

ORDINANCE NO. 4009-7-23

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 REGULATIONS OF TRACT 5 OF PLANNED DEVELOPMENT “PD” NO. 58 FOR SHOPPING CENTER “SC” AS SET FORTH IN SECTION 1 OF ORDINANCE NO. 3199-1-14 BY ADDING SIGN REGULATIONS, A SIGN LOCATION MAP, AND SIGN ELEVATIONS RELATING TO THE DEVELOPMENT AND USE OF THE 12.6 ACRE PARCEL AS DEFINED IN SAID ORDINANCE; 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 regulations of Tract 5 of Planned Development “PD” No. 58 as set forth in Section 1 of Ordinance No. 3199-1-14 relating to the development and use of the 12.6 Acre Parcel (as defined in Ordinance No. 3199-1-14) as follows:

- A.** Section 1 of Ordinance No. 3199-1-14 is amended by adding Subsection L titled “Sign Regulations - 12.6 Acre Parcel” to read as follows:
 - L. SIGN REGULATIONS-12.6 ACRE PARCEL:** Signs installed and located on the 12.6 Acre Parcel shall comply with sign regulations applicable to the Shopping Center “SC” zoning district subject to the following:
 - (1) **Monument Signs:** One (1) monument may be installed on each street frontage (i.e., Exchange Parkway and Greenville Avenue) of the 12.6 Acre Parcel. The monument sign installed adjacent to Greenville Avenue shall comply with the following standards:
 - (a) **Maximum Height:** Twelve feet (12.0’)
 - (b) **Maximum Copy Area:** Cumulative area of the copy area of all lettering and/or sign panels installed on each sign face shall not exceed 99 square feet
 - (c) **Maximum Vertical Structure Area:** 156 square feet
 - (d) **Minimum Setback:** Eight feet (8.0’)

- (2) **Greenville Sign Location Map:** The monument sign installed adjacent to Greenville Avenue shall be located generally as shown on Exhibit “G” attached hereto and incorporated herein by reference (the “Greenville Sign Location Map”).
- (3) **Greenville Sign Elevations:** The monument sign installed adjacent to Greenville Avenue shall comply with the design and materials set forth in Exhibit “H” attached hereto and incorporated herein by reference (the “Greenville Sign Elevations”) but shall in no case exceed the dimensions set forth in Section 1.L.(1), above.

B. Ordinance No. 3199-1-14 is amended by adding Exhibit “G” “Sign Location Map-12.6 Acre Parcel,” and Exhibit “H” “Sign Elevations-12.6 Acre Parcel” 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 11TH DAY OF JULY 2023.

APPROVED:

Baine L. Brooks, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, City Attorney
(kbl:5/25/2023:135212)

Shelley B. George, TRMC, City Secretary