

CITY OF LAVON, COLLIN COUNTY TEXAS

ORDINANCE NO: 2011-11-02

Amending the Comprehensive Zoning Ordinance Related To Retail Districts

AN ORDINANCE OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS: AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO. 97-12-08; AMENDING ARTICLE VI RETAIL (“R”) DISTRICT REGULATIONS; ADDING ARTICLE VI(a) RETAIL TWO (“R2”) DISTRICT REGULATIONS; PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Property owners in the City of Lavon have brought forth concerns that there exists a gap between the appropriate application of zoning between Retail and Business districts in the City; and

WHEREAS, the Planning and Zoning Commission and the City Council believe it is in the best interest of the City to bridge this gap by defining a new retail two “R2” district; and

WHEREAS, on November 8th 2011 the Planning and Zoning commission held a public hearing and deliberated on the proposed changes, voting to recommend the approval of the change; and

WHEREAS, in accordance with Local Government Code 211.006(a) public hearings were held and proper notification was made through publication in the Wylie News; and

WHEREAS, the City Council has given due and diligent thought to this concern.

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS:

SECTION 1. Amending Article VI

The Comprehensive Zoning Ordinance no. 97-12-08, shall be amended by making the following changes to *Article VI*:

1.0 The title of *Article VI* shall be changed to read:

“Article VI”

“Retail One (R1) District Regulations”

1.1 The word “R” in *Article VI, Section 1* shall be changed to “R1”:

SECTION 2. Adding Article VI(a)

The Comprehensive Zoning Ordinance no. 97-12-08, shall be amended by the addition of *Article VI(a)*. *Article VI(a)* shall read:

Article VI(a) Retail Two (R2) District Regulations”

Section 1 – General Purposes and Description

The “R2” Retail Two district is intended as a bridge between retail and business districts. This zoning is most commonly found near major intersections and as buffering between Residential or Retail and Business Districts. While the “R2” zoning is suitable for buffering around Residential Districts, it may not be suitable for retail zoning in interior primary residential areas.

Section 2 – Permitted Uses

1. Any use permitted in the “R1” Retail One District
2. Gasoline Service Station
3. Car Care Centers
4. Restaurant with Drive in Service
5. Quick Service Food Shop
6. Car Wash
7. Motorcycle Sales – Indoor Only
8. Building Materials Sales

Section 3 – Height Regulations

No building shall exceed one hundred feet (100’), except cooling towers, roof gables, chimneys, vent stacks or mechanical equipment rooms may project not to exceed twelve feet (12”) beyond maximum building height.

Section 4 – Yard Regulations

4.1 Front Yard – Minimum required setback, twenty feet (20'). Accessory uses must be set back a minimum of sixty feet (60').

4.2 Side Yard – Adjacent to a street or different use property line, minimum required ten feet (10').

4.3 Rear Yard – A dedicated alley or private drive shall be required behind each lot or tract and the minimum rear yard set back shall be twenty feet (20') for any building or structure. When adjacent to or abuts a residential use a masonry or wood wall of a minimum height of six feet (6') shall be constructed adjacent to the rear property line to provide a barrier between the adjoining uses.

4.4 Lot Coverage – In no case shall more than fifty percent (50%) of the lot area be covered by buildings.

Section 5 – Parking Regulations

Parking regulations for Office/Retail District uses shall be consistent with the parking regulations for uses in other districts.

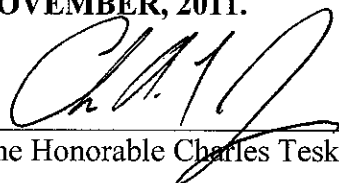
SECTION 2. SEVERBILITY

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 judgement or decree of any court of competent jurisdiction, such event shall not effect any remaining the 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, TEXAS ON THIS 15th DAY OF NOVEMBER, 2011.



The Honorable Charles Teske, Mayor

Attest:

Linda Ardis
Linda Ardis, City Secretary

Primary Sponsor(S):
Alderman Deborah Nabors

Additional Sponsors: