

CITY OF LAVON
ORDINANCE NO. 2026-08-07

PD Amendment - 783 S. SH 78

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, AMENDING THE GRAND HERITAGE PLANNED DEVELOPMENT (PD) DISTRICT REGULATIONS ESTABLISHED BY ORDINANCE NO. 2004-09-05, TO DEFINE AND ADD TO THE PERMITTED USES, AND ADD TO THE OFF-STREET PARKING REQUIREMENTS ON APPROXIMATELY 1.750 ACRES OF LAND SITUATED NORTHWEST OF SH 78 AND GRAND HERITAGE BOULEVARD; PROVIDING A PENALTY CLAUSE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVING FOR PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Lavon (hereinafter referred to as "City") is a Home Rule municipality organized under the Constitution and laws of the State of Texas; and; and

WHEREAS, Chapter 211 "Municipal Zoning Authority" of the Texas Local Government Code authorizes a city to adopt ordinances regulating the zoning of property within the City; and

WHEREAS, the City Council of the City (the "City Council") adopted Ordinance No. 2004-09-05 and amending Ordinance N. 2023-08-01, which set forth various regulations for the Grand Heritage Planned Development District (the "Grand Heritage PD Ordinance"); and

WHEREAS, owners of the Property hereinafter defined have submitted an application to amend the regulations adopted by Ordinance No. 2004-09-05 and amending Ordinance No. 2023-08-01, on approximately 1.75 acres of land, generally located as legally described on **Exhibit "A"** and as depicted on **Exhibit "B"** (the "Property"); and

WHEREAS, the City Council desires to amend the Grand Heritage PD Ordinance to add and define a new permitted use and add an off-street parking requirement for only the property described in Exhibit "A" attached hereto and incorporated herein, being a portion of the entire property covered by the Grand Heritage PD Ordinance; and

WHEREAS, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at those public hearings and all other relevant information and materials, the Planning and Zoning Commission of the City has recommended to the City Council the adoption of the amendment to the Grand Heritage PD Ordinance as set forth in this Ordinance; and

WHEREAS, after complying with all legal notices, requirements, and conditions, a public hearing was held before the City Council at which the City Council considered the recommendation of the Planning and Zoning Commission, and among other things, the necessity for orderly and appropriate regulations of the use of land and the erection of structures thereon, and having considered the proposed amendment to the Grand Heritage PD Ordinance and the appropriateness of the amendment, the City Council does hereby find that the amendment to the Grand Heritage PD Ordinance approved hereby accomplishes such objectives.

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

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. FINDINGS. After due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, the City Council has concluded that the adoption of this Ordinance is in the best interests of the City, and of the public health, safety, and welfare of its citizens.

SECTION 3. AMENDMENT. The following sections of the Grand Heritage Planned Development (PD) District regulations established by Ordinance No. 2004-09-05, are hereby amended or added, to be applicable to approximately 1.75 acres of land, and to read as provided herein:

- 1) Section 1.1 Purposes & Definitions. Shall be amended to include the following definition:

Restaurant with No Dine-In Service means an eating/drinking establishment, where food and beverages are prepared on-site but sold for off-premises consumption, such as take-out and delivery-focused restaurants without interior customer seating.

- 2) Section 3.2.4 Uses in Commercial Planning Areas. Shall be amended to add the following use in the "Retail and Person Service Uses" section:

--Restaurant With No Dine-In Service.

- 3) Section 3.9 Off-Street Parking Requirements. Shall be amended to include the addition of the following Use and space requirement:

Use	Number of Off-Street Parking Spaces Required (unless otherwise noted, the ratios below relate to the number or spaces required in relation to the number or square feet or floor area)
Restaurant with No Dine-In Service	1:200

SECTION 4: 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. This Ordinance shall not repeal, alter, or amend, or be interpreted as conflicting with any ordinance having created a planned development district prior to this Ordinance.

SECTION 5: SEVERABILITY. 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, 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 6: PENALTY. Any person, firm, corporation, or entity violating this Ordinance or any provision of the City's Zoning Ordinance, as it exists or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding Two Thousand Dollars (\$2000.00). Each continuing days' violation under this Ordinance shall constitute a separate offense. The

penal provisions imposed under this Ordinance shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state, and federal law.

SECTION 7: PUBLICATION AND EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption and its publication as required by law.

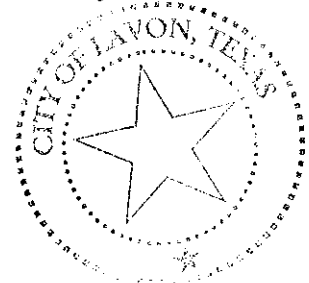
SECTION 8. OPEN MEETING. It is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Collin County, Texas, on this the 18th day of August 2026.


Vicki Sanson, Mayor

ATTEST:


Rae Norton, City Secretary



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EXHIBIT A

Property Description

Tract 1:

Being Lot 4R2-A, Block "A", of SB LAVON ADDITION, LOT 4R2-A, BLOCK A, a Subdivision in Collin County, Texas, according to the map or plat thereof, recorded in

Document No. 2026010000165, of the Plat Records of Collin County, Texas.

EXHIBIT B

Location

