	P
Consignment Shop							С	P	P	P	P	Р	Р



# Planning & Zoning Commission

P.O. Box 219, Salado, Texas 76571 \*\*\* (254) 947-5060

September 20, 2005

TO: Village of Salado Board of Aldermen

FROM: Jack Herrington, P&Z Chairman

RE: Broecker Funeral Home

The Planning & Zoning Commission met today at a special called meeting to consider a request from C.D. and Patricia Broecker to allow a Funeral Home facility to be operated in areas designated as Local Retail. This consists of adding a "P" in the zoning use chart under Personal & Business Services for Funeral Home or Mortuary. The P&Z commission has determined that the request does meet all the criteria set forth in the Village's zoning ordinance. Therefore, the P&Z Commission recommends approval to the Board of Aldermen of Mr. & Mrs. Broecker's request.

If you need any further information on this issue, please do not hesitate to contact me.