



# City of Denton

City Hall  
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Denton, Texas  
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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**ACM:** Kenneth Hedges

**DATE:** May 27, 2026

### **SUBJECT**

Hold a public hearing and consider making a recommendation to City Council regarding a proposed revision to the Denton Development Code; specifically by amending Subchapter 4 – Overlay and Historic Districts, to establish Section 4.11, Southeast Denton Area Plan Overlay Districts, including the Southeast Denton Residential Overlay (SEDRO), the Southeast Denton Height Overlay District (SEDHO), and the Southeast Denton Live/Work Overlay District (SEDLWO), and providing applicability, dimensional standards, design standards, allowed uses, and/or use-specific standards for each district. The Southeast Denton Residential Overlay includes 375.94 acres generally bounded by East McKinney Street to the north; North Bradshaw Street, East Prairie Street, and the MKT Railroad to the west; Smith Street, Kerly Street, and Morse Street to the south; and South Woodrow Lane to the east; the Southeast Denton Height Overlay District includes 39.77 acres generally bounded by East McKinney Street to the north, Exposition Street to the west, East Sycamore Street to the south, and North Bradshaw Street to the east; and the Southeast Denton Live/Work Overlay District encompasses 27.58 acres and generally includes properties along the north and south sides of East Prairie Street between Oakwood Cemetery and the MKT Railroad, properties along the west side of Skinner Street, properties along the north and south side of Robertson Street situated between Wye Street and the Stream PEC 4 drainage channel, and properties along the east and west sides of Cook Street north of Wye Street in the City of Denton, Denton County, Texas. (DCA26-0002a, Julie Wyatt and Mia Hines)

### **BACKGROUND**

The proposal is to add three new overlay districts to Denton Development Code (DDC) Subchapter 4 - *Overlay and Historic Districts*. The proposed districts are all located within Southeast Denton and are all intended to protect the existing neighborhood character while supporting new nonresidential uses that are contextually appropriate and desired in certain areas. These proposed districts are the result of extensive community engagement and staff coordination to implement several Actions outlined in the Southeast Denton Area Plan. The following is a discussion of the Southeast Denton Area Plan (SEDAP), proposed overlay regulations, and public engagement activities. Three work session discussions regarding these overlays were held with the Planning and Zoning Commission, and the AISs from those discussions are provided as Exhibit 5 to this report.

#### *Southeast Denton Area Plan*

Area plans are effective tools to define a community's vision and goals related to land use, neighborhood design, economic development, housing, mobility, parks, services, and infrastructure. To achieve the vision and goals, area plans also contain specific action steps which guide future land use decisions and public investments. Action steps can be varied and may include the following: capital investment prioritization to address infrastructure needs, incentive packages to encourage economic development, home loan grants to promote affordability, or zoning overlay districts to ensure appropriate land uses and neighborhood design.

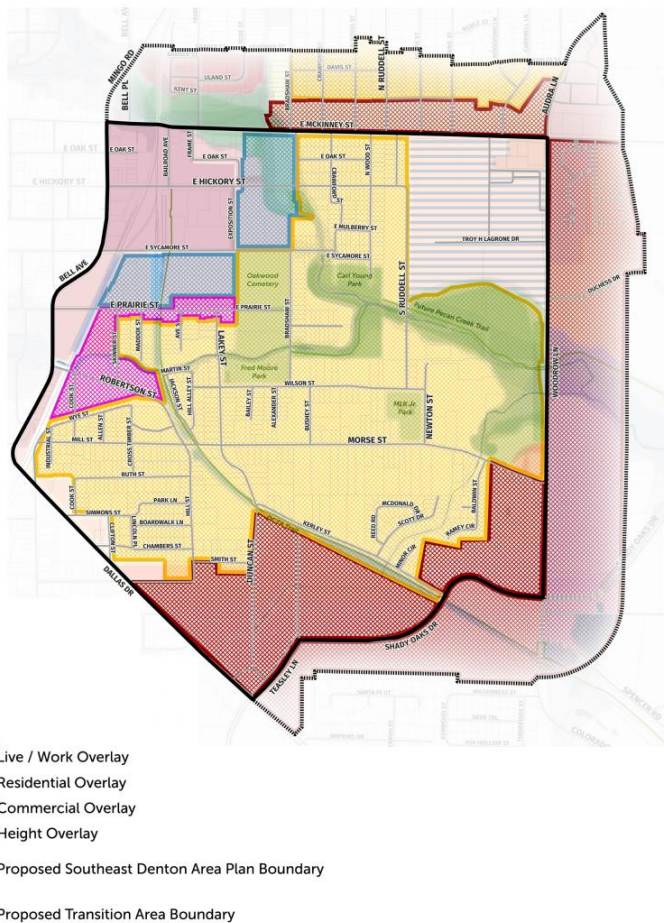
The Southeast Denton Area Plan was created through an in-depth planning process that took place from [start month/year] to July of 2024. The SEDAP development process included 40 community engagement activities combined with current demographic, land use, economic, and mobility conditions. Engagement activities focused on the following:

- Delineating areas to be preserved,
- Delineating areas where change is appropriate,
- Listening to the community’s concerns about how past practices negatively impacted Southeast Denton neighborhoods,
- Documenting the community’s current concerns,
- Understanding long-time residents’ fears about change and gentrification,
- Learning the community’s hopes for the future,
- Validating data and analysis, and
- Receiving feedback on proposed strategies to ensure the final plan was an accurate reflection of the community’s vision and goals.

Ultimately, SEDAP (approved by City Council in July 2024) contains six Goals, twenty Strategies, and fifty-three Actions. These Goals, Strategies, and Actions are provided as Exhibit 4. Since adoption, Staff and residents have focused on implementing the recommended actions to build trust with the community, achieve residents’ vision, and reinforce the importance of long-term investment in this area of the City.

The current proposal is consistent with SEDAP **Strategy 4.1: Establish overlay districts to protect existing neighborhood scale and character** and the following recommended **Actions** (and as shown in the inset map, right):

- **Action 4.1.1:** Create a Residential Overlay District (yellow hatching) to maintain the scale and character of the neighborhoods while fostering community investment to create livable and inclusive neighborhoods for all who want to call Southeast Denton home. Overlay standards may include, but are not limited to, limiting height to two stories, allowing infill on small lots, requiring enhanced front elevations such as larger windows and covered porches.
- **Action 4.1.3:** Create a Live-Work Overlay District (pink hatching) that focuses on allowing small mom and pop retail such as bookstore, toy shop, coffee shop, music store, barber shop, hair salon/spa, small incubator space, resale clothing etc. in a portion of a single family home with a portion being used as a residence simultaneously. Require design standards from the residential overlay in Action 4.1.1 to be applied in this Live-Work Overlay also.



- Create a Height Overlay District that focuses on ensuring new development respects the scale of nearby homes and provides a gentle transition between residential and commercial areas.

Overlay districts do not change the existing zoning, rather, they sit on top of the existing zoning and can modify development scale, design standards, and uses for defined areas. The proposed Southeast Denton Overlay Districts include boundaries and regulations specific to the purpose of each district and the community's goals as outlined in SEDAP. It should be noted that the Commercial Overlay shaded in red in the map above and described in Action 4.1.2 of SEDAP is not included as part of this proposal. This overlay district will be brought forward at a future date and would be required to be adopted into the DDC through the public hearing process.

It should be noted that **overlay districts are a primary tool to implement the land use components of area plans** as reflected in the above listed actions.

## **PROPOSED SOUTHEAST DENTON OVERLAY DISTRICTS**

A summary of the proposed regulations with a brief explanation is provided below. The full text of the DDC Subsections are attached as Exhibit 7, with the text of the proposed additions shown in blue and existing DDC text shown in black:

### *1. Southeast Denton Residential Overlay District (SEDRO)*

The majority of Southeast Denton is comprised of low-density single-family neighborhoods, parks, churches, and schools; however, some vacant properties and large lots (which could be subdivided) create an opportunity for individual property owners to pursue infill development and redevelopment. **During the SEDAP planning process, residents and community members indicated protection of the scale, design, and density of the established low-density, single-family neighborhoods is a top priority.** Additional residential development would be welcome in Southeast Denton, provided that new development respected the scale, land use, and character of the established residential neighborhoods.

The current base zoning pattern (see Exhibit 3) provides some neighborhood protection, including the following:

- **Residential-4 (R4) District** requires a minimum lot size of 7,000 square feet, maximum building height of 40 feet and permits only single-family dwellings as a by right residential use (townhomes and duplexes require City Council approval of a Specific Use Permit through the public hearing process). This district governs most residential neighborhoods in Southeast Denton.
- **Residential 3 (R3) District** requires a minimum lot size of 10,000 square feet, maximum building height of 40 feet, and allows only single-family dwellings as a by right residential use. It is found in smaller residential sections of Southeast Denton primarily along Mill and Ruth Streets.
- **Residential 7 (R7) District** requires a minimum lot size of 4,000 square feet, maximum building height of 40 feet, and permits a variety of residential uses and some low intensity commercial uses. It is found along East Prairie Street and near Dallas Drive.
- **Mixed Use Neighborhood (MN) District** requires a minimum lot size of 2,500 square feet, maximum building height of 40 feet when adjacent to residential zoning or single-family or duplex uses (additional height allowed with City Council approval of a Specific Use Permit through the public hearing process), and a variety of residential and commercial uses. MN District can be found on Robertson Street and a tract near East Prairie and Skinner Streets.
- **Planned Development (PD) District** impacts developments with specialized regulations. They can also be found within limited pockets of the SEDRO boundary.

- **Public Facilities (PF) District** is intended for government, public, and quasi-public community uses and services with a maximum building height of 140 feet and no minimum lot size. PF District governs schools, government buildings, parks, Oakwood Cemetery, and some floodplain areas in Southeast Denton.

To achieve the desired neighborhood protection and require the design of all new developments to reflect the existing character of the community, the Southeast Denton Area Plan recommended **Action 4.1.1, Residential Overlay (SEDRO) District**.

The proposed SEDRO District covers approximately 375.94 acres and is not intended to actively encourage new development and does not include any modifications to minimum lot size, density, permitted uses or base zoning districts. Rather, its purpose is to specify how the front façade of new homes must look and is related to building height and architectural design only. It should be noted that property owners will maintain the right to develop or redevelop their property in accordance with the base zoning district as described above, albeit with additional regulations to ensure new structures blend in with the existing character and scale.

**Southeast Denton Area Plan Action 4.1.1** includes several objectives to ensure the SEDAP goal to strengthen neighborhoods and housing affordability is met. These objectives include:

- Maintaining scale and character,
- Foster community investment, and
- Creating livable and inclusive neighborhoods.

A summary of the proposed regulations with a brief paragraph explaining how the recommendation meets the goals of the Southeast Denton Areas Plan and the objectives of Action 4.1.1 are provided below. The full proposed text of the DDC Subsections are attached as Exhibit 7:

**New DDC Subsection 4.11.3, *SEDRO—Southeast Denton Residential Overlay***

- Applicability:
  - Construction of a new primary or accessory structure.
  - For expansion of an existing structure, the new/expanded portion of the structure shall only comply with the maximum height and roof form requirements.
  - Any structure, lot, and associated site feature lawfully existing within the boundaries of the SEDRO Subdistrict on the effective date of this overlay district shall be deemed a lawful structure, lot, or site feature.

The intent of SEDRO District is twofold: first, ensure that new structures are compatible with the existing architecture and building scale, and second, verify that the height and form of additions or expansions match the scale of the neighboring homes. The purpose is not to penalize existing property owners or discourage property maintenance or renovations. Therefore, no SEDRO regulations apply to any lawfully existing structure, lot, or site feature. Additionally, the regulations for expansion are limited to only the maximum height and roof form to ensure the regulations do not unnecessarily impact the affordability of updating existing homes.

- Permitted uses: SEDRO does not change the permitted land uses outlined in Table 5.2-A or modify the base zoning of individual properties.
- Dimensional Standards
  - The maximum height for main dwelling: 30 feet (approximately two stories)
  - The maximum height for accessory structures: 20 feet (approximately one and one-half stories)

During the SEDAP public engagement activities, residents indicated that taller building heights could negatively impact the community's built form and neighboring properties. Since the majority of Southeast Denton contains one-story homes, the proposal would reduce the current maximum building height to allow a compatible two-story home or a one and one-half story accessory structure.

- Design Requirements

- All new homes must include:
  - Either a porch (25% of ground floor façade width and decorative columns), or a stoop (24 square feet)
  - Windows and doors on the front façade must be prominent and surrounded by decorative trim
  - Roofs shall be gabled, hipped, or a combination thereof
  - Plus two of the following architectural details:
    - Dormers
    - Projection window
    - Split garage doors (for front-facing garages)
    - Railing or low wall enclosing porch or stoop
    - Multi-pane or mission-style windows

Because the majority of homes in Southeast Denton were constructed over a 60-year timeframe, they include in a variety of architectural styles reflecting individual preferences and design trends in a given decade, including vernacular, bungalow, craftsman, and ranch. The proposed design requirements reflect the common architectural elements or themes which can be found in all of the representative styles and were written to be general enough to allow for personal taste, creativity, and/or affordability while encouraging consistency with the homes found in Southeast Denton.

For example, Southeast Denton is distinctive in that a large, covered porch can be found on nearly every home. Frequent use of porches creates a traditional streetscape that is not often found in mass-produced modern housing developments and sets the community apart with a rare sense of place. The proposed design requirements maintain the streetscape by requiring either functional front porches or stoops (a more cost-effective option) for all new homes.

## 2. *Southeast Denton Height Overlay District (SEDHO)*

Unlike the Residential Overlay, this proposed Height Overlay District (SEDHO) does not have a companion Action in the Plan, as it is straightforward and limited in scope. However, the location for this overlay was identified on Figure 32 – Proposed Overlays within the plan (shown above and in Exhibit 4). SEDHO encompasses 39.77 acres of land along E. Sycamore and Exposition Streets, and it is intended to limit the height of new construction in areas near the Denton County Transit Authority (DCTA) Transit Station to prevent the encroachment of downtown-style development in Southeast Denton. The Height Overlay will reduce the currently permitted development scale and intensity, requiring more compatible heights to minimize their impact.

Currently, the existing zoning would allow heights up to 65 feet in the Mixed-Use Neighborhood (MN) District and 100 feet in the Public Facility (PF) District. As proposed, the SEDHO would limit the height of any new construction within its boundary to a maximum of 40 feet. This proposal would not make any existing buildings nonconforming.

**SEDHO does not include any changes to the permitted land uses outlined in Table 5.2-A or the zoning map and only serves to limit building height.**

### *3. Southeast Denton Live/Work Overlay District (SEDLWO)*

The SELDWO encompasses approximately 27.58 acres and includes the properties along the north and south side of East Prairie Street between Oakwood Cemetery and the MKT Railroad, properties along the west side of Skinner Street, properties along the north and south sides of Robertson Street situated between Wye Street and the Stream PEC 4 drainage channel, and properties along the east and west sides of Cook Street north of Wye Street. Homes in Southeast Denton were often constructed for the families who resided in them, resulting in a variety of architectural styles reflecting individual preferences and design trends in a given decade, including vernacular, bungalow, craftsman, and ranch. Zoning within the SELDWO area is primarily Residential-4 (R4) District, Residential 7 (R7), and Mixed Use Neighborhood (MN). While the majority of the lots are developed with residential uses, some vacant properties and large lots (which could be subdivided) creates an opportunity for infill development and redevelopment. Per the SEDAP, the Future Land Use Map indicates a mix of Neighborhood Mixed Use north of East Prairie Street, Moderate Residential west of Skinner Street, and Low Residential within the remainder of the area identified for the SELDWO.

During the SEDAP planning process, residents and community members identified East Prairie Street as a hub for black businesses during a time in history when it was difficult, and sometimes impossible, for black businesses to occupy space anywhere else within the City of Denton. Today, the primary land use within this corridor is single-family residential, with just a few neighborhood-scaled nonresidential uses including a barber/beauty shop, restaurant, and religious assembly facilities. Participating residents and community members indicated a desire to see this area restored as a local business hub, provided the overall goal of preserving the neighborhood character is also achieved. Post-adoption engagement also revealed a preference for a select list of nonresidential uses including restaurant, personal services, retail, administrative and medical offices, childcare, trade schools, self-services laundry facilities, and bank or financial institutions.

The Live/Work Overlay (SEDLWO) District was recommended as a tool to allow for small, locally owned and operated businesses to occupy existing structures in a way that is compatible with the neighborhood character and surrounding single-family residential land uses. Action 4.1.3 of the SEDAP specifies that this overlay district should allow for nonresidential uses “in a portion of a single-family home with a portion being used as a residence simultaneously”, an attempt to both diversify the commercial options available to consumers within the community and offset the potential costs and risks associated with locating and operating out of a new separate space. However, Staff found that the practical implementation of a live/work dwelling unit invites more barriers than opportunities for many of the existing structures within this area of Southeast Denton.

Specifically, the DDC defines a live/work dwelling as a dwelling unit containing an integrated living and working space in different areas of the unit but specifies that the residential component of the unit be limited to 50% of the total gross floor area. Conversely, the International Building Code (IBC) specifies that the nonresidential component of the unit be limited to 50% of the total gross floor area and the International Fire Code (IFC) requires commercial fire suppression for all structures that could be considered a live/work dwelling per the IBC. These conflicting standards make it so that property owners seeking to operate a live/work dwelling unit in the City of Denton must comply with the relatively expensive requirements of the IBC and IFC applicable to mixed-use and commercial buildings regardless of how intense their proposed nonresidential use is. In some cases, these requirements make it so that it is more financially feasible to lease and operate out of a separate space rather than remodel an existing home. Additionally, recent DDC changes related to “home-based businesses” have made it easier for people to use their homes to operate their low-impact businesses as an accessory use to their residence throughout the City of Denton. Therefore, the proposed SELDWO focusses less on allowing for the vertical mix of nonresidential and residential uses

within the same building, but rather on permitting the stand-alone operations of a select list of land uses desired by the community and imposing standards that ensure the preservation of the neighborhood character and minimize impacts on the surrounding single-family residences. The proposed Sections were created out of consideration of both the existing land uses and the varying FLUM designations discussed above.

A summary of the proposed regulations with a brief explanation are provided below. The proposed text of the DDC Subsections are attached as Exhibit 7:

- Applicable to all sections:
  - Exemption from the current DDC requirement that live/work dwellings must utilize 50% of the structure for the nonresidential use
  - Limit hours of operation for all new nonresidential uses as follows:
    - Monday to Thursday – 8:00am to 8:00pm
    - Friday to Sunday – 8:00am to 10:00pm
    - Child Day Care (where permitted) – 6:00am to 8:00pm daily
  - Compliance with Denton Code of Ordinance Noise Standards
  - Uniform landscape compatibility buffer between all new nonresidential uses and existing residential uses to include:
    - 15-foot-wide landscape area
    - 8-foot-tall double-faced fence
  - Required compliance with SEDRO architectural standards for all new structures
- Section A (generally along E. Prairie Street):
  - Allow the following uses as stand-alone nonresidential uses subject to special land use standards, regardless of the underlying Zoning (see Exhibit 3) for full list of uses and standards):
    - Administrative office
    - Business/trade school
    - Child day care
    - Live/work dwelling
    - Personal services
    - Restaurant (without a drive-through)
    - General retail
    - Self-service laundry
- Section B(generally along Skinner Street norther of the stream):
  - Allow the following uses regardless of the underlying Zoning:
    - Child day care
    - Duplex dwelling
    - Triplex dwelling
    - Fourplex dwelling
    - Townhome dwelling
    - Live/work dwelling
- Section C (generally along Robertson Street):
  - Allow live/work dwelling units regardless of the underlying zoning

*Public Engagement/Feedback:*

In addition to the public engagement associated with preparing the Southeast Denton Area Plan, staff conducted additional public engagement to ensure the proposed overlay regulations are consistent with the community's goals. Engagement included the following:

- Staff held a Block Party in March 2025 where staff conducted additional surveys to confirm the community’s preferences for architectural features, building scale, and building placement. Staff believed it was important to do this additional targeted engagement to affirm the initial results received during developing the Plan and to verify which residential characteristics were most desired.
- Draft regulations for the overlay districts were displayed at the 2025 Juneteenth Celebration and the July 2025 Southeast Denton Neighborhood Association meeting to validate that the proposal adequately and accurately reflects the community’s goals.
- Community Workshops were held to finalize the proposed regulations (advertised with door hangers, announcement at Southeast Denton Neighborhood Association (SEDNA) meetings).
  - Saturday, September 27 (in person at MLK, Jr. Recreation Center)—one attendee plus informal discussion with several community members
  - Thursday, October 2 (pop-up at American Legion Hall)—informal discussions with 5 to 6 community members
  - Friday, October 3 (virtual)—no attendees
- Community meeting for non-owner-occupied property owners (postcards to mailing address)—seven attendees
- Online surveys, both during the drafting of the regulations and as final validation
- Monthly presentations at SEDNA meetings
- Boards/flyers at MLK and American Legion
- Emails/calls with community members and property owners as needed

Staff also discussed the proposed overlay districts during three work sessions with the Planning and Zoning Commission during the summer and fall of 2025. The Agenda Information Sheets from these meetings are attached as Exhibit 5.

Due to the large number of text changes, the full proposed text of all three overlays are attached as Exhibit 7.

See Exhibit 2 for Staff Analysis.

#### **APRIL 8, 2026, PLANNING AND ZONING COMMISSION MEETING**

A public hearing for the proposed SEDO Districts was held on April 8, 2026. At the meeting, Staff presented the proposal, including the background information and the proposed regulations. Seven members of the public spoke during the public hearing. The discussion included the following topics:

- **General concern regarding the proposed overlay regulations and their intent.** Throughout the Southeast Denton Area Plan (SEDAP) public engagement process, residents shared that new residential and commercial development would be supported if it respected the scale and feel of the existing community. Therefore, the plan recommended a variety of Actions to support both neighborhood businesses and the character of established neighborhoods. Since most of the land area in Southeast Denton is privately owned, the City’s most effective tool to guide and encourage the development and protection desired by the community is zoning. In this instance, SEDAP and the resulting overlay districts are intended to tailor design and use standards which accurately reflect the community’s goals.
- **Impacts to affordability for existing residents of Southeast Denton.** Action 4.1.1 recommends a residential overlay for three reasons: to maintain neighborhood scale and character, foster community investment, and to create livable and inclusive neighborhoods. Given this mandate, affordability was an important consideration during the drafting of the SEDRO regulations. Therefore, the proposal mainly applies to new primary or accessory structures. The height limit and roof forms apply to expansions of existing homes, but otherwise no changes to existing homes are needed. This ensures that current residents and those who are seeking to purchase existing homes are not impacted by the SEDRO requirements.

- **Short-term rentals (STRs) in Southeast Denton.** While the proposed SEDO Districts do not include regulations related to STRs, the City recently updated the STR requirements to add a maximum cap of 1,000 and minimum separation of 100 feet between STRs in residential areas.
- **Impacts to the community’s parking and traffic related to the Live/Work Overlay District.** The proposed Live/Work Overlay District includes regulations that new non-residential uses must provide onsite parking in accordance with the DDC parking ratios with a minimum of four on-site parking spaces required per non-residential use.
- **Concerns that the proposal is modifying the Southeast Denton Area Plan.** The proposal does not modify or amend the adopted Southeast Denton Area Plan. Rather, the overlays are a direct implementation of Actions 4.1.1, 4.1.3, and the Height Overlay as outlined in the plan.
- **Concern regarding the Live/Work Overlay boundary, particularly the area between the DCTA railroad tracks and Oakwood Cemetery.** The proposed boundary was defined during the Area Plan process, and Staff is not proposing to diverge from this approved boundary.
- **Limitation to the hours of operation in the Live/Work Overlay.** A speaker indicated that, for many residents and some community- and youth-serving uses, the proposed operating hours are not sufficient for the target customers and participants. As stated above, the restricted hours are proposed to preserve the existing neighborhood character and are proposed out of respect for the neighboring single-family residential land uses.

At the close of the public hearing, the Planning and Zoning Commission discussed the proposal, public comments, and the concerns raised. Ultimately, the Commissioners voted to postpone the item to allow for one additional community meeting. Staff subsequently held a community meeting at the MLK, Jr. Recreation Center on May 18, 2026. Approximately 73 members of the community attended this community meeting, and many made similar comments and concerns regarding the general intent of the proposed overlay regulations, the applicability of the residential architectural standards, and the hours of operations proposed within the Live/Work Overlay. There were no new comments or concerns raised during this meeting that have not already been addressed within the proposed overlay standards.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

<b>Date</b>	<b>Council, Board, Commission</b>	<b>Request</b>	<b>Action</b>
April 23, 2019	City Council	2019 Denton Development Code	Approved with an effective date of October 1, 2019
July 17, 2024	Planning and Zoning Commission	Southeast Denton Area Plan	Recommended Approval
July 23, 2024	City Council	Southeast Denton Area Plan	Adopted
May 28, 2025	Planning and Zoning Commission	Live/Work Overlay District Work Session	Provide feedback to Staff regarding proposed amendment
June 25, 2025	Planning and Zoning Commission	Residential and Height Overlay Work Session	Provide feedback to Staff regarding proposed amendment
October 8, 2025	Planning and Zoning Commission	Live/Work, Residential, and Height Overlays Work Session	Provide feedback to Staff regarding proposed amendment
April 8, 2026	Planning and Zoning Commission	Zoning Overlay (DCA26-0002)	Postponed

## **OPTIONS**

1. Recommend approval of Denton Development Code text amendments
2. Recommend approval of Denton Development Code text amendments with conditions
3. Recommend denial
4. Postpone item

## **RECOMMENDATION**

Staff recommends **approval** of the Denton Development Code text amendments related the Southeast Denton Overlay Districts as the proposed amendments meet the established criteria for approval for Code Text Amendments as outlined in Section 2.7.4D of the DDC.

## **EXHIBITS**

1. Agenda Information Sheet
2. Staff Analysis
3. Current Zoning Map
4. Southeast Denton Area Plan Recommendations
5. Planning and Zoning Commission Work Sessions Agenda Information Sheets
6. Proposed Overlay Boundaries
7. Proposed DDC Subchapter 4 Amendments
8. Notification Map and Responses
9. Draft Ordinance

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