

**CITY OF LAVON, COLLIN COUNTY, TEXAS**

**ORDINANCE NO. 2013-05-02**

Amending the Comprehensive Zoning Ordinance Related to Churches

**AN ORDINANCE OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO. 97-12-08, ARTICLE III GENERAL REQUIREMENTS; PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Lavon had been presented with concerns by the Citizens and Members of the Planning and Zoning Commission that the Comprehensive Zoning Ordinance does not adequately address Churches and religious organizations; and

**WHEREAS**, the Planning and Zoning Commission believed it is in the best interest of the City to clearly define the regulations related to Churches and religious organizations; and

**WHEREAS**, the Planning and Zoning Commission and the City Council held a dual Public Hearing on October 19, 2010, the Planning and Zoning Commission voted to recommend the amendments and the City Council voted to adopt the amendments; and

**WHEREAS**, the original ordinance was never completed.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS;**

**SECTION 1. Adding Article III, Section 20**

The Comprehensive Zoning Ordinance No. 97-12-08, *Article III General Requirements*, shall be amended by the addition of *Section 20 Churches and Religious Organizations* immediately after *Section 19 Antenna Support Structures*. Section 20 shall read:

**Section 20 Churches and Religious Organizations**

- 20.1 Churches, rectories and religious organizations shall be authorized in all zoning classifications.
- 20.2 All Churches, rectories and religious organizations, except home based Churches, shall be governed by the regulations set out in *Article VI Retail ("R") District Regulations* as it relates to Height Regulations, Yard Regulations and Parking Regulations.

20.3 A church may be considered a Home Based Church and be exempt from the restrictions contained in *Article VI Retail ("R") District Regulations* as long as it meets all of the following requirements:

1. The members of the Church meet in a structure currently occupied as a single or multi-family home; and
2. The area where the members meet is used as part of the home when members are not meeting; and
3. The parking of vehicles by members and visitors do not impede traffic on any residential roadway; and
4. The Church meetings and services do not interfere with the peaceful enjoyment of the property rights of surrounding property owners; and
5. Single family home is in full compliance with all regulations contained in *Article IV Single Family (SF)* as amended.

**SECTION 2. SEVERABILITY**

It is hereby declared by the City Council of the City of Lavon that if any of the sections, paragraphs, sentences, clauses or phrases of this ordinance shall be declared unconstitutional or otherwise illegal by the valid judgment or decree of any court of competent jurisdiction, such event shall not affect any remaining sections, paragraphs, sentences, clauses or phrases of this ordinance.

**SECTION 3. EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication and it is so ordained.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS ON THIS 7<sup>TH</sup> DAY OF MAY, 2013.**



The Honorable Charles A. Teske, Jr., Mayor

ATTEST:

Chris Wess, City Secretary

Original Sponsors: J. Michael Jones, (Then) City Manager  
Trey Smith, Chairman of the Planning and Zoning Commission

Current Sponsor: Chris Wess, City Secretary