

**ORDINANCE NO. 3992-3-23**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE USE AND DEVELOPMENT REGULATIONS OF PLANNED DEVELOPMENT “PD” NO. 131 WITH A BASE ZONING OF SHOPPING CENTER “SC” AS ADOPTED BY ORDINANCE NO. 3519-9-17 BY ADDING SIGN REGULATIONS, A SIGN SCHEDULE, AND A SIGN LOCATION MAP RELATING TO “LOT 4” OF SAID PLANNED DEVELOPMENT; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Commission and the governing body of the City of Allen, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Allen, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:**

**SECTION 1.** The Allen Land Development Code Zoning Regulations and the Zoning Map of the City of Allen, Collin County, Texas, as previously amended, be further amended by amending the development and use regulations of Planned Development “PD” No. 131 as set forth in Ordinance No. 3519-9-17 (“the PD-131 Ordinance”) as follows:

**A.** The PD-131 Ordinance is amended by adding Subsection K titled “Lot 4 Sign Regulations” to Section 2 of the PD 131 Regulations to read as follows:

**K. LOT 4 SIGN REGULATIONS:** Signs installed and located on Lot 4 as shown on the Concept Plan shall comply with applicable provisions of the ALDC subject to the following:

- (1) **Sign Schedule:** Monument signs installed on Lot 4 shall comply with the following standards:
  - (a) **Maximum Number:** 2
  - (b) **Maximum Height:** Six feet (6.0’)
  - (c) **Maximum Copy Area:** 24 square feet per sign face
  - (d) **Maximum Sign Face Area** (includes structure and copy area): 60 square feet
  - (e) **Minimum Setback:** Eight feet (8.0’)

- (2) **Sign Location Map:** Signs installed or constructed on Lot 4 shall be located generally as shown on Exhibit “D” attached hereto and incorporated herein by reference (the “Lot 4 Sign Location Map”).
- (3) **Sign Elevations:** The signs installed or constructed on Lot 4 shall comply with the design and materials set forth in Exhibit “E” attached hereto and incorporated herein by reference (the “Lot 4 Sign Elevations”) and shall not exceed the dimensions set forth in Section 2.K.(1), above, and the Lot 4 Sign Elevations.

**B.** The PD-131 Ordinance is amended by adding Exhibit “D” – “Lot 4 Sign Location Map,” and Exhibit “E” – “Lot 4 Sign Elevations” to read as set forth in Attachments 1 and 2, respectively, attached hereto and incorporated herein by reference.

**SECTION 2.** To the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Allen governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling.

**SECTION 3.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance or of the Allen Land Development Code Zoning Regulations, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Allen Land Development Code Zoning Regulations, as amended hereby, which shall remain in full force and effect.

**SECTION 4.** An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Allen Land Development Code Zoning Regulations, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

**SECTION 5.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in Allen Land Development Code Zoning Regulations of the City of Allen, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

**SECTION 6.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Allen, and it is accordingly so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 14<sup>TH</sup> DAY OF MARCH 2023.**

**APPROVED:**

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**Kenneth M. Fulk, MAYOR**

**APPROVED AS TO FORM:**

**ATTEST:**

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**Peter G. Smith, CITY ATTORNEY**  
(kbl:1/26/2023:133266)

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**Shelley B. George, TRMC, CITY SECRETARY**