

CITY OF LAVON
ORDINANCE NO. 2020-04-02

Zoning Change – Retail (R) - RaceTrac

AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO CHANGE THE ZONING CLASSIFICATION FROM PLANNED DEVELOPMENT – SINGLE FAMILY TO RETAIL (R) DISTRICT ON 0.21 ACRES, A PART OF THE 10.6219 ACRES OF PROPERTY DESCRIBED AS WAS BOHANNAN SURVEY, ABS 0121, SHEET 3, TRACT 72 AND SITUATED SOUTHWEST OF 9930 SH 78 AND NORTHEAST OF GRAND HERITAGE WEST C, COLLIN COUNTY, TX; AMENDING THE OFFICIAL ZONING MAP; PROVIDING A PENALTY OF \$2,000 PER DAY; PROVIDING SEVERABILITY, SAVINGS, AND CUMULATIVE/ REPEALER CLAUSES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, at its meeting held on March 24, 2020, the Planning & Zoning Commission considered and made recommendations on a certain request for a zoning change to Retail (R) district for the above described property; and

WHEREAS, this zoning change is in accordance with the adopted Comprehensive Plan of the City of Lavon; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws 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. Amendment.

- A. That the Zoning Classification for and the Comprehensive Zoning Map depicting the Property described in Exhibit A and depicted in Exhibit B attached hereto is hereby rezoned from Planned Development Single Family (PD-SF) to Retail (R) District.
- B. That the Comprehensive Zoning Ordinance and the Official Zoning Map are hereby amended to reflect the action taken herein.

Section 3. Severability Clause. It is hereby declared to be the intention of the City Council 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 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 and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 4. Cumulative/Repealer Clause. This ordinance shall be cumulative of all provisions of State or Federal law and other ordinances of the City of Lavon, Texas, whether codified or uncodified, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

Section 5. Penalty Clause. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the City of Lavon, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

Section 6. Savings Clause. Should any word, phrase, sentence or section contained herein be found to be invalid, such validity shall not affect any other portion of this ordinance.

Section 7. Effective Date. This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas, this 7th day of April 2020.



Vicki Sanson
Mayor

ATTEST:



Kim Dobbs
City Administrator | City Secretary



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EXHIBIT A - DESCRIPTION OF AREA

Being 0.21 acres of property, a portion of the
 10.6219 acres of property described as
 WAS Bohannon Survey, Abstract 0121, Sheet 3, Tract 72
 CCAD Property ID 2664090

EXHIBIT B - DEPICTION

