

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS AMENDING THE DENTON DEVELOPMENT CODE, SPECIFICALLY AMENDMENTS TO 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 RELATED TO COMMERCIAL ANIMAL SERVICE; PROVIDING FOR APPLICATION REQUIREMENTS AND PROCESS; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING SAVINGS AND SEVERABILITY CLAUSES, AND AN EFFECTIVE DATE. (DCA24-0011)

WHEREAS, pursuant to Ordinance No. DCA18-0009q, the City Council of the City of Denton adopted the newly revised 2019 Denton Development Code, the (“DDC”); and

WHEREAS, the City desires to amend the DDC to clarify and update the regulations related to animal-related land uses in accordance with market demand, establishing a Commercial Animal Service land use; and

WHEREAS, the amendments proposed include the following:

1. Table 5.2-A: Table of Allowed Uses – Update regulations for Agricultural and Animal Uses
2. Section 5.3.5: Commercial Use-Specific Standards – related to Commercial Animal Service, Kennel, and Veterinary Clinic
3. Table 7.9-I: Minimum Required Off-Street Parking – Update regulations for Agricultural and Animal Uses
4. Section 9.2: Definitions – Add definitions for Commercial Animal Service, amending Commercial Stable and Personal Service, General, removing Kennel; and

WHEREAS, on September 25, 2024, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, gave the requisite notices by publication, held due hearings and recommended Approval [4-0] of the amendment to the Denton Development Code; and

WHEREAS, following the September 25, 2024, the Planning and Zoning Commission meeting, staff determined it necessary to conduct additional public notification for the Code amendments by providing a second mailed notice to property owners potentially affected by the proposed Denton Development Code changes; and

WHEREAS, on April 23, 2025, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, gave the requisite notices by publication, held due hearings and recommended _____ [XX-XX] of the amendment to the Denton Development Code; and

WHEREAS, on May 20, 2025, the City Council likewise conducted a public hearing in accordance with local and state law and the City Council hereby finds that the Code amendments are consistent with the City's comprehensive plan, and federal, state, and local law are in best interests of the City of Denton; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference and found to be true.

SECTION 2. 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 of the DDC are amended as set forth in **"Exhibit A"** which is attached and fully incorporated herein by reference.

SECTION 3. The Specific Use Permit (SUP) requirements provided for in the City's Denton Development Code Section 2.5.2, as amended, and the published checklist applicable at the time the application is submitted shall be the information required for an application for a commercial animal service use that meets the threshold for a SUP.

SECTION 4. By the adoption of the provisions herein, existing Commercial Animal Services located in the Denton City Limits and identified on **"Exhibit B"** which is attached and fully incorporated herein by reference, are hereby deemed allowed, conforming uses as they exist on the date of approval of this Ordinance. Site elements existing at the time of adoption of this Ordinance Amendment shall be allowed to remain; however, any future expansion of operations, including site features shall be evaluated in accordance with Subsection 1.5.6 for nonconforming site features. Existing Commercial Animal Services shall comply with Section 5.3.5 of the Denton Development Code, as amended.

SECTION 5. Any expansion of an existing Commercial Animal Service shall comply with all applicable standards of the Denton Development Code, as amended.

SECTION 6. Any person, firm, partnership or corporation violating any provision of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by fine in sum not exceeding \$2,000.00 for each offense. Each day that a provision of this ordinance is violated, shall constitute a separate and distinct offense.

SECTION 7. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 8. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Denton Development Code, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 9. Save and except as amended hereby, the provisions, sections, subsections, paragraphs, sentences, clauses, and phrases of the Denton Development Code shall remain in full force and effect.

SECTION 10. In compliance with Section 2.09(c) of the Denton Charter, this ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record Chronicle, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

The motion to approve this ordinance was made by _____ and seconded by _____, the ordinance was passed and approved by the following vote [____ - ____]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Paul Meltzer, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, District 5:	_____	_____	_____	_____
Jill Jester, District 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2025.

GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

Exhibit A

Amend 5.2-A Table of Allowed Uses to remove Kennel use and add Commercial Animal Service (Indoor and Outdoor) as follows:

Table 5.2-A: Table of Allowed Uses																		
P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply																		
	Residential							Mixed-Use			Corridor		Other Nonresidential				Use-Specific Standards	
	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF		
AGRICULTURAL AND ANIMAL USES																		
General Agriculture	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.3.5A	
Commercial Animal Service (Indoor)	P+	S+	S+					P+	P+	P+	P+	P+	P+	P+	P+		5.3.5B	
Commercial Animal Service (Outdoor)	P+	S+	S+							P+	P+	P+	P+	P+	P+		5.3.5B	
Commercial Stable	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	P+	5.3.5C	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Urban Farm	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Veterinary Clinic	P	S	S					P+	P+	P+	P+	P+	P	P			5.3.5D	
RECREATION AND ENTERTAINMENT																		
Amenity Center	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
Indoor Recreation Facility	P							P	P	P	P	P	P	P				
Outdoor Recreation Facility	P	P	P	P	P	P	P	S	S	S	P	P	P	P				
RV Park	S+		S+	S+	S+	S+	S+							S+	P+		5.3.5E	
FOOD AND BEVERAGE SERVICES																		
Bar, Tavern, or Lounge								S+	P	P	P	P	P	P			5.3.5F	
Mobile Food Court								S+	S+	S+	S+	S+	S+	S+	S+		5.3.5G	
Private Club	P+							P+	P+	P+	P+			P+	P+		5.3.5H	
Restaurant								P+	P	P	P	P	P	P			5.3.5I	
Restaurant, with Drive-Through								S+	S+	P+	P+	P+	P+	P+			5.3.5J	
Personal Service, General								P	P	P	P	P	P	P				

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Amend Section 5.3.5: Commercial Use-Specific Standards to add a section entitled Commercial Animal Service (Indoor and Outdoor), delete Kennel use section, and amend Veterinary Clinic, as follows:

B. Commercial Animal Service (Indoor and Outdoor)

1. Generally:

When located inside of or within one thousand feet of a Residential Zoning District:

- a. Outdoor play/exercise areas shall not be located within 150 feet of any adjacent property unless such adjacent property is owned by the operator of the business.
- b. The outdoor play/exercise areas for all commercial animal service uses shall not be used after 9:00 p.m.
- c. No provision of this subsection is intended to prevent the provision and use of outdoor areas for animal relief.

2. Commercial Animal Service (Indoor)

a. Generally

For all zoning districts in which the use is allowed by right or subject to approval of a SUP, except for the MN, MD, and MR zoning districts, if an outdoor play/exercise area is proposed then the equivalent of no more than 50% of the proposed business square footage (based on Floor Area) shall be allocated for outdoor play/exercise areas.

b. MN, MD, MR Zoning Districts:

- i. In the MN, MD, and MR zoning districts, the equivalent of no more than 25% of the proposed business square footage (based on Floor Area) shall be allocated for outdoor play/exercise areas.
- ii. Use is allowed by right in the MN and MD zoning districts if the entire business is indoors. If an outdoor play/exercise component is proposed in these zoning districts, a SUP shall be required, and subject to the limitations in i) above.

3. Enclosed Building Requirement:

Any area intended for animal boarding must be interior to a building. Any boarding area shall be fully enclosed. All boarding areas shall be climate controlled in a manner meeting at least the minimum standards applicable to animal

quarantining and impoundment facilities in accordance with Texas Health and Safety Code Chapter 826.051.

D. Veterinary Clinic

1. In the MD zoning district, veterinary clinics are limited to no more than 5,000 square feet per lot.
2. No livestock veterinary care shall be proposed on-site in MN, MD, or MR zoning districts
3. If livestock veterinary care proposed on-site in SC, HC, LI, or PF zoning districts, a SUP shall be required.

Amend Table 7.9-I: Minimum Required Off-Street Parking, as follows:

Table 7.9-I: Table of Allowed Uses	
DU = dwelling unit sq ft = square feet GFA = gross floor area	
Use Type	Minimum Parking Requirement
Agricultural and Animal Uses	
General Agriculture	None
Commercial Animal Services (Indoor and Outdoor)	1 space per 500 sq ft GFA
Commercial Stable	1 space per 10 animals boarding capacity
Community Garden	None
Urban Farm	None
Veterinary Clinic	1 space per 500 sq ft GFA

Amend Section 9.2: Definitions, as follows:

Add the following:

* * *

Commercial Animal Service (Indoor): An establishment or business related to the grooming, training, boarding, adoption, or daycare service of domestic animals (usually dogs or cats) which is primarily located indoors. Excluding veterinary clinics or the sale of animals.

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Commercial Animal Service (Outdoor): An establishment or business related to the grooming, training, boarding, adoption, or daycare service of domestic animals (usually dogs or cats) which is primarily located outdoors. Excluding veterinary clinics or the sale of animals.

Amend the following:

* * *

Commercial Stable: A facility or area where livestock (as defined by Chapter 6 of the Code of Ordinances) are kept, housed, boarded, lodged, fed, hired, trained, sold, or bred as a commercial activity. The definition includes accessory uses such as riding lessons, clinics, and similar activities.

* * *

Personal Service, General: An establishment that provides repair, care, maintenance or customizing of wearing apparel or other personal articles or human grooming services and includes such uses as beauty/barber shops, dry cleaning, shoe repair, alterations, spas, and tanning salons, photography studios, house cleaning services, weight reduction centers, or florist. This use does not include commercial laundry and dry-cleaning facilities.

Remove the following:

Kennel: Any establishment where domestic animals (usually dogs and cats) are boarded (overnight), bred or raised for sale, or trained, exclusive of veterinary care.

Exhibit B

Business Name	Address
Club Canine	7800 E Mckinney Street, Denton, Tx, 76208
Beau's Bath House and Doggie Day Care	1800 Brinker Road, Suite 270, Denton, Tx, 76208
Ultimutt Pet Grooming	1209 E University Drive, Denton, Tx, 76209
The Pampered Pooch	415 E Sherman Drive, Suite B, Denton, Tx, 76209
Shed Pet Salon	820 N Elm Street, Suite B, Denton, Tx, 76201
Puppy Dreams	514 W. University Drive, Denton, Tx, 76201
The Collar Club	3822 Market Street, Suite 102, Denton, Tx, 76209