

What Lavon Should Do Right Now

Submitted for the record ahead of the September 15, 2026 hearing on a temporary data center moratorium.

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Full document and any corrections maintained at lavonbanana.com/action-plan.

MORATORIUM SCHEDULE

Hearing dates are from the published notice; the balance is the schedule presented to Council August 6, 2026, agenda packet pages 152 to 154. Sections cited are Texas Local Government Code Chapter 212, Subchapter E.

August 6, 2026	Council voted to begin the process under Section 212.1352. No moratorium is presently in effect.
August 13, 2026	Notice published. 33 days before the first hearing; 30 required.
September 15, 2026	First public hearing. 6:30 p.m., Council Chambers, 120 School Road.
October 20, 2026	Second public hearing, written findings, and first reading. Same time and place.
November 17, 2026	Second reading. Requires three-fourths of all members, not of those present.
90 days after adoption	Expires unless extended on further findings. 180 days is the aggregate maximum, followed by a two-year interval.

Note on the November dates. Section 212.134(f) requires two readings not less than 28 days apart, beginning within 12 days of the second hearing. October 20 to November 17 is exactly 28 days, so the schedule carries no margin. If no ordinance is adopted in that period, the section provides that none may be adopted.

Request. Placing the written findings required by Section 212.1352(b) in the agenda packet before the second hearing would allow comment on them.

THREE ITEMS THE CITY CAN ADOPT OR RESOLVE DURING THE WINDOW

- 1. Threshold question for the City Attorney.** Section 1.3.58 holds Parcel 9 to the Business Park standards in force when the planned development was adopted, for nine years; Section 1.3.53 carries a parallel clause for Parcel 8. City staff advise that period began in October 2022 and that relevant code changes were approved. Would the Council consider a written opinion confirming which new citywide standards reach these parcels, and which approved changes already do? An answer before October 20 would inform the written findings.
- 2. Numeric noise standards.** The City's noise ordinance contains no decibel limit. Mesquite, also a home rule city, adopted standards on July 20, 2026 (ZTA 2026-01) available as a model: 65 dBA by day, 60 at night, 55 at night where a site adjoins a residential district, measured at the property line or the nearest occupied residence, whichever reads higher, plus 55 dB at 16, 31.5 and 63 Hz.
- 3. Cooling standard.** The same ordinance permits only closed-loop or recycled water cooling and prohibits potable municipal water for open evaporative or once-through cooling. It is a land-use standard rather than a building code provision.

THREE ACTIONS AVAILABLE TO RESIDENTS

- 1. Ask for a number, not a promise.** A limit written into an ordinance applies to whatever is built and outlives the council and the owner that agreed to it. An assurance given at a meeting does neither.
- 2. Attend, and submit written comment.** Comment for the record can carry a citation and a figure in a way three minutes at a microphone cannot.
- 3. State support as well as opposition.** Opposition organizes itself and support tends not to. The Council can weigh only what is presented to it.

Sources: Lavon council packets and minutes, August 6 and 18, 2026; Notice of Public Hearing, The Wylie News, August 13, 2026; Ordinances 2022-10-03 and 2024-12-01; Mesquite ZTA 2026-01. Corrected August 25, 2026 after City of Lavon staff review. Offered for the record; not legal advice.