

**ORDINANCE NO. 4085-5-24**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE ZONING REGULATION AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE USE AND DEVELOPMENT REGULATIONS OF PLANNED DEVELOPMENT “PD” NO. 45 WITH A BASE ZONING OF SHOPPING CENTER “SC” AS ADOPTED BY ORDINANCE NO. 3529-10-17 RELATING TO THE REGULATION OF SIGNS ON LOT 2, BLOCK B, STACY GREEN; PROVIDING FOR A CONFLICTS RESOLUTIONS 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 of the City of Allen, Texas, 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 adopted, 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 Zoning Map of the City of Allen, Texas, as amended, shall be further amended by amending as follows Ordinance No. 3529-10-17 establishing Planned Development “PD” No. 45 with a base zoning of Shopping Center “SC” relating to the regulation of signs for Lot 2, Block B, Stacy Green, an addition to the City of Allen, Collin County, Texas, according to the plat thereof recorded in Cabinet 2018, Page 496, Plat Records, Collin County, Texas, (“the Property”).

**A.** Section 2, Subsection K “Signs” of Ordinance No. 3529-10-17 and Ordinance No. 3987-2-23 is amended by adding paragraph 4 to read as follows:

4. Notwithstanding anything to the contrary in this Section 2.K hereto and applicable provisions of the Allen Land Development Code, the placement and regulation of signs on Lot 2, Block B, Stacy Green, an addition to the City of Allen, Collin County, Texas, according to the plat thereof recorded in Cabinet 2018, Page 496, Plat Records, Collin County, Texas, shall be subject to the following:
  - a. A maximum of four (4) Menu Board Signs shall be permitted subject to the following, one (1) menu board sign shall be permitted for any one drive through lane, except for the drive through lane immediately adjacent to the principal structure which shall be permitted two (2) Menu Boards Signs; and
  - b. Menu Board Signs shall not exceed a copy area of thirty-five (35) square feet.

**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 28<sup>TH</sup> DAY OF MAY 2024.**

**APPROVED:**

---

**Baine L. Brooks, MAYOR**

**APPROVED AS TO FORM:**

**ATTEST:**

---

**Peter G. Smith, CITY ATTORNEY**  
(KRS:4/23/24:4880-9763-3208, v. 1)

---

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