



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: July 16, 2024

SUBJECT

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code; amendments include but are not limited to providing the uses and development regulations of Appendix A: Rayzor Ranch Overlay District, which is currently “reserved” and referenced in Section 4.8, and providing that the proposed uses and development regulations are being consolidated from existing overlay zoning ordinances and amended accordingly, providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted [5-0] to recommend approval of the request. Motion for approval by Commissioner Villarreal and second by Commissioner Cole. (DCA24-0004a, Rayzor Ranch Ordinance Consolidation, Hayley Zagurski)

BACKGROUND

The purpose of this code amendment is to create the use and development regulations of Appendix A: Rayzor Ranch Overlay District (RROD), which was “reserved” as a placeholder with the adoption of the 2019 Denton Development Code (2019 DDC), in order to achieve the following goals:

1. Consolidate the more than twenty (20) ordinances currently in place related to Rayzor Ranch,
2. Bring forward portions of the 2002 Denton Development Code (2002 DDC) that are referenced in the RROD, and
3. Clarify the applicability of the 2019 DDC to properties within the district.

This consolidation and creation of Appendix A is intended to maintain the purpose and standards for the RROD in a manner that is fundamentally the same as they are today while making the standards more navigable and consistent with other current City standards. Further detail is provided below related to the standards.

Additionally, it should be noted that one substantive change to the content of the RROD that is incorporated into this request at the request of the property owners for the South Campus, is to increase the allowed multifamily unit count by 250 units, from 2,000 total units to 2,250 units. The property owners desire to build out the remainder of the parcels that allow for a multifamily use hence the requested unit count increase.

The history of the RROD, this ordinance consolidation effort, organization of the district regulations, and a summary of how the district was brought into compliance with the 2019 DDC to the greatest extent possible is provided below.

Project History

The RROD was first created in 2007 (Ordinance No. 2007-068) to allow for the creation of a mixed-use development with consistent design standards throughout. The RROD includes a total of 406 acres of land located on both sides of US Highway 380 (US 380) between I-35 and Bonnie Brae Street. In its current state, the RROD provides development standards for the entire mixed-use development area using the 2002 DDC as a base for zoning district dimensional standards, use definitions, parking standards, etc. Additionally, the overlay text provides land use limitations and development processes, as well as architectural design, landscaping, and sign regulations in a series of exhibits. Most of the current overlay standards for the RROD have been in place since 2010, but many areas, particularly within the southern portion of the overlay, did not have design standards adopted until 2016 or later. As it stands today, developments proposed on remaining undeveloped lots are subject to the approved standards and plans (including referenced parts of the 2002 DDC) and must demonstrate compliance.

The RROD has been amended or sought modifications to adopted City plans more than twenty (20) times since the original adoption in 2007, with the full ordinance history provided in the Prior Action/Review table below. In addition, the 2019 DDC replaced the 2002 Denton Development Code, which is used as a base for the RROD, meaning much of the base zoning of the RROD is no longer in effect. The large number of amendments to the original RROD and the adoption of the new 2019 DDC have made the RROD challenging to interpret and implement on top of it already being a complex document for the development community and public to navigate as an intricate set of standalone ordinances.

This challenge was anticipated at the time of the 2019 DDC adoption, and a placeholder (Appendix A) was created within the DDC for the RROD standards with the intention of consolidating the standards and adopting them into the DDC at a future date. In addition to desiring and intending to make the RROD less challenging for staff to administer, by formally adopting the RROD into the DDC rather than being multiple individual ordinances, staff's goal is to also make the standards easier for landowners, developers and residents to locate and use.

In January of 2023 the City began working with a consultant to create a consolidated RROD ordinance to be adopted into the DDC as Appendix A. Due to the complexity of the ordinances this effort has been ongoing since that time. The result is a document that has combined and consolidated past RROD ordinances and, where necessary, has incorporated regulations from the 2002 DDC, and/or updated references to the 2019 DDC. The intent of this project has not been to change the purpose, intent or standards laid out in the RROD. Rather, this draft Appendix A has consolidated the regulations and updated the format of the regulations so that the RROD will be easier to interpret and implement moving forward. The sections below outline how the district has been updated from the original RROD.

Appendix A Organization and Text Updates

Format:

The Rayzor Ranch Overlay District is divided into eighteen (18) sections. The layout and organization of Appendix A mirrors the organization of the 2019 DDC and more recent Planned Development Districts in the City of Denton. For example, the RROD originally listed permitted and discretionary uses in a list by subdistrict whereas the 2019 DDC uses a table format; therefore, within Appendix A permitted uses have been updated to a table format that mirrors that in the 2019 DDC.

Past Amendments:

As noted above and detailed in the table below, the content of the RROD has been amended fourteen (14) times since adoption, this has made the RROD challenging to implement. In 2016, through Ordinance 2016-017, many of the past exhibits and amendments were consolidated. However, there were still frequent references to past RROD ordinances for various standards and regulations that varied forward and obligated a reader to refer to multiple ordinances to figure out what standards and processes apply to certain parcels. Appendix A has combined and consolidated all past ordinances into one document that can be incorporated

into the DDC instead of being standalone. No references to past RROD ordinances are contained within the text. This does not negate the possibility of future amendments to the RROD; however, it does provide a consolidated set of standards from which to work. Any future amendments to the RROD would follow the standard DDC text amendment process.

Zoning Overlay and Land Divisions:

The district is divided into two major land divisions and a number of subdistricts within each. The two major divisions are the Marketplace (north of US 380) and the South Campus (south of US 380). The Marketplace is further divided into four subdistricts, and the South Campus is divided into seven subdistricts.

The RROD originally relied on zoning districts from the 2002 DDC as base districts to provide development standards for each of the subdistricts in the RROD. This is why the RROD is referred to as a Zoning Overlay District. As the 2002 DDC is no longer in use, Appendix A incorporates the needed development standards from the 2002 DDC into the text of the district itself. With this update, all of the development standards, use regulations, and use specific standards that are different from the 2019 DDC are outlined directly in the text of Appendix A for all of the Rayzor Ranch land divisions.

Development & Technical Standards:

The RROD in its existing multi-ordinance form makes several references to the 2002 DDC. These references are in relation to development (i.e. setbacks, site coverage, uses) and technical standards (i.e. gas wells, drainage) pertinent to the Rayzor Ranch development. The 2002 DDC has been replaced by the 2019 DDC; however, the references to the 2002 DDC in the RROD are still applicable to the Rayzor Ranch development. As the 2002 DDC is no longer a current document for the City of Denton the implementation of those prior standards can be onerous.

In the development of Appendix A, an analysis of development standards required in the Rayzor Ranch development from the 2002 DDC compared with the equivalent standards in the 2019 DDC was made (i.e. a comparison of parking standards in both codes). Where standards from the 2002 DDC were not equivalent to those in the 2019 DDC, the standards from the 2002 DDC have been incorporated into the text of Appendix A to ensure consistency throughout the Rayzor Ranch development and eliminate risk of existing development becoming nonconforming with the adoption of this consolidated ordinance. Where standards in both the 2002 and 2019 DDC were the same, the references in Appendix A were updated to the 2019 DDC.

References to technical standards have also been updated in the text. Where possible references have been updated to the 2019 Denton Development Code or to the most recent version of the applicable Design Criteria Manual. Where the original RROD contained site-specific direction on technical matters, that information has been carried forward into the new Appendix A text.

Following the creation of the draft Appendix A text, staff shared the consolidated draft with several owners of land within the RROD to solicit feedback. Some minor revisions to the draft document were requested in response to feedback, including:

- Updating text related to public infrastructure obligations to reflect work that has been completed and accepted by the City.
- Removing street cross-sections that were previously attached as Exhibit H to the RROD and which were not applied to the development of the public streets within the South Campus in lieu of following the version of the Transportation Criteria Manual in effect at the time.
- Clarifying the applicability of the residential proximity slope to lots that were zoned out of the RROD in 2022.
- Updating the quantity of allowed multifamily residential units within the South Campus to allow for a total of 2,250 units instead of the maximum 2,000 units approved in 2022. (Note, this

change was requested by the owners of properties within the South Campus, and staff supported making this change a part of the ordinance consolidation effort in lieu of processing a standalone amendment concurrently with the consolidation project.)

Definitions:

The definitions list within the RROD has been updated. Where possible text RROD refers to use definitions from the 2019 DDC. Where the definitions in the 2019 DDC do not adequately define a use, definitions from the 2002 DDC or the original RROD have been included.

Exhibits:

Each of the Exhibits of the RROD has been updated in the same manner as the development standards (described above). Where direction between the 2002 DDC and the 2019 DDC has remained consistent, references have been updated to the 2019 DDC. Also, where possible, diagrams and images have been updated with higher resolution versions which will improve ease of use. Lastly, amendments to the original Exhibits of the RROD were reconciled so that there were not multiple versions of Exhibits and that the most current was included. Notable modifications to Exhibits include:

Maps: The RROD maps, B Exhibits, have largely been updated. The B Exhibits have been simplified so that they only display pertinent information and are easier to read. Exhibit B-1, which displays the Concept/Schematic Plan, has been simplified to show only the 2 major divisions (Marketplace and South Campus) and subdistricts of Rayzor Ranch. Exhibit B-3 has been updated to show specific land use direction for some of the subdistricts.

Materials references: Updates were made to the C Exhibits to reflect recent state legislation (HB 2439) in relation to a city’s ability to enforce use of specific building materials. The C Exhibits now encourage use of preferred materials rather than require specified materials.

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission held a public hearing regarding this case at their June 26, 2024 meeting. No members of the public spoke at the hearing, and there was no discussion amongst the Commission. The Commission recommended approval [5-0].

In preparation for the hearing, Staff provided the Commission with a work session report on April 24, 2024 and answered questions regarding the history of the RROD and the intent of the code update. This work session is viewable here: <https://dentontx.new.swagit.com/videos/303645>.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
February 20, 2007	City Council	Amendment to Mobility Plan to facilitate Rayzor Ranch.	Approved (Ordinance 2007-047)
March 27, 2007	City Council	Amendment to the Comprehensive Plan to facilitate Rayzor Ranch phase 1, Marketplace	Approved (Ordinance 2007-067)
March 27, 2007	City Council	Rayzor Ranch phase 1 zoning overlay	Approved (Ordinance 2007-068)
May 15, 2007	City Council	Amendment to the Comprehensive Plan to facilitate Rayzor Ranch phase 2	Approved (Ordinance 2007-109)

May 15, 2007	City Council	Rayzor Ranch phase 2 zoning overlay	Approved (Ordinance 2007-110)
January 8, 2008	City Council	Established Zoning and Development Standards for RROD South Campus Subarea 2 (phase 3 zoning overlay)	Approved (Ordinance 2008-018)
June 17, 2008	City Council	Rayzor Ranch sign standards	Approved (Ordinance 2008-135)
November 4, 2008	City Council	Rayzor Ranch phase 4 zoning overlay	Approved (Ordinance 2008-284)
December 9, 2008	City Council	Rayzor Ranch Phase 1 sign ordinance.	Approved (Ordinance 2008-319)
May 5, 2009	City Council	Amendment allowing administrative approval of minor site design amendments.	Approved (Ordinance 2009-117)
July 21, 2009	City Council	Amendments to the architectural, landscape, and sign standards.	Approved (Ordinance 2009-169)
October 6, 2009	City Council	Approved SUP S09-0006 allowing gas drilling and production.	Approved (Ordinance 2009-257)
June 15, 2010	City Council	Amend Development Standards for RROD.	Approved (Ordinance 2010-158)
November 1, 2011	City Council	Development standards for Block 1 Lot 4.	Approved (Ordinance 2011-225)
June 17, 2014	City Council	Amendment establishing permitted uses for RR-2A and authorizing limited clearing.	Approved (Ordinance 2014-193)
January 13, 2016	Planning and Zoning Commission	Amend Procedural and Development Standards for RROD.	Recommended Approval
January 26, 2016	City Council		Approved (Ordinance 2016-017)
September 28, 2016	Planning and Zoning Commission	Amendments to exhibits B-1 and B-4 to modify subarea boundaries within South Campus.	Recommended Approval
October 11, 2016	City Council		Approved (Ordinance 2016-311)
September 18, 2016	Planning and Zoning Commission	Amendment to the standards for multifamily development.	Recommended Approval
October 11, 2016	City Council		Approved (Ordinance 2016-312)
October 11, 2017	Planning and Zoning Commission	Amendment to exhibits B-1, B-4 and E-1 to modify subarea boundaries within South Campus.	Recommended Approval
October 17, 2017	City Council		Approved (Ordinance 2017-327)
February 21, 2018	Planning and Zoning Commission	Amendment to RROD to provide development standards and criteria for residential development in the Marketplace campus.	Recommend Approval
March 6, 2018	City Council		Approved (Ordinance Z18-0001b)
May 15, 2019	Planning and Zoning Commission	Establish Procedural and Development Standards for RROD South Campus.	Recommended Approval

May 21, 2019	City Council		Approved (Ordinance Z18-0026c)
April 23, 2019	City Council	Adoption of the updated Denton Development Code (creating placeholder Appendix A).	Approved (Ordinance DCA18-0009q)
January 6, 2021	Planning and Zoning Commission	Amend Zoning Map, Concept Plan and Procedural and Development Standards for RROD South Campus.	Recommended Approval
April 6, 2021	City Council		Approved (Ordinance Z20-0012c)
March 23, 2022	Planning and Zoning Commission	Amendment to the RROD landscape plan and development standards for Lot 11 of the Marketplace campus	Recommended Approval
April 19, 2022	City Council		Approved (Ordinance Z21-0018b)
August 10, 2022	Planning and Zoning Commission	Amending the RROD concept Plan and Zoning Map from RROD to Mixed-Use Neighborhood. Removing lands from RROD.	Recommended Approval
September 20, 2022	City Council		Approved (Ordinance Z21-0019a)
September 14, 2022	Planning and Zoning Commission	Amend Development Standards regarding the number and location of multifamily units within the South Campus.	Recommended Approval
September 20, 2022	City Council		Approved (Ordinance Z22-0004b)
June 26, 2024	Planning and Zoning Commission	Consolidation of all RROD ordinances into DDC Appendix A, including increasing total number of multifamily units within the South Campus to maximum 2,250 units.	Recommended Approval

PUBLIC OUTREACH:

Although not required for a code text amendment, due to the unique nature of this request, one hundred fifty seven (157) notices were sent to property owners within 200 feet of the subject property, and two hundred seventy one (271) postcards were mailed to current residents within 500 feet of the subject property. As of the writing of this report, the City has received no written response to this request.

A notice was published in the Denton Record Chronicle on June 9, 2024 and again on June 29, 2024.

A notice was published on the City’s website on June 5, 2024 and again on June 25, 2024.

OPTIONS

1. Approve

2. Approve with conditions
3. Deny
4. Postpone Item

RECOMMENDATION

The Planning and Zoning Commission recommended approval [5-0].

Staff recommends **approval** of the amendment related to providing the uses and development regulations of Appendix A: Rayzor Ranch Overlay District as the proposed amendment meets the established criteria for approval for Code Text Amendments as outlined in Section 2.7.4D of the DDC.

EXHIBITS

- Exhibit 1 - Agenda Information Sheet
- Exhibit 2 - Staff Analysis
- Exhibit 3 - Draft Ordinance
- Exhibit 4 - Presentation

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

Prepared by:
Hayley Zagurski, AICP
Assistant Planning Director