

CITY OF LAVON
ORDINANCE NO. 2025-09-01

Zoning Amendment – Lot Size and Dumpster for Retail and Main Street

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING ARTICLE 9.03 ZONING ORDINANCE DIVISION 6 “REGULATIONS APPLICABLE TO MIXED USE AND NONRESIDENTIAL DISTRICTS” SECTION 9.03.131 “RETAIL DISTRICT” AND SECTION 9.03.132 “MAIN STREET DISTRICT” GENERALLY TO AMEND AREA REQUIREMENTS AND SECTION 9.03.135 “DUMPSTER REGULATIONS” GENERALLY TO AMEND DUMPSTER REQUIREMENTS; PROVIDING A PENALTY; SAVING AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lavon, Texas (hereinafter referred to as “City”) is a Home Rule Municipality operating under the laws of the State of Texas; and

WHEREAS, the City Council of the City (the “City Council”), is authorized and empowered by law, in accordance with Chapter 211 of the Texas Local Government Code, to adopt zoning regulations governing the use of land within the City; and

WHEREAS, the City Council adopted Chapter 9, Article 9.03 of its Code of Ordinances, the same being the Comprehensive Zoning Ordinance of the City, which governs the use and development of land in the City (the “Zoning Ordinance”); and

WHEREAS, this proposed zoning change is in accordance with the adopted comprehensive plan of the City; and

WHEREAS, the Planning and Zoning Commission of the City and the City Council, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested, and the City Council is of the opinion and finds that said changes would provide for and would be in the best interest of the health, safety, morals and general welfare.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lavon, Texas, as follows:

SECTION 1. Incorporation of Premises. That all of the above recitals are found to be true and correct and are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2. Zoning Amendment. The Zoning Ordinance is hereby amended as provided in Exhibit “A” attached hereto and incorporated herein.

SECTION 3. Compliance Required. The Property shall be used only in the manner and for the purposes provided for in this Ordinance and the Comprehensive Zoning Ordinance of the City, as amended.

SECTION 4. Severability Clause. Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, sentence,

clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.


SECTION 5. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6. Penalty. It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not less than One Dollar (\$1.00) nor more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day or part of a day during or on which a violation occurs or continues.

SECTION 7. Open Meeting. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given all as required by Section 551.041 of the Texas Government Code.

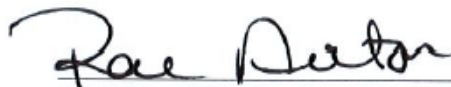
SECTION 8. Publication and Effective Date. That this Ordinance shall be in full force and effect immediately upon its adoption and its publication as required by law.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on this 2 day of September, 2025.



Vicki Sanson, Mayor

ATTEST:



Rae Norton
City Secretary



EXHIBIT A

Main Street and Retail Districts; Dumpster Regulations (Zoning Amendment)

Purpose:

- To decrease the minimum lot area and remove the minimum building size standards within the Retail zoning district.
- To decrease the minimum lot area, remove the minimum and maximum building sizes, modify the front yard setback requirements, increase the maximum lot coverage, and add maximum residential density standards within the Main Street zoning district.
- To modify the dumpster requirements for nonresidential uses.

Division 6 Regulations Applicable to Mixed Use and Nonresidential Districts

RETAIL DISTRICT

Existing standard:

§9.03.131 Retail district.

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(d) Area requirements.

(1) Minimum lot area: 1 acre (43,560 square feet)

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(3) Minimum building size: 2,500 square feet

Proposed standard:

§9.03.131 Retail district.

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(d) Area requirements.

(1) Minimum lot area: 2,500 square feet

...

(3) Minimum building size: none

MAIN STREET DISTRICT

Existing standard:

§9.03.132 Main street district.

...

(d) Area requirements.

(1) Lot size

(A) Minimum lot area: 1 acre (43,560 square feet), or ½ acre (21,780 square feet) if connected to city sanitary sewer service.

(2) Minimum building size: 1,500 square feet

(3) Maximum building size: 7,500 square feet

(4) Yard requirements – main structure setbacks and lot coverage

(A) Minimum front yard (feet): 12

(B) Maximum front yard (feet): 20

(C) Minimum side yard (feet): 7 except adjoining residential where the side yard shall be (feet) 15

(D) Minimum front yard (feet): 12

(E) Maximum side yard of corner lots (feet): 20

(F) Minimum rear yard (feet): none except adjoining residential where the rear yard shall be (feet) 15

(G) Minimum rear yard double front lots (feet): 45

(H) Maximum lot coverage: 40%

Proposed standard:

§9.03.132 Main street district.

...

(d) Area requirements.

(1) Lot size

(A) Minimum lot area: 2,500 square feet

(2) Minimum building size: none

(3) Maximum building size: none

(4) Yard requirements – main structure setbacks and lot coverage

(A) Front yard: For new development or redevelopment abutting existing residential structures, the front building setback shall not deviate from the average front setback of lots within the same block as the proposed development by more than 15 percent. Where not abutting an existing residential structure, the front building façade shall be within zero to 20 feet.

(B) Minimum side yard (feet): 7 except adjoining residential where the side yard shall be (feet) 15

(C) Maximum side yard of corner lots (feet): 20

(D) Minimum rear yard (feet): none except adjoining residential where the rear yard shall be (feet) 15

(E) Minimum rear yard double front lots (feet): 45

(F) Maximum lot coverage: 80%

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(6) Residential density: Maximum 12 units per gross acre with ground floor commercial (other than leasing office)

DUMPSTER REGULATIONS

Existing standard:

§9.03.135 Dumpster regulations.

(a) Dumpster requirements.

(1) A minimum of one commercial dumpster is required for nonresidential and multifamily residential uses and shall be in accordance with the city's Code of Ordinances.

(2) All containers shall be fully screened on all sides by an enclosure.

(b) Enclosure requirements.

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(5) Enclosures shall be constructed using similar materials and colors as the exterior walls of the primary building.

...

(7) A solid metal gate shall be provided and is to be kept closed except when in use for access.

(A) Enclosure gates or doors shall not swing into a fire lane, drive aisle, or obstruct vehicular visibility at any time.

(B) Enclosure gates or doors shall be primed, painted, and maintained at all times.

(8) Enclosures shall comply with the minimum standards below.

Minimum Nonresidential and Multifamily Residential Enclosure Size Requirements			
Container Type	Height (inside wall measurement)	Width (inside wall measurement)	Depth (inside wall measurement)
Single container	6 feet	12 feet	14 feet
Double container	6 feet	25.5 feet	14 feet
Single compactor, self-contained	6 feet	14 feet	34 feet
Single compactor, stationary	6 feet	14 feet	40 feet
Double compactor	6 feet	28 feet	40 feet

Proposed standard:

§9.03.135 Trash container and dumpster regulations.

(a) Trash container (i.e polycarts/toters) and dumpster requirements.

- (1) A minimum of one commercial trash container or dumpster is required for nonresidential uses and shall be in accordance with the city's Code of Ordinances. Sufficient capacity and clearance must always be provided to maintain compliance with all applicable codes and service requirements.
- (2) A minimum of one commercial dumpster is required for multifamily residential uses and shall be in accordance with the city's Code of Ordinances. The total number of dumpsters required shall be considered on the basis of number of total units proposed and associated capacity needs, subject to the review and approval by the City Manager and/or their designee.
- (3) All trash containers and dumpsters shall be fully screened on all sides by an enclosure as described herein.

(b) Enclosure requirements.

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- (5) Enclosures shall be constructed using similar materials and colors as the exterior walls of the primary building. For trash container enclosures, wood picket fencing (treated and stained) can be used, as long as the enclosure is screened on all four sides.

...

- (7) A solid metal gate shall be provided for dumpster enclosures, and shall be kept closed except when in use for access.
 - (A) Dumpster enclosure gates or doors shall not swing into a fire lane, drive aisle, or obstruct vehicular visibility at any time.
 - (B) Dumpster enclosure gates or doors shall be primed, painted, and maintained at all times.
- (8) Dumpster enclosures shall comply with the minimum standards below.

Minimum Nonresidential and Multifamily Residential Enclosure Size Requirements			
Container Type	Height (inside wall measurement)	Width (inside wall measurement)	Depth (inside wall measurement)
Single dumpster	6 feet	12 feet	14 feet
Double dumpster	6 feet	25.5 feet	14 feet
Single compactor, self-contained	6 feet	14 feet	34 feet
Single compactor, stationary	6 feet	14 feet	40 feet
Double compactor	6 feet	28 feet	40 feet

(9) Trash container enclosures must be adequately sized to fully screen all containers in use on the property.