



PLANNING

To: Planning and Zoning Commission

From: Suzanne Porter, AICP, Planning Manager

Through: David Hoover, AICP, Director of Development Services

Re: Amendments to the Unified Development Code

Meeting: July 21, 2026

Item No. 7

Agenda Item:

Conduct a Public Hearing to consider and act upon amendments to the Town of Prosper Unified Development Code related to closing applications, providing standards for a dual brand hotel, updating Commercial District setback regulations, landscape and open space criteria, and parking requirements for the Dallas North Tollway Overlay District, addressing jellyfish-style lighting, and defining terms related to the proposed amendments. (ZONE-26-0010)

Future Land Use Plan:

Not Applicable.

Comprehensive Plan:

The proposed Ordinance fulfills the Comprehensive Plan goals to accommodate the preferred development outcomes in the Dallas North Tollway (DNT) District.

Zoning:

The proposal includes several text amendments to the Unified Development Code. While it addresses standards by which property will develop, it does not modify the zoning classification of property within the Town.

Description of Agenda Item:

The Town's Unified Development Code (UDC) was adopted May 1, 2026, and includes procedural requirements, zoning and subdivision standards, and definitions. It is proposed to amend several sections of the UDC, as follows:

- Closing Applications
- Dual Brand Hotel
- Dallas North Tollway District
 - Landscaping requirements

- Open Space
- Setbacks
- Parking
- Outdoor Lighting

Within this report, each item on this list will be described and the proposed amendment(s) listed for consideration.

New text is underlined and bolded in blue.

~~Deletions are red and crossed out.~~

Closing Applications

When an application is under review, prolonged delays in resubmitting a project may occur or the applicant may abandon the project. In cases where progress is not being made to revise plans or the applicant is non-responsive, a means should be provided to allow Staff to initiate the closure of a project.

It is recommended that if revisions are not provided after a period of five months from the last review, the applicant will be notified that the case will be closed if comments are not addressed and revisions submitted in the following 30 days. Should the application be closed, the applicant can resubmit a new application at any time that complies with the regulations in place at that time.

Proposed UDC Amendment:

Article 1. General Provisions

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1.03. Universal Procedures and Provisions

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C. Application Processing.

1. Initiation of Application

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2. Application Requirements

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3. Official Filing Date, Completeness of Application, and Expiration of Application

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4. 30-Day Time Frame for Plat Approvals

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5. Application Closure Procedure

a. If an application is under review and no revisions have been made for a period five months or more, the applicant will be notified that the project will be closed in 30-days.

b. The case may remain active if revisions that address the previous Town comments are submitted prior to the completion of the 30-day period.

~~5-6.~~ Payment of all Indebtedness Attributed to the Subject Property

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Dual Brand Hotel

The Unified Development Code includes three classifications of Hotel – Full Service, Limited Service, and Residence/Extended Stay. Some hotel chain offers brands that fit into two of these categories (i.e. a dual brand hotel). In order to accommodate this configuration, Staff recommends pairings of either Full Service and Limited Service or Full Service and Residence/Extended Stay. The modifications needed include updating the conditional standards for a Full Service Hotel in the Conditional Development standards and adding a definition for Dual Brand Hotel in the Definitions section of the Unified Development Code.

Proposed UDC Amendment:

Article 2. Zoning Regulations

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2.07 Permitted Uses and Use-Based Standard

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D. Conditional Development Standards

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25. Hotel, Full Service

Full-Service Hotel developments shall be subject to the following development standards:

- a. External balconies and walkways shall be set back 200 feet from any residential zoning district.
- b. Shall provide management staff on-site 24 hours a day.
- c. Shall provide at least four amenities from the list below:
 - i. Indoor/Outdoor Pool
 - ii. Spa/Sauna
 - iii. Weight Room/Fitness Center
 - iv. Playground
 - v. Sports Court
 - vi. Game Room
 - vii. Jogging Trail
 - viii. Other similar amenities as approved by the Director of Development Services.
- d. Shall provide a full-service restaurant offering three meals a day with room service.
- e. Shall provide a minimum total of 20,000 square feet of meeting/event space.
- f. No more than 5% of the total number of guest rooms shall have cooking facilities.
- g. All room units must be accessed through an internal hallway, lobby, or courtyard.
- h. Anywhere a full-service hotel is permitted, a dual brand hotel is also permitted, subject to the following criteria:

- i. The dual brands shall be either Full Service and Limited Service or Full Service and Residence/Extended Stay.
- ii. More than one-half of the rooms and building area shall be part of the Full Service brand.
- iii. Each of the two brands shall be the same chain.
- iv. The Limited Service or Residence/Extended Stay portion of the hotel must comply with the requirements of its conditional development standards as found in this section, namely Article 2.D.26 and Article 2.D.27. There are no limitations on the location of a Residence/Extended Stay hotel when part of the dual brand.
- v. The required amenities for each type of hotel must be provided, and no single amenity can be counted for both brands. However, it is permissible for the guests of both brands to use all the amenities.
- vi. The hotel shall be designed to appear as one hotel with similar architectural style and articulation for both brands.

Article 4. Definitions

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4.02. Land Use Terms

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G. Service Uses:

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28. **Hotel, full service**

A building or group of buildings designed for and occupancy as a temporary lodging place; where financial consideration is generally calculated on a nightly basis; provides a restaurant offering three meals a day; provides meeting/event space; and is not classified as a limited service hotel or a residence hotel.

29. Hotel, Dual Brand: A dual brand hotel combines two hotel brands, one of which is a full service hotel, from the same hotel chain into one building. Each brand operates separately with its own identity but must have a shared lobby and check-in desk. The brands may also share services such as laundry facilities, food and beverage facilities, and amenities.

30. ~~29.~~ Hotel, limited service

A building or group of buildings designed for and occupancy as a temporary lodging place; where financial consideration is generally calculated on a nightly basis and is not classified as a full service hotel or a residence/extended stay hotel.

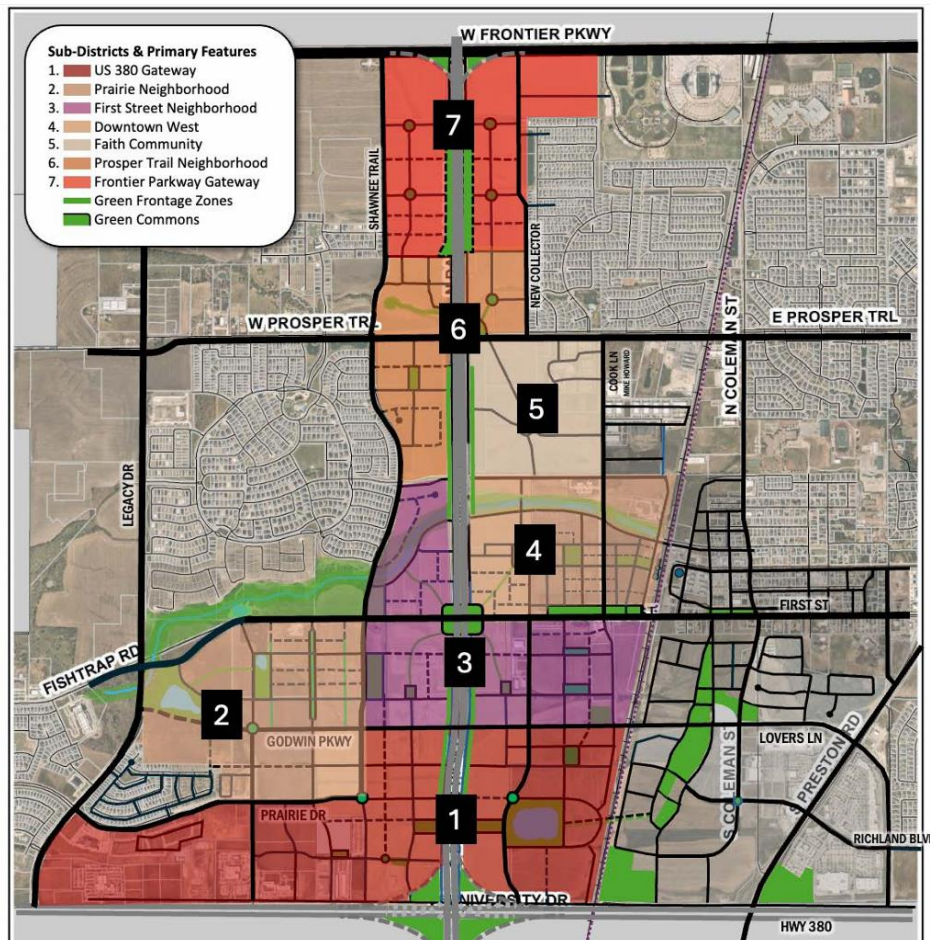
31. ~~30~~ Hotel, residence/extended stay

A building or group of buildings designed for and occupancy as a temporary lodging which may include an extended stay and where financial consideration is generally calculated on a nightly, weekly, or monthly basis and is not classified as a limited service hotel or a full service hotel.

Dallas North Tollway District

During the review and finalization of the UDC, the Town was working with a consultant to finalize the Dallas North Tollway (DNT) District Development Standards. The DNT District Development Standards are guidelines. It is proposed to incorporate certain landscape, open space, and setback standards in the UDC to be enforceable.

EXHIBIT 1 – DNT Special District Plan



Proposed UDC Amendments:

Landscaping

Article 2. Zoning Regulations

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2.08 Landscaping

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F. Landscape Area Requirements

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3. Nonresidential Landscape Area Requirements

These standards apply to all nonresidential uses. Any area within a PD containing landscaping standards shall comply with the standards set forth in the PD district.

i. A landscaped area consisting of living trees (as specified below), turf, or other living ground cover and being at least 25 feet in width measured from the property line interior to the property shall be provided adjacent to and outside of the right-of-way on all properties located adjacent to a major or minor thoroughfare as defined by the Town of Prosper Thoroughfare and Circulation Designs Standards.

(a) The landscaped area may be reduced to 15 feet for the portion of a property adjacent to a collector or equivalent street as defined by the Town of Prosper Thoroughfare and Circulation Designs Standards.

(b) The landscaped area shall be increased to 30 feet for properties adjacent to Preston Road, University Drive, and Frontier Parkway, and 60 feet for properties adjacent to the Dallas Parkway.

(c) One large tree, 3-inch caliper minimum per 30 linear feet of roadway frontage shall be planted within the required landscape area. The trees may be planted in groups with appropriate spacing for species.

Within the Dallas North Tollway District:

1. Adjacent to Dallas North Tollway:

a. Three (3) offsetting rows of six (6) inch caliper evergreen trees (at the time of planting).

b. The trees will be planted on 36' centers in the north/south direction and placed as tightly as possible in the east/west direction.

c. Include pleasant landscape ground plain with pedestrian trail connections.

2. Major Thoroughfares:

a. One (1) large tree, four (4) inch caliper minimum (at the time of planting) per twenty-five (25) feet of linear roadway frontage.

b. The trees may be planted in groups with appropriate spacing for species.

c. 22 shrub plantings per thirty (30) linear feet with a minimum size of five (5) gallon at the time of planting.

d. Screen abutting parking from the adjacent roadway with shrubs or earthen berms.

- e. During the review of development proposals, the Town may also require additional landscaping features such as berms or hardscape elements for enhanced beautification of the Tollway District.

3. Minor Thoroughfares:

- a. One (1) large tree, four (4) inch caliper minimum (at the time of planting) per thirty (30) feet of linear roadway frontage shall be planted within the required landscaped area.
- b. The trees may be planted in groups with appropriate spacing for species.
- c. Shrub plantings shall be provided at a minimum rate of 20 ten (10) gallon shrubs per thirty (30) linear feet.
- d. Parking abutting the landscaped area will be screened from the adjacent roadway. The required screening may be with shrubs or earthen berms.
- e. During the review of development proposals, the Town may also require additional landscaping features such as berms or hardscape elements for enhanced beautification of the Tollway District.

4. Big Box Retail and Grocery Stores

- a. One (1) additional tree shall be planted for each 100 linear feet of frontage.
- b. Trees shall be a minimum 4-inch caliper.
- c. Trees may be placed in planters.

- (d) For new development in Downtown Prosper, one large tree, 3-inch caliper minimum per 30 linear feet of roadway frontage, excluding the width of driveways at the property line, shall be planted within the required landscape area. Where the width of the roadway frontage is greater than 80 feet, excluding the width of driveways at the property line, the number of large trees may be planted at a rate of one, 3-inch large tree per 40 feet of roadway frontage, in lieu of the required one tree per 30 linear feet. The trees may be planted in groups with appropriate spacing for species. In Downtown Prosper, the substitution of three small, ornamental trees for one large tree shall not be permitted.
- (e) A minimum of 15 shrubs with a minimum size of 5 gallons each will be planted in the landscaped area for each 30 feet of linear frontage.
- (f) Parking abutting the landscape area shall be screened from the adjacent roadway. The required screening may be accomplished with shrubs or earthen berms.
- (g) Unless parking is adjacent to a street, shrubs are not required in the landscape area in Downtown Prosper.
- (h) Required landscape areas adjacent to public streets shall be planned around existing obstacles and shall not include easements or other restrictions which could inhibit planting, growth, or permanence of landscaping.
- (i) Berms ranging in height from 3 feet to 6 feet, and an overall minimum average of 4.5 foot, shall be required along US 380,

Frontier Parkway/FM 1461/ Parvin Road, Custer Road/FM 2478,
Preston Road, Dallas Parkway, and FM 1385.

Open Space

Article 2. Zoning Regulations

..... 2.08 Landscaping

..... F. Landscape Area Requirements

..... 3. Nonresidential Landscape Area Requirements

These standards apply to all nonresidential uses. Any area within a PD containing landscaping standards shall comply with the standards set forth in the PD district.

..... f. Open Space Requirements

- i. A final open space plan shall be submitted with the final Site Plan application for all nonresidential uses. Open space plans will be used only to ensure minimum standards are met. Open space plans shall be reviewed and approved by the Director of Development Services or their designee. The applicant may appeal the decision to the Planning and Zoning Commission. For nonresidential development, 12% of the net lot area is required to be provided as open space. The open space may consist of any element that is not one of the following:

- (a) Vehicular paving
- (b) Required parking lot landscape islands
- (c) Building footprint
- (d) Utility yards
- (e) Required landscape setbacks and landscape buffers (i.e. around dumpsters, loading areas)
- (f) Sidewalks
- (g) Detention ponds. Detention ponds that are located between the building and street and contain a constant water level, are landscaped, or otherwise treated as an amenity for the development, as determined by the Director of Development Services or their designee, may be calculated toward the required open space.

- ii. The Town wants to attract the public to open space areas for nonresidential developments. The open space area must be usable and/or include functional elements in the open space and generally shall be at least 40 feet wide and consists on at least one major amenity listed below, or as determined by the Director of Development Services or their designee:

- (a) Major Amenities
 - (i) A pergola or gazebo area
 - (ii) Shaded seating area which can include picnic tables
 - (iii) Enhanced walking trails
 - (iv) Water features such as walls, fountains, plaza pools, wishing wells, bodies of water, or splash pads
 - (v) Displays of public art, statues, or structures
 - (vi) Other options to be considered by the Town

- (b) Minor Amenities
 - (i) Educational and/or historical materials; signage/boards
 - (ii) Masonry seating walls
 - (iii) Planter beds, pollinator gardens, rock gardens, or water gardens
 - (iv) Dog/pet park area
 - (v) Turf Recreational area for activities such as yoga and a play area for children
 - (vi) Fire pit area with outdoor lighting
 - (vii) Other options to be considered by the Town
- iii. Open space in the Dallas North Tollway District is to be designed in a network as represented in Exhibit 2 of the Dallas North Tollway District Development Standards and comply with the following:
 - (a) Within each new development, a minimum of three amenities shall be provided within an open space in accordance with the list in Article 3.f.ii. above, with at least one being a major amenity.
 - (b) Open spaces shall be visible and easily accessible from public areas such as building entrances and adjacent streets and sidewalks.
 - (c) Ample seating shall be provided, including walls, ledges, and other raised surfaces which can serve a similar purpose.
 - (d) Active uses such as retail, cafes, restaurants, higher density residential and office uses which provide pedestrian traffic should be considered as appropriate uses to line parks and open spaces.
 - (e) In addition to the open space framework shown on Exhibit 2, development plans shall take the goals and objectives of the Town's Bike and Trail Master Plan into consideration when planning for new parks and open space amenities.
 - (f) Whether a park/open space is a public facility or publicly accessible under private ownership will be determined during the site plan approval process.
 - (g) Design issues and opportunities will be confirmed through the final site plan approval process.
 - (h) Subdistrict 1
 - (i) Prominent open space should be readily visible from the Dallas North Tollway to serve as an entry gateway and be a feature around which buildings are sited. The length of the open space should be proportionate with the buildings it serves and create notable space from Dallas North Tollway.
 - (ii) Develop a water feature (central lake) surrounded by trees and trails in the development on the east side of the Dallas North Tollway, south of First Street.
 - (i) Subdistrict 2
 - (i) The Parvin Branch drainage feature north of First Street shown on Exhibit 2 is envisioned to be a continuous green open space that provides the adjacent neighborhood with active programming and respite.

- (ii) Within non-residential development south of First Street and east of Legacy Drive, the existing drainage and retention basin should be preserved, enhanced, and amenitized as an open space feature.
- (j) Subdistrict 3
 - (i) Provide open space at the hard corner at the intersection of First Street and the Dallas North Tollway approximately 100 feet by 150 feet to be designed for pedestrian activity.
 - (iii) Provide open space in the form of pocket parks within the development for passive pedestrian use.
- (k) Subdistrict 4
 - (i) The Parvin Branch waterway south of Safety Way shall be a continuous green open space with a central retention pond features.
 - (ii) Intermingle pocket parks into the neighborhood(s).
 - (iii) Provide a green commons in the retail village area.
 - (iv) Create a central pocket park at the silo designed so the adjacent streets may be shut down during events.
- (l) Subdistrict 5
 - (i) A central vehicular feature around the existing drainage area is envisioned to work with the existing site natural features. It should use heavy landscaping and provide connection to a larger pedestrian trail system.
- (m) Subdistrict 6
 - (i) Provide a parklet space at the northeast corner (hard corner) of Prosper Trail and the Dallas North Tollway that can be utilized and accessed by restaurants and other similar non-residential uses.
 - (ii) Provide small pocket parks intermingled into the development framework as rectangular spaces with streets around them and roundabouts with central greens.
 - (iii) Special artwork should be considered given the visual prominence of their locations within the community plan.
- (n) Subdistrict 7
 - (i) Prominent open space should be readily visible from the Dallas North Tollway to serve as an entry gateway and be a feature around which buildings are sited.
 - (ii) The interior of roundabouts shall be designed for passive pedestrian use and landscaped.
 - (iii) Special artwork should be considered given the visual prominence of their locations within the community plan.

Setbacks

Article 2. Zoning Regulations

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2. Commercial (C) District

a. General Purpose and Description

The Commercial District is intended predominately for heavy retail, service, light intensity wholesale and commercial uses, but excluding warehousing uses. The nature of uses in this district has operating characteristics and traffic service requirements generally compatible with typical office, retail, and some residential environments. Uses in this district may require open, but screened, storage areas for materials. This zoning district may be appropriate in areas designated as community or regional retail on the Future Land Use Plan.

b. Dimensional Standards

Commercial District	
Height	
Maximum Height	40 feet
Size of Lots	
Minimum Lot Area	10,000 square feet
Minimum Lot Width	100 feet
Minimum Lot Depth	100 feet
Size of Yards	
Minimum Front Yard *	30 feet *
Minimum Side Yard	15 feet adjacent to a nonresidential district. The minimum side yard setback may be eliminated for attached retail buildings on separate lots as shown on an approved Site Plan 40 feet for a one-story building adjacent to a residential district and 60 feet for a two-story building adjacent to a residential district
Minimum Side Yard (F, see Figure 2.04-30)	30 feet adjacent to a street
Minimum Rear Yard	15 feet adjacent to a nonresidential district. The minimum side yard setback may be eliminated for attached retail buildings on separate lots as shown on an approved Site Plan 40 feet for a one-story building adjacent to a residential district and 60 feet for a two-story building adjacent to a residential district
Other Dimensional Requirements	
Maximum Lot Coverage	50%
Maximum Floor Area Ratio	0.5:1

*For properties within the Dallas North Tollway District, see Article 2.04.E.2.c. below.

c. Minimum Setbacks in the Dallas North Tollway District shall be as follows:

1. Dallas North Tollway, US 380 and Frontier Parkway Front Setback Zone
 - (a) Adjacent to US 380 and Frontier Parkway - Front Setback of 50 feet.
 - (b) Adjacent to Dallas North Tollway – Front Setback of 60 feet.
 - (c) Subdistrict 3 (First Street Neighborhood) adjacent to the Green Commons – Front Setback of 20 feet.
 - (d) Subdistrict 4 (Downtown West) adjacent to the Green Commons – Front Setback of 20 feet.
2. Build-to Lines
 - (a) Streets with On-Street Parking – A build-to line shall be required. The primary building façade shall be built along the public or private street.
 - (b) Front Setbacks facing a Parks/Open Space – Front Setback shall range between 18 feet and 24 feet from the face of curb for the street that defines the pocket park space.
 - (c) Non-Residential Buildings (buildings with non-residential on the first floor) – The primary façade shall be located on the block face (i.e. property line) with a minimum 70 percent of the building being adjacent to this build-to-line.

d. Other Regulations

See Article 2.07 for permitted uses.

Parking

Article 2. Zoning Regulations

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2.10 Parking, Circulation, and Access

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C. Nonresidential and Multifamily Parking Provisions

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21. Nonresidential parking within the Dallas North Tollway District shall comply with the following standards:

- (a) Parking shall be provided on the side or rear of the primary buildings within new development to minimize visibility.
- (b) Parking lots shall be screened through building and landscape placement and through creating parking “courts” that are entered versus seen directly from the public street.
- (c) Surface parking shall be designed to promote a pleasant pedestrian experience with special design features and landscaped pedestrian ways.
- (d) A maximum of two rows of parking is permitted in the front of the buildings along the Dallas North Tollway, except adjacent to the Green Commons in the Subdistrict 3 (First Street Neighborhood), Subdistrict 4 (Downtown West), and Subdistrict 6 (Prosper Trail Neighborhood), as represented on Exhibit 2 of the Dallas North Tollway District Guidelines, where no parking will be allowed between buildings and the street.

- (e) Shared parking agreements for adjacent properties are acceptable where they:
 - (i) include a business pursuant to the Town's vision,
 - (ii) there is a written agreement between property owners that clearly stipulates the terms of the joint use of the parking spaces, and
 - (iii) the spaces must be committed and available to the respective users on a non-conflicting bases.
- (f) Parking garages shall follow the parameters below:
 - (i) located behind or to the side of the primary building,
 - (ii) shall have an architecturally finished façade complementary to the surrounding buildings with enhanced articulation on a facade facing the street.
 - (iii) Street front openings in parking structures should not exceed 55 percent of the façade area, excluding the top floor if the garage is unroofed.
 - (v) Where possible, the narrower façade of the parking garage should be oriented to the street.

Lighting

During the review of the Unified Development Code, regulations regarding jellyfish lighting were considered. It was recommended to not included them in the UDC to allow time for additional discussion about either prohibiting them or establishing standards for them.

Proposed UDC Amendment:

Article 2. Zoning Regulations

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2.12 Outdoor Lighting

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G. Prohibited

The following are prohibited by this section:

1. "Cobra head" type lighting fixtures having dished or "drop" lenses or refractors which house other than incandescent light sources.
2. Flickering or flashing lights.
3. Exposed neon lighting, except for open/closed signs hanging inside a building door or window.
- 4. Jellyfish style permanent outdoor string lighting is prohibited in all residential districts and commercial districts.**

OR

2.12 Outdoor Lighting

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B. General Requirements

1. The following standards shall apply to all exterior lighting except public street lighting and other lighting that is specifically exempted by this section.

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- I. Jellyfish style permanent outdoor string lighting shall comply with the following:**

- i. It is limited to residential structures;
- ii. It shall be limited to the under the eaves of a residential structure;
- iii. It shall not flash or strobe in such a way as to unreasonably harm or restrict public health, safety, and welfare or create a nuisance; and
- iv. The lights shall be a soft warm or white color with the exception of months in which there is a holiday.

Article 4. Definitions

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4.03. Terms Defined

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B. Terms E-K

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194. Jellyfish Lighting - a permanent, color-changing LED lighting system designed for the exterior of residential homes.

Thoroughfare Plan:

Not Applicable.

Parks Master Plan:

Not Applicable.

Legal Obligations and Review:

Notification was provided as required by the Unified Development Code and state law. Staff has not received any response to date.

Attached Documents:

None.

Town Staff Recommendation:

Staff recommends consideration and action upon amendments to the Town of Prosper Unified Development Code related to closing applications, providing standards for a dual brand hotel, updating Commercial District regulations, landscape and open space criteria, and parking requirements for the Dallas North Tollway Overlay District, addressing jellyfish-style lighting, and defining terms related to the proposed amendments.

Town Council Public Hearing:

A Public Hearing for this item is scheduled for the Town Council at their Regular meeting on July 28, 2026.