



PLANNING

To: Mayor and Town Council

From: David Hoover, AICP, Director of Development Services

**Through: Mario Canizares, Town Manager
Chuck Ewings, Assistant Town Manager**

Re: Zoning Ordinance Amendment – Drive-through Requirements
Town Council Meeting – January 9, 2024

Strategic Visioning Priority: 4. Provide Excellent Municipal Services

Agenda Item:

Consider and act upon an ordinance amending the Town of Prosper Zoning Ordinance by amending conditional development standards for restaurants contained in Subsection 1.4 of Section 1 of Chapter 3; amending non-residential landscaped area requirements contained in Subsection 2.6(C) of Section 2 of Chapter 4; repealing existing Subsection 4.9 of Section 4 of Chapter 4 related to loading space requirements and replacing it with a new Subsection 4.9; adding a new Subsection 4.10 of Section 4 of Chapter 4 related to stacking requirements; amending the location of required screening contained in Subsection 5.2 of Section 5 of Chapter 4; and amending provisions related to adjacency of certain uses to residential zoning contained in Subsection 9.11 of Section 9 of Chapter 4. (ZONE-23-0033)

Description of Agenda Item:

On December 12, 2023, the Town Council approved the proposed amendment by a vote of 4-3. An ordinance has been prepared for review and approval. The ordinance reflects the motion for approval, which included a modification to the minimum width of the landscape island around the drive-through lanes from 10 feet to 5 feet, as listed in Chapter 4, Section 2.6(2)(i)(ii).

Budget Impact:

There is no budgetary impact affiliated with this item.

Legal Obligations and Review:

Town Attorney, Terrance Welch of Brown & Hofmeister, L.L.P., has approved the standard ordinance as to form and legality.

Attached Documents:

1. Ordinance

Town Staff Recommendation:

Town Staff recommends approval of the ordinance amending the Town of Prosper Zoning Ordinance by amending conditional development standards for restaurants contained in

Subsection 1.4 of Section 1 of Chapter 3; amending non-residential landscaped area requirements contained in Subsection 2.6(C) of Section 2 of Chapter 4; repealing existing Subsection 4.9 of Section 4 of Chapter 4 related to loading space requirements and replacing it with a new Subsection 4.9; adding a new Subsection 4.10 of Section 4 of Chapter 4 related to stacking requirements; amending the location of required screening contained in Subsection 5.2 of Section 5 of Chapter 4; and amending provisions related to adjacency of certain uses to residential zoning contained in Subsection 9.11 of Section 9 of Chapter 4.

Proposed Motion:

I move to approve the ordinance amending the Town of Prosper Zoning Ordinance by amending conditional development standards for restaurants contained in Subsection 1.4 of Section 1 of Chapter 3; amending non-residential landscaped area requirements contained in Subsection 2.6(C) of Section 2 of Chapter 4; repealing existing Subsection 4.9 of Section 4 of Chapter 4 related to loading space requirements and replacing it with a new Subsection 4.9; adding a new Subsection 4.10 of Section 4 of Chapter 4 related to stacking requirements; amending the location of required screening contained in Subsection 5.2 of Section 5 of Chapter 4; and amending provisions related to adjacency of certain uses to residential zoning contained in Subsection 9.11 of Section 9 of Chapter 4.