

CITY OF LAVON, TEXAS
ORDINANCE NO. 2022-03-02

Amend Zoning Ordinance – Setback and Lot Coverage Headings

AN ORDINANCE OF THE CITY OF LAVON, TEXAS AMENDING ARTICLE 9.03 “ZONING ORDINANCE”, DIVISION 5 “REGULATIONS APPLICABLE TO RESIDENTIAL DISTRICTS”, SECTIONS 9.03.111 TO 9.03.114, AND DIVISION 6 “REGULATIONS APPLICABLE TO MIXED USE AND NONRESIDENTIAL DISTRICTS”, SECTIONS 9.03.131 TO 9.03.133, TO CLARIFY LOT COVERAGE REQUIREMENTS FOR THE DISTRICTS DESCRIBED IN SUCH SECTIONS; PROVIDING SAVINGS, CUMULATIVE REPEALER AND SEVERABILITY CLAUSES; PROVIDING A PENALTY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article 9.03 ZONING ORDINANCE, Division 5. Regulations Applicable to Residential Districts and Division 6. Regulations Applicable to Mixed-Use and Nonresidential Districts provide for area requirements specific to each district; and

WHEREAS, the proposed amendment standardizes the headings for setbacks and maximum lot coverage in all districts; and

WHEREAS, the Planning and Zoning Commission of the City of Lavon and the City Council of the City of Lavon, 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 of the City of Lavon is of the opinion and finds that said changes should be granted and that the Comprehensive Zoning Ordinance should be amended.

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

SECTION 1. INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. AMENDMENT

A. Article 9.03 ZONING ORDINANCE, Division 5. Regulations Applicable to Residential Districts shall be amended as follows with deletions struck out and additions underscored:

1. **Sec. 9.03.111 Agricultural district (A)**, (d) Area requirements
(3) Yard requirements – main structures ~~s~~ setbacks and lot coverage

2. **Sec. 9.03.112 Single-family – 1 acre district (SF-1)**, (d) Area requirements
(4) Yard requirements – main structures ~~s~~ setbacks and lot coverage

3. **Sec. 9.03.113 Single-family – 2 district (SF-2)**, (d) Area requirements
(4) Yard requirements – main structures setbacks and lot coverage

4. **Sec. 9.03.114 Single family – 4 district (SF-4)**, (d) Area requirements
(4) Yard requirements – main structures setbacks and lot coverage

B. Article 9.03 ZONING ORDINANCE, Division 6. Regulations Applicable to Mixed-Use and Nonresidential Districts shall be amended as follows with deletions struck out and additions underscored:

1. **Sec. 9.03.131 Retail (R)**, (d) Area requirements
(5) Yard requirements – main structures setbacks and lot coverage

2. **Sec. 9.03.132 Main street district (M)**, (d) Area requirements
(4) Yard requirements – main structures setbacks and lot coverage

3. **Sec. 9.03.133 Business park district (B)**, (d) Area requirements
(2) Yard requirements – main structure setbacks and lot coverage

SECTION 3. SAVINGS

That all rights and remedies of the City of Lavon are expressly saved as to any and all violations of the provisions of any Ordinances regulating, affecting, or relating to zoning, land use and/or development which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 4. CUMULATIVE REPEALER

That this Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such Ordinance on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 5. SEVERABILITY

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions 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. PUBLICATION

The City Secretary of the City of Lavon is hereby directed to publish the Caption, Penalty and Effective Date of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

SECTION 8. EFFECTIVE DATE

That this Ordinance shall be in full force and effect from and after its date of passage, in accordance with law, and it is so ordained.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on the 1st day of March 2022.



Vicki Sanson, Mayor

ATTEST:



Rae Norton, City Secretary

