

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, AMENDING THE TOWN OF PROSPER'S COMPREHENSIVE PLAN, AS AMENDED; PROVIDING FOR THE ADDITION OF THE DALLAS NORTH TOLLWAY DESIGN GUIDELINES AS AN APPENDIX TO THE TOWN'S COMPREHENSIVE PLAN; AMENDING THAT SECTION OF THE TOWN'S COMPREHENSIVE PLAN ENTITLED "IMPLEMENTATION PLAN," TO INCLUDE SAID DALLAS NORTH TOLLWAY DESIGN GUIDELINES AS AN APPENDIX TO THE TOWN'S COMPREHENSIVE PLAN; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Prosper, Texas ("Town Council"), has investigated and determined that the Town of Prosper ("Town") Comprehensive Plan, originally adopted by Ordinance No.12-21, as amended, should be amended to include design guidelines to guide future land development along the Dallas North Tollway; and

WHEREAS, The Town of Prosper has complied with all notices and public hearings as required by law; and

WHEREAS, the Town Council finds that it will be advantageous, beneficial, and in the best interests of the citizens of Prosper to amend the Comprehensive Plan to include the Dallas North Tollway Design Guidelines, as described below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:

SECTION 1

Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2

Amendment to the Town of Prosper's Comprehensive Plan, Ordinance No.12-21, as amended. The Town of Prosper's Comprehensive Plan, adopted by Ordinance No. 12-21, as amended, is hereby amended to include an Appendix entitled "Dallas North Tollway Design Guidelines," and to adopt same. Further, that section of the Town's Comprehensive Plan entitled "Implementation Plan" is hereby amended to include a new Sub-Objective 1.3.1, which shall read as follows: "Develop Dallas North Tollway Design Guidelines to create a vision for future development on the Tollway."

SECTION 3

Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Prosper hereby declares that it would have passed this Ordinance, and each section,

subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 4

Savings/Repealing Clause. Prosper's Comprehensive Plan, adopted by Ordinance 12-21, as amended, shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5

Effective Date. This Ordinance shall become effective from and after its adoption.

DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 8TH DAY OF FEBRUARY, 2022.

Ray Smith, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, Town Attorney