



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: April 23, 2025

SUBJECT

Hold a public hearing and consider making a recommendation to City Council regarding amending the Denton Development Code; amendments include but are not limited to Denton Development Code Table 5.2-A: Table of Allowed Uses, Section 5.3.5 Commercial Use-Specific Standards, Table 7.9-I Minimum Required Off-Street Parking, and Section 9.2 Definitions. (DCA24-0011c, Commercial Animal Services, Bryce Van Arsdale).

BACKGROUND

April 23, 2025 Planning and Zoning Commission Update:

Code amendments related to Commercial Animal Services were brought forward to the Planning and Zoning Commission on September 25, 2024. The Commission voted [4-0] to approve the request. The motion was made by Chair Ellis and seconded by Commissioner Pruett. Following consideration of this request, staff determined it was necessary to conduct additional public notification to ensure state statute noticing requirements have been satisfied as it relates to potential nonconforming uses.

*Therefore, staff is sending this item back to the Planning and Zoning Commission for public hearing on April 23, 2025. A detailed project history and explanation of the proposed Code amendments are included in this report below. **No changes have been made to the proposed Code amendments since the Planning and Zoning Commission's meeting on September 25, 2024.***

Project History

The purpose of this amendment is to establish a new land use, Commercial Animal Service, providing a greater level of specificity for uses which fall into this category. By adding this definition to the Denton Development Code, staff can better provide for the needs of the community, encouraging this development where appropriate, and enabling staff to impose use-specific standards in target areas to mitigate potential nuisances associated with the land use.

This amendment seeks to provide a land use definition which accommodates the evolution of domestic animal businesses. This establishes a land use designation which applies specifically to domestic animal-oriented businesses, rather than utilizing a broader or outdated land use which does not effectively capture the proposed land uses that are now commonplace within this industry. For example, staff has seen an increase in requests for uses such as dog daycares and cat cafes; these do not fit well within the existing definitions for either Kennel or Personal Service, which is defined very broadly and specifically includes animal grooming as part of the definition. Additionally, use-specific standards would be put in place, and

where applied, these use-specific standards are intended to ensure that uses of this type do not affect neighboring properties in a negative manner.

The following changes are proposed:

- Amend Table 5.2-A: Table of Allowed Uses to remove the existing Kennel use and add Commercial Animal Service (Indoor) and Commercial Animal Service (Outdoor) uses
- Amend Subsection 5.3.5. Commercial Use-Specific Standards to remove existing standards related to Kennels and to establish use-specific standards for the new Commercial Animal Service uses related to the location, size, and use of outdoor play/exercise areas
- Amend Table 7.9-I: Minimum Required Off-Street Parking to establish parking standards for Commercial Animal Services
- Amend Subsection 9.2: Definitions to modify the definitions of existing uses that overlap with the proposed new uses and to establish definitions for Commercial Animal Services

A redline version of the proposed changes is provided as Exhibit 4, and a clean version of the draft text is provided as Exhibit 3.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
April 23, 2019	City Council	Consider 2019 DDC Update	Approved with an effective date of October 1, 2019
August 28, 2024	Planning and Zoning Commission	Staff requested feedback regarding proposed Commercial Animal Service updates	Work Session discussion held, Planning and Zoning Commission directed staff to proceed with the amendments with minor changes.
September 25, 2024	Planning and Zoning Commission	Consider amendments related to Commercial Animal Services	Planning and Zoning Commission voted to recommend approval [4-0]
March 19, 2025	Planning and Zoning Commission	Consider amendments related to Commercial Animal Services	No action taken. Item renoticed for April, 23, 2025

PUBLIC NOTIFICATION

The following public outreach efforts were done to meet legal notice requirements and to seek feedback from adjacent property owners and residents:

- A total of twenty-one (21) notices were mailed out to business and property owners meeting the requirements of Senate Bill 929 (passed during 2023 88th Texas legislative session). As of the writing of this report, zero (0) written responses in favor of the request have been returned, while zero (0) responses in opposition have been received. Responses were received in regard to previous meetings, these responses have been included and are provided as Exhibit 5.
- A notice was published on the City's website on April 3, 2025.

- A notice was published in the Denton Record Chronicle on April 5, 2025.

OPTIONS

1. Recommend Approval
2. Recommend Approval with conditions
3. Recommend Denial
4. Postpone Item

RECOMMENDATION

Staff recommends **approval** of the amendments related to Commercial Animal Services as the proposed amendments meet the established criteria for approval for Code Text Amendments as outlined in Section 2.7.4.D of the DDC.

See Exhibit 2 for Staff Analysis.

EXHIBITS

Exhibit 1 – Agenda Information Sheet
Exhibit 2 – Staff Analysis
Exhibit 3 – Draft Ordinance
Exhibit 4 – Redline Markup
Exhibit 5 – Public Hearing Responses

Respectfully submitted:
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