



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
www.cityofdenton.com

## Meeting Agenda

### Development Code Review Committee

Monday, April 14, 2025

3:00 PM

Development Services Center

After determining that a quorum is present, the Development Code Review Committee of the City of Denton, Texas will convene in a Regular Meeting on Monday, April 14, 2025, at 3:00 p.m. in Training Rooms 3, 4, and 5, at the Development Service Center, 401 N. Elm Street, Denton, Texas, at which the following items will be considered:

#### 1. ITEMS FOR CONSIDERATION

- A. [DCRC25-079](#) Consider approval of minutes for March 24, 2025.  
*Attachments:* [March 24, 2025](#)
- B. [DCRC25-078](#) Receive a report, hold a discussion, and consider approval of amendments to the 2025 Development Code Review Committee meeting calendar.  
*Attachments:* [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - 2025 Draft DCRC Calendar - Monday Meetings](#)  
[Exhibit 3 - 2025 Draft DCRC Calendar - Thursday Meetings](#)
- C. [DCRC25-076](#) Receive a report, hold a discussion, and give staff direction regarding proposed Code amendments related to public notification requirements.  
*Attachments:* [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - DDC Table 2.2-A and Subsection 2.4.6](#)
- D. [DCRC25-35c](#) Receive a report, hold a discussion, and give staff direction regarding proposed Code amendments related to Landscape Standards.  
*Attachments:* [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - DDC Subsection 7.7.5G-7.7.5J and Subsection 7.7.7](#)  
[Exhibit 3 - Proposed Redline Markups](#)

#### 2. DEVELOPMENT CODE REVIEW COMMITTEE PROJECT MATRIX

- A. [DCRC25-080](#) Hold a discussion regarding the Development Code Review Committee Project Matrix.  
*Attachments:* [DCRC Matrix](#)

#### 3. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Development Code Review Committee or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

CERTIFICATE

I certify that the above notice of meeting was posted on the official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on April 11, 2025, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

\_\_\_\_\_  
OFFICE OF THE CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.



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## Legislation Text

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**File #:** DCRC25-079, **Version:** 1

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### **AGENDA CAPTION**

Consider approval of minutes for March 24, 2025.

MINUTES  
DEVELOPMENT CODE REVIEW COMMITTEE  
March 24, 2025

After determining that a quorum is present, the Development Code Review Committee of the City of Denton, Texas will convene in a Regular Called Meeting on Monday, March 24, 2025, at 3:05p.m. in Training Rooms 3, 4, and 5 at the Development Services Center, 401 N. Elm Street, Denton, Texas, at which the following items will be considered:

PRESENT: Chair Brian Beck, and Members: Vicki Byrd, Paul Meltzer, Eric Pruett, and Clay Riggs

ABSENT: None

**REGULAR MEETING**

**1. ITEMS FOR CONSIDERATION**

**A. DCRC25-073:** Consider approval of minutes for March 3, 2025.

AYES (4): Chair Brian Beck, and Members: Vicki Byrd, Paul Meltzer, and Eric Pruett

NAYS (0): None

ABSENT FOR VOTE (1): Clay Riggs

Member Byrd moved to approve the minutes as presented. Motion seconded by Member Meltzer. Motion carried.

**B. DCRC25-070:** Receive a report, hold a discussion, and consider approval of amendments to the 2025 Development Code Review Committee meeting calendar.

This item was tabled for a future meeting by Member Meltzer.

**C. DCRC25-060:** Receive a report, hold a discussion, and give staff direction regarding proposed Code amendments related to Accessory Dwelling Units.

Clay Riggs joined the meeting at 3:09pm.

Angie Manglaris, Development Review Manager, presented the item.

Discussion followed.

**D. DCRC25-072:** Receive a report, hold a discussion, and give staff direction regarding proposed Code amendments related to Landscape Standards.

Staff presented the item.

Discussion followed.

**2. DEVELOPMENT CODE REVIEW COMMITTEE PROJECT MATRIX**

**A. DCRC25-072:** Hold a discussion regarding the Development Code Review Committee Project Matrix.

Angie Manglaris, Development Review Manager, presented the item.

Discussion followed.

**3. CONCLUDING ITEMS**

With no further business, the Regular Meeting was adjourned at 5:05p.m.

X  
\_\_\_\_\_  
Brian Beck  
Chair

X  
\_\_\_\_\_  
Carly Blondin  
Administrative Assistant

Minutes approved on: \_\_\_\_\_



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## Legislation Text

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**File #:** DCRC25-078, **Version:** 1

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### **AGENDA CAPTION**

Receive a report, hold a discussion, and consider approval of amendments to the 2025 Development Code Review Committee meeting calendar.



# City of Denton

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**DCM:** Cassey Ogden

**DATE:** April 14, 2025

### **SUBJECT**

Receive a report, hold a discussion, and consider approval of amendments to the 2025 Development Code Review Committee meeting calendar.

### **BACKGROUND**

On December 9, 2024, the Development Code Review Committee (DCRC) approved their 2025 Meeting Calendar. The meeting calendar generally places DCRC meetings on the second and fourth Monday of each month, with exceptions in January, March, May, July, November, and December to account for City Holidays and known absences. Meetings take place in the afternoon, from 3:00 p.m. to 5:00 p.m.

The calendar is being revisited to receive feedback regarding whether the approved calendar is the best day and time for the Committee to meet for the remainder of 2025. Suggested meeting times for Monday meetings are 11:00 a.m. – 1:00 p.m. with lunch provided, or 3:00 p.m. – 5:00 p.m. Suggested meeting time for Thursday meetings is 3:00-5:00 p.m.

Please note that the DCRC meets on an as needed basis, per Council direction. The calendar reflects the dates when the Committee will be asked to meet when there is a code amendment topic to discuss. The proposed calendar reflecting Monday meeting dates is provided as Exhibit 2, and the proposed calendar reflecting Thursday meeting dates is provided as Exhibit 3. Both calendars reflect potential DCRC meeting dates in yellow and City holidays outlined in red.

### **OPTIONS**

1. Continue use of the Monday Meeting Calendar, meeting from 3:00 p.m. – 5:00 p.m., as previously approved.
2. Approve the Monday Meeting Calendar, meeting from 11:00 a.m. – 1:00 p.m., as submitted.
3. Approve the Thursday Meeting Calendar, meeting from 3:00 p.m. – 5:00 p.m., as submitted.
5. Deny and request modifications for an alternative meeting day/time

### **EXHIBITS**

1. Agenda Information Sheet
2. 2025 Draft DCRC Calendar – Monday Meetings
3. 2025 Draft DCRC Calendar – Thursday Meetings

Respectfully submitted:  
Tina Firgens, AICP  
Deputy Director of Development Services/



Planning Director

Prepared by:  
Angie Manglaris, AICP  
Development Review Manager

# 2025

# DCRC Calendar - Monday Meetings

JANUARY							FEBRUARY							MARCH							APRIL						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
29	30	31	1	2	3	4	26	27	28	29	30	31	1	23	24	25	26	27	28	1	30	31	1	2	3	4	5
5	6	7	8	9	10	11	2	3	4	5	6	7	8	2	3	4	5	6	7	8	6	7	8	9	10	11	12
12	13	14	15	16	17	18	9	10	11	12	13	14	15	9	10	11	12	13	14	15	13	14	15	16	17	18	19
19	20	21	22	23	24	25	16	17	18	19	20	21	22	16	17	18	19	20	21	22	20	21	22	23	24	25	26
26	27	28	29	30	31	1	23	24	25	26	27	28	1	23	24	25	26	27	28	29	27	28	29	30	1	2	3
2	3	4	5	6	7	8	2	3	4	5	6	7	8	30	31	1	2	3	4	5	4	5	6	7	8	9	10

MAY							JUNE							JULY							AUGUST						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
27	28	29	30	1	2	3	1	2	3	4	5	6	7	29	30	1	2	3	4	5	27	28	29	30	31	1	2
4	5	6	7	8	9	10	8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9
11	12	13	14	15	16	17	15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16
18	19	20	21	22	23	24	22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23
25	26	27	28	29	30	31	29	30	1	2	3	4	5	27	28	29	30	31	1	2	24	25	26	27	28	29	30
1	2	3	4	5	6	7	6	7	8	9	10	11	12	3	4	5	6	7	8	9	31	1	2	3	4	5	6

SEPTEMBER							OCTOBER							NOVEMBER							DECEMBER						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
31	1	2	3	4	5	6	28	29	30	1	2	3	4	26	27	28	29	30	31	1	30	1	2	3	4	5	6
7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8	7	8	9	10	11	12	13
14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20
21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27
28	29	30	1	2	3	4	26	27	28	29	30	31	1	23	24	25	26	27	28	29	28	29	30	31	1	2	3
5	6	7	8	9	10	11	2	3	4	5	6	7	8	30	1	2	3	4	5	6	4	5	6	7	8	9	10

# 2025

# DCRC Calendar - Thursday Meetings

**JANUARY**

**FEBRUARY**

**MARCH**

**APRIL**

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
29	30	31	1	2	3	4	26	27	28	29	30	31	1	23	24	25	26	27	28	1	30	31	1	2	3	4	5
5	6	7	8	9	10	11	2	3	4	5	6	7	8	2	3	4	5	6	7	8	6	7	8	9	10	11	12
12	13	14	15	16	17	18	9	10	11	12	13	14	15	9	10	11	12	13	14	15	13	14	15	16	17	18	19
19	20	21	22	23	24	25	16	17	18	19	20	21	22	16	17	18	19	20	21	22	20	21	22	23	24	25	26
26	27	28	29	30	31	1	23	24	25	26	27	28	1	23	24	25	26	27	28	29	27	28	29	30	1	2	3
2	3	4	5	6	7	8	2	3	4	5	6	7	8	30	31	1	2	3	4	5	4	5	6	7	8	9	10

**MAY**

**JUNE**

**JULY**

**AUGUST**

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
27	28	29	30	1	2	3	1	2	3	4	5	6	7	29	30	1	2	3	4	5	27	28	29	30	31	1	2
4	5	6	7	8	9	10	8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9
11	12	13	14	15	16	17	15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16
18	19	20	21	22	23	24	22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23
25	26	27	28	29	30	31	29	30	1	2	3	4	5	27	28	29	30	31	1	2	24	25	26	27	28	29	30
1	2	3	4	5	6	7	6	7	8	9	10	11	12	3	4	5	6	7	8	9	31	1	2	3	4	5	6

**SEPTEMBER**

**OCTOBER**

**NOVEMBER**

**DECEMBER**

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
31	1	2	3	4	5	6	28	29	30	1	2	3	4	26	27	28	29	30	31	1	30	1	2	3	4	5	6
7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8	7	8	9	10	11	12	13
14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20
21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27
28	29	30	1	2	3	4	26	27	28	29	30	31	1	23	24	25	26	27	28	29	28	29	30	31	1	2	3
5	6	7	8	9	10	11	2	3	4	5	6	7	8	30	1	2	3	4	5	6	4	5	6	7	8	9	10



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## Legislation Text

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**File #:** DCRC25-076, **Version:** 1

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### **AGENDA CAPTION**

Receive a report, hold a discussion, and give staff direction regarding proposed Code amendments related to public notification requirements.



## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**DCM:** Cassey Ogden

**DATE:** April 14, 2025

### **SUBJECT**

Receive a report, hold a discussion, and give staff direction regarding proposed Code amendments related to public notification requirements.

### **BACKGROUND**

On December 9, 2024, the Development Code Review Committee (DCRC) held a discussion regarding prioritizing future potential Denton Development Code (DDC) amendment topics and provided final direction to staff, including the prioritization of amendments to the DDC related to public notification. Staff has identified items within Subchapter 2 of the DDC related to public hearing notifications that need to be clarified and refined, including the following:

- Better defining the timing and types of notices applicable to different project types;
- Clarifying the requirements for Comprehensive Plan amendment notifications, which can occur in a variety of forms that are not all suited to the same types of notification; and
- Removing the reference to the Development Handbook (which does not exist) or providing for an alternate administrative procedure manual for communicating notification procedures.

A copy of DDC Table 2.2-A *Summary of Development Review Procedures* (this includes columns specifying the notices that apply to each project type) and Subsection 2.4.6 *Step 4: Scheduling and Notice of Public Meetings/Hearings* (the portion of the “common review procedure” outlined in Subchapter 2 that describes notice requirements) are provided as Exhibit 2.

In addition to the amendments noted above that are needed to set clear expectations for the City’s notification practices, staff is also taking into consideration a recent court ruling out of Austin related to when mailed notices are required as well as a variety of bills that are currently working through the 89<sup>th</sup> legislative session that would affect the minimum standards for notifications required by state law.

At the April 14, 2025, DCRC meeting, staff will introduce the public notification topic, provide an overview of the current state standards and DDC regulations, and discuss the potential changes that may be needed to address the recent court ruling and pending legislation that would necessitate further DDC revisions to bring the City codes into compliance. At the end of the discussion, staff will seek feedback from the Committee regarding any additional topics related to notification processes that may not have been included in staff’s presentation that the DCRC would like to explore as well as seeking consensus for staff to pause this item to await the outcome of pending legislation.

### **EXHIBITS**

1. Agenda Information Sheet
2. DDC Table 2.2-A and Subsection 2.4.6
3. Presentation (to be distributed at the DCRC meeting)

Respectfully submitted:  
Tina Firgens, AICP  
Deputy Director of Development Services/  
Planning Director

Prepared by:  
Hayley Zagurski, AICP  
Assistant Planning Director

◆ **Summary Table of Review Procedures**

Table 2.2-A lists the development applications authorized in this DDC. For each type of application, the table indicates the role of city review, noticing requirements, and decision-making and appeal authorities.

Table 2.2-A Summary of Development Review Procedures												
R = Review/recommendation    D = Decision    A = Appeal    [R/D/A] = Public hearing required (R/D/A) = Public meeting required    ◆ = Recommended    ✓ = Required												
Procedure	DDC Reference	Public Notice				Pre-Application Activities		Review and Decision-Making Bodies				
		Online	Mailed	Published	Posted Sign	Pre-Appl. Conference	Citizen Participation	Development Assistance Team	Director	Planning and Zoning	City Council	Zoning Board of Adjustment
<b>Development Permits and Procedures</b>												
Zoning Compliance Plan Review	2.5.1					◆		R	D			(A)
Specific Use Permit	2.5.2	✓	✓	✓	✓	◆	◆	R	R	[R]	[D]	
Temporary Use Permit	2.5.3							At Director discretion	D			(A)
Zoning Verification Letter	2.5.4								D			(A)

Environmental Sensitive Areas (ESAs) Field Assessment	2.5.5								D		(A)	
Business Registration	2.5.8								D			
Traffic Impact Analysis	2.5.9								D		(A)	
Real Estate Application	2.5.10						◆		R	R		(D)
Gas Well Development Site Plan	6.2.4								R	D		(A)
Watershed Protection Permit	6.3.9						◆		R	D		(A)
Vested Rights	See Subsection 2.5.6: Vested Rights											
Exaction Proportionality Determination and Appeal	See Subsection 2.5.7: Exaction Proportionality Determination and Appeal											
Rayzor Ranch Site Plan	See Appendix A											
Tree Survey and Preservation/Replacement Plan	See paragraph 7.7.4E: Tree Survey and Preservation/Replacement Plan											
<b>Subdivision Procedures</b>												
Administratively Approved Plat (Amending Plat, Conveyance Plat, Minor Plat, Minor Replat)	2.6.2						◆		At Director discretion	D [1]		
Preliminary Plat	2.6.3						◆	◆	R	R	(D)	
Final Plat	2.6.4						◆	◆	R	R	(D)	
Development Plat	2.6.5						◆		R	D		



Gas Well Development Plat	2.6.6	See TLGC §§ 212.041 through 212.050										
Replat [2]	2.6.7					◆		R	R/D	D		
Vacating Plat	2.6.8	✓	✓	✓		◆		R	R	(D)		
Civil Engineering Plans	2.6.9							D		(A)		
<b>Plan and DDC Amendments</b>												
Comprehensive Plan Amendment	2.7.1	✓	✓	✓	✓	◆	◆	R	R	[R]	[D]	
Zoning Amendment	Map	2.7.2	✓	✓	✓	✓	◆	◆	R	R	[R]	[D]
	Rezone to PD	2.7.3	✓	✓	✓	✓	◆	◆	R	R	[R]	[D]
	Text	2.7.4	✓		✓			◆	R	R	[R]	[D]
Annexation	See Subsection 2.7.5: Annexation											
<b>Flexibility and Relief Procedures</b>												
Variance	2.8.1					◆		R	R			(D)
Minor Modification	2.8.2	Pursuant to application procedure warranting the request										
Appeal of Administrative Decision [3]	2.8.3	✓	✓	✓					R	Appeal authority determined by original application type and in accordance with this Table 2.2-A		
Alternative ESA Plan	2.8.4	✓	✓	✓	✓	◆	◆	R	R	[R]	[D]	
Alternative Tree Preservation/Replacement Plan	See paragraph 7.7.4F: Alternative Tree Preservation/Replacement Plan											

Watershed Protection Permit Relief	2.8.5								R		(D)	
Interpretations	2.8.6								(D) [4]			(A)
Subdivision Variance	2.8.7					◆		R	R	(D)	(A)	
Reasonable Accommodation	See Subsection 2.8.8: Reasonable Accommodation											
Alternative Landscape Plan	See paragraph 7.7.3C: Alternative Landscaping											
Tree Preservation Relief	See paragraph 7.7.4J: Tree Preservation Relief Provisions											
Alternative Water and Sewer Systems	See Subsection 7.6.16: Alternative Water and Sewer Facilities											
<b>Historic Preservation Procedures</b>												
Certificate of Appropriateness	See Subsection 2.9.2: Certificate of Appropriateness											
Historic and Conservation District Designation	See Subsection 2.9.3: Historic and Conservation District Designation											
Historic Landmark Designation	See Subsection 2.9.4: Historic Landmark Designation											
<b>Design Standards Review Procedures</b>												
Certificate of Design Consistency-Administrative	2.10.1	✓				◆		R	D		(A)	
Certificate of Consistency - Design	2.10.1	✓				◆	◆		R		[D]	

Standards Review City Council												
<b>Notes:</b>												
[1] The Director, at his or her discretion, may refer the plat to the Planning and Zoning Commission. The Director shall not disapprove an administratively approved plat but shall refer such plat to the Planning and Zoning Commission if the recommendation is denial.												
[2] Non-residential minor replats may be approved by Staff pursuant to TLGC § 212.0065, as amended. The Director at their discretion may refer a minor replat to the Planning and Zoning Commission. The Director shall not disapprove a minor replat but shall refer such plat to the Planning and Zoning Commission if the recommendation is denial. See Section 2.6.7 for notification requirements and public hearing requirements by type of replat.												
[3] The appeal authority is determined based on the original approval body (i.e., if the Planning and Zoning Commission is the approval authority then the appeal authority is the City Council; if City Staff is the approval authority then the appeal authority is Zoning Board of Appeals.												
[4] The Director, City Engineer, or Building Official may make an interpretation based on the criteria in Subsection 2.8.6.												

(Ord. No. DCA18-0007e, § 3, 6-4-2019; Ord. No. DCA22-0002d, § 2(Exh. A), 7-19-2022; Ord. No. DCA23-0001b, § 2(Exh. A), 9-26-2023)

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## 2.4.6 Step 4: Scheduling and Notice of Public Meetings/Hearings.

### A. Scheduling.

1. If an application is subject to a public hearing pursuant to Table 2.2-A Summary of Development Review Procedures, the Director shall schedule the public hearing for either a regularly scheduled meeting or special meeting of the appropriate recommending or decision-making body following submission of a completed application.
2. Unless otherwise specified, notice for public hearings shall meet or exceed TLGC requirements.

### B. Public Notice Requirements.

1. All public hearings required by this DDC shall be preceded by the notices identified in Table 2.2-A Summary of Development Review Procedures, and all such notices shall meet the content, timing, and other specifications in the Development Handbook.
2. Applicants are responsible for any additional notice beyond the requirements in this DDC, other city ordinances, or state law.

### C. Constructive Notice.

1. **Minor Defects in Notice Shall Not Invalidate Proceedings.** Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements. Minor defects in notice shall be limited to errors in a legal description or typographical or grammatical errors that do not impede communication of the notice to affected parties. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a hearing shall be strictly construed.
2. **Failure to Receive Notice Shall Not Invalidate Action.** Failure of a party to receive written notice shall not invalidate subsequent action.
3. **Re-Noticing.** A new notice is required if there is an increase in land use intensity, as determined by the Director, between the action described in the original notice and the final action.

(Ord. No. DCA22-0002d, § 2(Exh. A), 7-19-2022)



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Legislation Text

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**File #:** DCRC25-35c, **Version:** 1

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### **AGENDA CAPTION**

Receive a report, hold a discussion, and give staff direction regarding proposed Code amendments related to Landscape Standards.



# City of Denton

City Hall  
215 E. McKinney Street  
Denton, Texas  
www.cityofdenton.com

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**DCM:** Cassey Ogden

**DATE:** April 14, 2025

### **SUBJECT**

Receive a report, hold a discussion, and give staff direction regarding proposed Code amendments related to Landscape Standards.

### **BACKGROUND**

On April 16, 2024, the City Council adopted an update to the Water Conservation Plan [7-0]. Development Services Staff participated in the preparation of the Water Conservation Plan and were tasked with examining the landscaping standards in the Denton Development Code (DDC) for opportunities to encourage water conservation in the City of Denton.

In addition to changes related to water conservation, Staff has identified areas within the landscape standards which could be revised to utilize best practices and improve clarity, simplifying implementation of the regulations for applicable development. Examples of these clarifications include elements within the landscape point table, alternative landscape regulations, and airport landscape standards.

At the February 24, 2025, Development Code Review Committee (DCRC) meeting, Staff introduced the current Landscape Code regulations in the DDC, provided an overview of the current standards, and discussed areas of the Code proposed to be amended. At the end of the discussion, Staff requested direction from the Committee regarding any additional areas related to the Landscape Code that may have not been included in Staff's presentation that DCRC would like to explore. Discussion amongst the Committee ranged from street tree requirements and barriers to achieving plantings along the right-of-way, balancing irrigation needs with water conservation goals, and utilizing plant material that is suited for the native environment.

At the March 3, 2025, DCRC meeting, Staff presented proposed amendments to Subsections 7.7.3-7.7.5.E of the Landscape Code regulations and Section 9.2 Definitions. These amendments focused on encouraging water-wise landscaping, adapting plantings to the native environment, and ensuring the City is up to date regarding industry best practices through the Denton Development Code. Amendments also incorporated feedback received from the Committee at the February 24, 2025, meeting. Following an overview of the proposed amendments, staff sought consensus and feedback from the Committee regarding the proposed edits to the DDC. Discussion during the meeting focused on landscape needs and requirements at the Denton Enterprise Airport, Low Impact Design, Xeriscaping and planting requirements for residential lots within the City. The Committee provided direction to move forward with the proposed amendments with recommendations to incorporate clarifying information regarding turf grass.

At the March 24, 2025, DCRC meeting, Staff presented proposed amendments to Subsection 7.7.5.F of the Landscape Code regulations and Section 9.2 Definitions. These amendments focused on revisions to the Landscape Plan and Point System requirements applicable to all developments except single-family detached dwelling, duplex, triplex, fourplex and townhome lots. These amendments are intended to support the overall goals of encouraging water-wise landscaping, adapting plantings to the native environment, and ensuring the City is up to date regarding industry best practices through the DDC. Amendments also incorporated feedback received from the committee at the February 24, 2025, and March 3, 2025, meetings. The Committee requested additional information on the Landscape Point System item removing credit for planting 4-inch caliper trees as well as various changes to proposed point items. Supporting documentation regarding why Staff is proposing to remove the credit for planting 4-inch caliper trees was emailed to the Committee on March 28, 2025.

At the April 14, 2025, DCRC meeting, Staff will present proposed amendments to Subsections 7.7.5.G-7.7.5.J of the Landscape Code, Subsection 7.7.7, Street Tree Requirements, and Section 9.2 Definitions. These amendments focus on revisions to the Landscape Installation and Maintenance and Irrigation requirements applicable to all developments except single-family detached dwelling, duplex, triplex, fourplex and townhome lots and Street Tree requirements applicable to all developments. As with the other amendments presented previously, these amendments are intended to support the overall goals of encouraging water-wise landscaping, adapting plantings to the native environment, and ensuring the City is up to date regarding industry best practices through the DDC. Amendments will also incorporate feedback received from the committee, including a discussion of revised items requested in the March 24, 2025, meeting. Following an overview of the proposed amendments, staff will seek consensus and open the floor for additional feedback from the committee regarding the proposed edits to the DDC.

#### **EXHIBITS**

1. Exhibit 1 - Agenda Information Sheet
2. Exhibit 2 - DDC Subsection 7.7.5G-7.7.5.J and Subsection 7.7.7
3. Exhibit 3 - Proposed Redline Markups (DDC Subsection 7.7.5.G- 7.7.5.J and Subsection 7.7.7)
4. Exhibit 4 - Presentation (to be distributed at the meeting)

Respectfully submitted:  
Tina Firgens, AICP  
Deputy Director of Development Services/  
Planning Director

Prepared by:  
Bryce Van Arsdale, Erin Stanley  
Assistant Planners

## ***7.7 Landscaping, Screening, Buffering, and Fences***

### **7.7.5 Landscape and Tree Canopy Requirements.**

#### **G. Landscape Installation and Maintenance.**

1. Landscaping installed as part of the requirements of the landscape standards shall be free from diseases and insects and maintained in a healthy and growing condition at all times.
2. The property owner is responsible for regular weeding, mowing, irrigation, fertilizing, pruning, litter removal, and other maintenance as needed for all plantings.
3. The property owner shall remove and replace any required landscaping as part of an approved landscape plan that dies with other approved living plants from the approved plant list contained in the Site Design Criteria Manual no later than 30 days after: The landscaping has died, or after the postmarked date of written notification from the city, whichever is sooner. The Director or designee may, in his sole discretion, extend this time period due to weather, appropriate planting season, or other events outside of the reasonable control of the property owner.

#### **H. Irrigation.** To ensure viability, landscape areas shall be irrigated by one or a combination of the following methods:

1. An automated underground system;
2. A drip irrigation system; and/or
3. The Director or designee may waive the irrigation system requirement if the approved landscape plan includes drought tolerant plants, a xeriscape system, or other approved materials. In such cases, a temporary irrigation system shall be installed and maintained until the plants are established.

#### **I. Permits, Enforcement, and Drought.**

1. No permits will be issued for any nonresidential and multifamily development until a landscape plan is submitted as part of the site plan, specific use permit, or building permit review process.
2. Prior to the issuance of a certificate of occupancy for any building or structure, all screening and landscaping shall be in place in accordance with the approved landscape plan and applicant shall call for inspection of all landscape installation.
3. An as-built landscape plan shall be provided to the city upon final inspection.
4. Landscaping that dies shall be replaced by the owner with plants of similar variety and size no later than 30 days after the landscaping dies or 30 days after being notified from the Director or designee, whichever occurs first. The Director or designee may in his sole discretion, extend this time period due to weather or other events outside of the reasonable control of the property owner. Replacement trees of similar mature canopy may be replanted with approval from the Director or designee. Replacement trees must be a minimum of three-inch caliper, measured six inches above the ground.
5. A planting extension may be granted by the Director or designee, in his sole discretion, if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner or his agent. Seasons of drought, extreme heat, or heavy rainfall causing construction delays are examples of abnormal circumstances.



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- J. **Payment in Lieu of Planting.** In instances where easements, encumbrances, physical constraints, or life safety requirements limit the ability to plant the required trees needed to meet the minimum tree canopy coverage, an applicant may pay into the tree fund as an alternative. The Director may approve a reduction in minimum tree canopy area of up to 10 percent of the required amount. Any reduction in tree canopy area shall be mitigated by payment into the city's tree fund based upon the standard canopy size of a large canopy tree as specified in the Site Design Criteria Manual, assuming each required tree measures two caliper inches. The payment per inch shall be calculated as provided in the city's payment schedule.

### 7.7.7 Street Tree Requirements.

- A. **Applicability.** Applications for development shall propose and be required to plant street trees in accordance with the following standards, and in accordance with the spacing requirements identified in the Site Design Criteria Manual. The Director may approve alternative plans due to special site conditions, which may, for reasons such as safety or existing trees on the lot, affect the ability to meet these regulations. All replacement trees included as part of an approved tree preservation/replacement plan will be credited against the required street trees.
- B. **Street Tree Plan.** A street tree plan shall be submitted with a site plan for multifamily or nonresidential developments and with a final plat for new residential subdivisions. Additionally, street trees should be specifically called out on building permits and landscape plans.
- C. **Street Tree Location.** Street trees shall be located within the street right-of-way or within 10 feet of the street right-of-way.
- D. **Number and Spacing.**
1. At least one street tree is required for every 30 feet of street frontage.
  2. Street trees are not required to be regularly spaced at 30-foot intervals; however, street trees shall not be planted further apart than 50-foot intervals and not closer than 25 feet apart.
  3. Street trees shall be planted in accordance with the spacing requirements from utilities, intersections, and driveways described in the Site Design Criteria Manual.
  4. To ensure biodiversity and protect against tree disease, if 20 or more street trees are planted, no one species of tree may exceed 30 percent of the total new street trees. Where multiple species are required within a single block, trees of the same species shall be planted non-contiguously to the greatest extent possible.
- E. **Tree Planting.**
1. Tree planting standards shall be in accordance with the Site Design Criteria Manual.
  2. Each tree planted shall meet the most current version of American Standards for Nursery Stock ANSI Z60.1, and shall have a minimum size of three-inch caliper measured six inches above grade, unless the trees are planted as replacement for the removal of existing trees, in which case the trees must have a minimum size of two inches dbh. Any tree that does not meet ANSI Z60.1 may be rejected by the Director.
- F. **Maintenance.**
1. **Property Owner Responsibility.**
    - a. Street trees shall be maintained by the adjoining property owner.

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- b. It is the adjoining property owner's responsibility to water, prune, fertilize, and treat for insect and disease, as may be deemed necessary. All incurred costs are to be borne by the property owner.
    - c. It is the adjoining property owner's responsibility to remove any hazardous or dead tree, as may be deemed necessary. All incurred costs are to be borne by the property owner.
  2. **Tree Canopy Clearance Height.** All trees shall be maintained by pruning and other necessary care by the adjacent property owner to ensure a minimum clearance of 15 vertical feet from the curb line, 15 vertical feet from an alley, and eight vertical feet from the sidewalk.
  3. **Removal of Trees or Plantings in Public Right-of-Way.** The city may prune or remove any tree or planting that constitutes a hazard to person or property or for any other reason for trees and plantings located in public right-of-way or in a landscape maintenance easement.
  4. **Pruning.** All pruning shall be in accordance with the most current version of American National Standards for Tree Care Operations ANSI A300.
  5. **Tree Replacement.** The city may replace an approved street tree or other planting that has died or may have been removed for any reason, or plant additional street trees deemed appropriate and consistent with available resources.
  6. **Abuse or Mutilation.** It shall be unlawful for any person to break, destroy, or mutilate any approved street tree, or to set fire or permit any fire to cause damage to any portion of any street tree, or to attach or place any rope or wire, sign, poster or other device on any street tree. Each occurrence shall constitute a distinct and separate offense.
  7. **Trees Adjacent to Overhead Electric Utilities.**

Street trees planted adjacent to overhead electric distribution lines shall be of a species having a mature height less than 30 feet to accommodate maintenance of a 10-foot minimum separation between vegetation and electric lines.

## **7.7 Landscaping, Screening, Buffering, and Fences**

### **7.7.5 Landscape and Tree Canopy Requirements.**

#### **G. Landscape Installation and Maintenance.**

1. Landscaping installed as part of the requirements of the landscape standards shall be free from diseases and insects and maintained in a healthy and growing condition at all times.
2. The property owner is responsible for regular weeding, mowing, irrigation, fertilizing, pruning, litter removal, and other maintenance as needed for all plantings.
3. The property owner shall remove and replace any required landscaping as part of an approved landscape plan that dies with other approved living plants from the approved plant list contained in the ~~Site Design~~ [Landscape and Tree Preservation](#) Criteria Manual no later than 30 days after: The landscaping has died, or after the postmarked date of written notification from the city, whichever is sooner. The Director or designee may, in his sole discretion, extend this time period due to weather, appropriate planting season, or other events outside of the reasonable control of the property owner.
4. [A minimum of two inches of mulch shall be added around all plant material and landscape areas that are not turf or hardscape](#)

#### **H. Irrigation.**

1. To ensure viability, landscape areas shall be irrigated by one or a combination of the following method
  - a. An automated underground system;
  - b. A drip irrigation system; and/or
  - c. The Director or designee may waive the irrigation system requirement if the approved landscape plan includes drought tolerant plants, a xeriscape system, or other approved materials. In such cases, a temporary irrigation system shall be installed and maintained until the plants are established.
2. [A preliminary irrigation plan shall be required alongside Civil Engineering Plan submittals for multifamily, non-residential, and common area lots in residential developments.](#)
3. [For irrigation system requirements and regulations, reference Denton Code of Ordinances Subchapter B, Chapter 28, Article XI and Title 30, Texas Administrative Code, Chapter 344 Landscape Irrigation, and as amended.](#)

#### **I. Permits, Enforcement, and Drought.**

1. No permits will be issued for any nonresidential and multifamily development until a landscape plan is submitted as part of the ~~site-plan~~ [zoning compliance plan](#), specific use permit, [planned development application](#), [civil engineering plan](#), or building permit review process.
2. Prior to the issuance of a certificate of occupancy for any building or structure, all screening and landscaping shall be in place in accordance with the approved landscape plan and applicant shall call for inspection of all landscape installation.
3. An as-built landscape plan shall be provided to the city upon final inspection.

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4. Landscaping that dies shall be replaced by the owner with plants of similar variety and size no later than 30 days after the landscaping dies or 30 days after being notified from the Director or designee, whichever occurs first. The Director or designee may in his sole discretion, extend this time period due to weather or other events outside of the reasonable control of the property owner. Replacement trees of similar mature canopy may be replanted with approval from the Director or designee. Replacement trees must be a minimum of three-inch caliper, measured six inches above the ground.
  5. A planting extension may be granted by the Director or designee, in his sole discretion, if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner or his agent. Seasons of drought, extreme heat, or heavy rainfall causing construction delays are examples of abnormal circumstances.
- J. **Payment in Lieu of Planting.** In instances where easements, encumbrances, physical constraints, or life safety requirements limit the ability to plant the required trees needed to meet the minimum tree canopy coverage, an applicant may pay into the tree fund as an alternative. The Director may approve a reduction in minimum tree canopy area of up to 10 percent of the required amount. Any reduction in tree canopy area shall be mitigated by payment into the city's tree fund based upon the standard canopy size of a large canopy tree as specified in the [Site Design Landscape and Tree Preservation](#) Criteria Manual, assuming each required tree measures two caliper inches. The payment per inch shall be calculated as provided in the city's payment schedule.

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### 7.7.7 Street Tree Requirements.

- A. **Applicability.** Applications for [new or Tier 2](#) development [as defined in DDC Subsection 7.2.2.B](#) shall propose and be required to plant street trees in accordance with the following standards, and in accordance with the spacing requirements identified in the [Landscape and Tree Preservation Criteria Manual](#). The Director may approve alternative plans due to special site conditions, which may, for reasons such as safety or existing trees on the lot, affect the ability to meet these regulations. All replacement trees included as part of an approved tree preservation/replacement plan will be credited against the required street trees.
- B. **Street Tree Plan.** A street tree plan [noting location, number, and species of trees to be used within the development](#) shall be submitted with a ~~site plan~~ [zoning compliance plan](#) for multifamily or nonresidential developments and with a ~~final plat~~ [Civil Engineering Plans](#) for new residential subdivisions. Additionally, street trees should be specifically called out on building permits and landscape plans.
- C. **Street Tree Location.** Street trees shall be located within the street right-of-way or within 10 feet of the street right-of-way. [Alternative placement shall be subject to Director approval as described in Subsection 7.7.7G below.](#)
- D. **Number and Spacing.**
1. At least one street tree is required for every ~~30~~ [40](#) feet of street frontage.
  2. Street trees are not required to be regularly spaced at ~~30~~[40](#)-foot intervals; however, street trees shall not be planted further apart than 50-foot intervals and not closer than 25 feet apart.
  3. Street trees shall be planted in accordance with the spacing requirements from utilities, intersections, and driveways as described in the [Landscape and Tree Preservation](#) Criteria Manual.
  4. To ensure biodiversity and protect against tree disease, if 20 or more street trees are planted, no one species of tree may exceed ~~30~~ [20](#) percent of the total new street trees, [and no more than 50 percent of the same genus may be planted as new trees.](#) Where multiple species are required within a single block, trees of the same species shall be planted non-contiguously to the greatest extent possible.
- E. **Tree Planting.**
1. Tree planting standards shall be in accordance with the ~~Site Design~~ [Landscape and Tree Preservation](#) Criteria Manual.
  2. Each tree planted shall meet the most current version of American Standards for Nursery Stock ANSI Z60.1, and shall have a minimum size of ~~two~~ [three](#)-inch caliper measured six inches above grade, unless the trees are planted as replacement for the removal of existing trees, in which case the trees must have a minimum size of two inches dbh. Any tree that does not meet ANSI Z60.1 may be rejected by the Director.
- F. **Maintenance.**
1. **Property Owner Responsibility.**
    - a. Street trees shall be maintained by the adjoining property owner.
    - b. It is the adjoining property owner's responsibility to water, prune, fertilize, and treat for insect and disease, as may be deemed necessary. All incurred costs are to be borne by the property owner.
    - c. It is the adjoining property owner's responsibility to remove any hazardous or dead tree, as may be deemed necessary. All incurred costs are to be borne by the property owner.

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2. **Tree Canopy Clearance Height.** All trees shall be maintained by pruning and other necessary care by the adjacent property owner to ensure a minimum clearance of 15 vertical feet from the curb line, 15 vertical feet from an alley, and eight vertical feet from the sidewalk.
  3. **Removal of Trees or Plantings in Public Right-of-Way.** The city may prune or remove any tree or planting that constitutes a hazard to person or property or for any other reason for trees and plantings located in public right-of-way or in a landscape maintenance easement.
  4. **Pruning.** All pruning shall be in accordance with the most current version of American National Standards for Tree Care Operations ANSI A300.
  5. **Tree Replacement.** The city may replace an approved street tree or other planting that has died or may have been removed for any reason, or plant additional street trees deemed appropriate and consistent with available resources.
  6. **Abuse or Mutilation.** It shall be unlawful for any person to break, destroy, or mutilate any approved street tree, or to set fire or permit any fire to cause damage to any portion of any street tree, or to attach or place any rope or wire, sign, poster or other device on any street tree. Each occurrence shall constitute a distinct and separate offense.
  7. **Trees Adjacent to Overhead Electric Utilities.**
    - a. Street trees planted adjacent to overhead electric distribution lines shall be of a species having a mature height less than 30 feet to accommodate maintenance of a 10-foot minimum separation between vegetation and electric lines.
    - b. [Street trees shall be planted outside of the provided electric utility easements where possible.](#)

**G. [Street Tree Alternatives.](#)**

1. **[Applicability.](#)**
  - a. [All alternatives to the required street trees above are subject to Director approval.](#)
  - b. [Sites with significant site constraints such as unique property shape, easements, topography, existing driveway placement, or utility infrastructure, etc.](#)
  - c. [Infill development as defined in Subsection 9.2.](#)
2. **[Authorized Alternatives.](#)**
  - a. [Street trees located more than 10 feet from the right-of-way shall be called out as alternative street tree placements on the Landscape Plan.](#)
  - b. [Street tree requirement may be reduced by 10% or a minimum of 2 trees by providing an additional element from Table 7.E: Landscape Area Point System, Section A: ROW Screening Elements](#)



# City of Denton

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## Legislation Text

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**File #:** DCRC25-080, **Version:** 1

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### **AGENDA CAPTION**

Hold a discussion regarding the Development Code Review Committee Project Matrix.

### DCRC Matrix

*\*The below is an estimated timeline to discuss the DCRC's top priorities.  
Dates subject to change based upon the amount of time it takes to discuss each topic.*

Meeting Date	Topic
14-Apr-25	Landscape wrap-up Public Notification Overview
28-Apr-25	Tree Code Overview Public Engagement Overview/Goals Landscape wrap-up (if needed)
12-May-25	Tree Code Continued HABSCO Sustainability Update

^To be determined based on status of the City-wide parking study. If City-wide



## Running Topic List

*\*The following includes a list of running topics the DCRC has identified as items for discussion as well as a list of topics staff is monitoring and may require DCRC review.*

Running DCRC Priorities	Topics Being Monitored
Access and Circulation	Food Trucks
Affordable and Missing Middle Housing	
Definitions	
Land Disturbance and ESAs	
Land-use and Land-preservation	
Low-intensity Neighborhood Commercial (ACUs)	
Site and Building Design	
Subdivision Design Improvements	
Table of Allowed Uses and Use-Specific Standards	