## ORDINANCE NO.

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 DEVELOPMENT REGULATIONS RELATING TO THE USE AND DEVELOPMENT OF LOT 3, BLOCK A, THE VILLAGE AT ALLEN, PRESENTLY ZONED AS PLANNED DEVELOPMENT "PD" NO. 73 SHOPPING CENTER "SC," BY AMENDING THE SIGN TABLE AND SIGN LOCATION PLAN, AND ADDING ELEVATIONS FOR TWO SIGN TYPES; 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 amended by amending the development and use regulations of Planned Development "PD" No. 73, as amended and restated by Ordinance No. 2930-7-10 ("the PD 73 Ordinance"), as follows:

Sign Type	Maximum Height (in ft)	Maximum Width (in ft.)	Maximum Depth (in ft.)	Maximum Electronic Copy Area* (Square Feet Per Side)	Maximum Copy Area (Electronic and Static)* (Square Feet Per Side)	Max Structure (in sq. ft.) (includes copy area)	Maximum Number	Minimum Spacing	Front Yard Setback (min. in feet) Typical is 8-10 ft from curb	Permit Required	Additional Provisions/Comments
A4: Id Sign W/ Electric Message Board	26	20	3	130	261	501	1	n/a	n/a		North facing electronic message board; South facing static sign
A5: Id Sign W/ Electric Message Board	26	20	3	45	107	364	1	n/a	n/a		Electronic Message Board
*Note: The area of the logo does not count as part of the maximum copy area on any sign type.											

A. Section 2.L. of the PD-73 Ordinance is amended by adding the following to the table in Paragraph 1:

- **B.** Exhibit "C" "Sign Location Plan" of the PD-73 Ordinances is amended by adding the locations of Sign A4 and Sign A5 as shown in Attachment 1, attached hereto and incorporated herein by reference.
- **C.** The PD-73 Ordinance is amended by adding Exhibit D-17 "Sign Type A4" to read as set forth in Attachment 2, attached hereto and incorporated herein by reference.
- **D.** The PD-73 Ordinance is amended by adding Exhibit D-18 "Sign Type A5" to read as set forth in Attachment 3, attached hereto and incorporated herein by reference.

**SECTION 2.** 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 3.** 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 4.** 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 5.** 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 25<sup>TH</sup> DAY OF SEPTEMBER 2018.

**APPROVED:** 

Stephen Terrell, MAYOR

## **APPROVED AS TO FORM:**

ATTEST:

Peter G. Smith, CITY ATTORNEY (kbl:9/12/18:102598) Shelley B. George, TRMC, CITY SECRETARY









