

Subchapter 4 Overlay and Historic Districts

4.1 Purpose

This subchapter establishes procedures and standards to allow the creation of Overlay and Historic Districts in Denton to protect and enhance specific lands and structures which, by virtue of their type or location, have characteristics which are distinct from lands and structures outside such special districts. The districts shall contain such reasonable and necessary requirements to ensure the protection and enhancement of said lands and structures.

4.2 Applicability of Underlying Zoning Districts

- 4.2.1 Land within an Overlay or Historic District shall remain part of the underlying zoning district designation established in Subchapter 3: Zoning Districts, and may, in addition, lie in one or more overlay districts in accordance with the designation of each.
- 4.2.2 Whenever any provision of the underlying zoning district is in conflict with the Overlay and/or Historic Districts, the provisions of the Overlay and/or Historic Districts shall govern.

4.3 Conflicts with Other Ordinances

- 4.3.1 To the extent the provisions of this section conflict with any other ordinances of the City of Denton, the provisions of this section shall govern. All other regulations and ordinances of the City of Denton not in conflict with this section shall remain in full force and effect.
- 4.3.2 Where the regulations of this section modify any provision of any other applicable ordinance, the words used in this section shall have the meaning defined in the provisions of the ordinance modified, unless the definition is otherwise provided in this section.

4.4 Creation and Amendments

4.4.1 Overlay Districts.

The creation and amendments to an Overlay District shall be made pursuant to Subsection 2.7.4: Zoning Text Amendment, and Subsection 2.7.2: Zoning Map Amendment.

4.4.2 General Standards.

Every recommendation to create or amend any Overlay or Historic District shall address the following, as applicable:

A. Statement of Purpose.

1. A statement of purpose specifying the nature of the special and substantial public interest and public welfare involved;
2. Objectives to be promoted by creation of the Overlay or Historic District; and

-
3. Imposition of the regulations and design standards proposed.
- B. **Proposed Boundary.** Proposed district boundaries, depicted on one or more maps, including the Official Zoning Map of City, which shall include all other zoning regulations applicable to the property(s) proposed for inclusion in the district.
- C. **Proposed Regulations.**
1. Regulations and/or design standards proposed to promote the special purposes of the Overlay or Historic District.
 2. Regulations or design standards shall be designed to reasonably promote the purposes of the district, and may require or address any of the following, in addition to or in lieu of other regulations affecting property within the Overlay or Historic District:
 - a. Protection of features designated as being of special concern within the district;
 - b. Levels of permission for land use types within the district;
 - c. Special performance standards, use-specific standards, and development regulations;
 - d. Other matters as appropriate to promote the special public interests of the district.

4.11 Southeast Denton Overlay Districts

4.11.1 Purpose

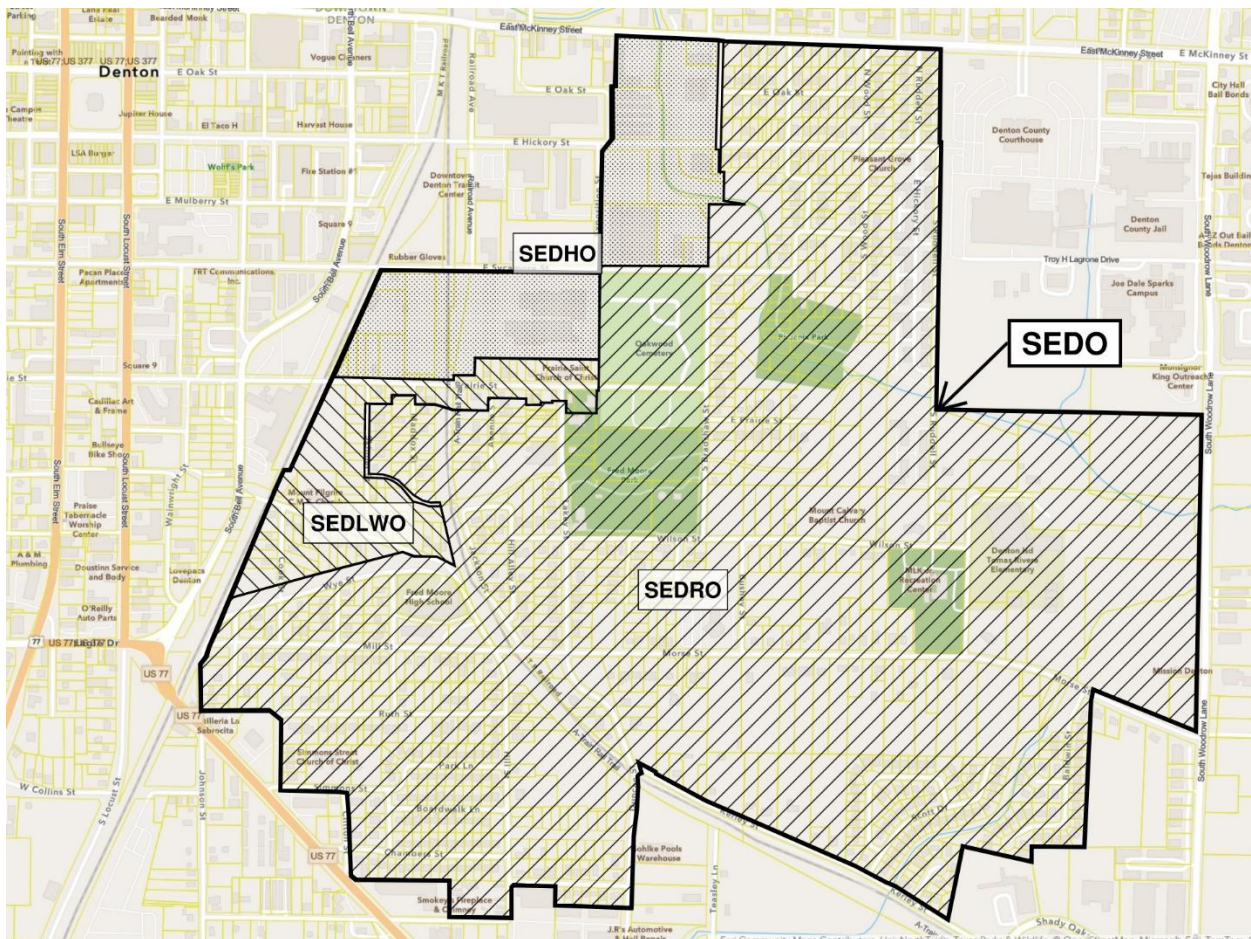
The Southeast Denton Overlay Districts are intended to promote the Southeast Denton community's goals: honor the culture and heritage of Southeast Denton, strengthen neighborhoods and housing affordability, invest in economic prosperity, elevate the quality of public amenities and infrastructure, and create a safe and connected, multi-modal travel system. While Southeast Denton large area which includes approximately 675 acres generally bounded by East McKinney Street to the north, South Bell Avenue to the west, Dallas Drive and Shady Oaks Drive to the south, and South Woodrow Lane to the east, the overlay districts are more narrowly focused on those areas most impacted by proximity to Downtown and redevelopment pressure. The following overlay districts include regulations which ensure that infill development, new construction, land uses, and public infrastructure are designed in a manner consistent with the overall purpose.

4.11.2 Southeast Denton Overlay Districts Established

- A. **Relation of the Southeast Denton Overlay Districts to Base Zoning Districts.** Properties located within the SEDO District shall follow the uses and development standards as provided for in the applicable base zoning district and Official Zoning Map established by Subsections 3.1.1 and 3.1.3 of the DDC, except as modified herein. Where modifications are not expressly authorized within the Overlay District Standards, all other requirements of the Denton Development Code, as amended, must be met. In the event of any conflict between the Overlay Districts' standards and other provisions of the Denton Development Code, the Overlay Districts' standards shall control. Any structure, lot, and associated site feature lawfully existing within the boundaries of the SEDHO Subdistrict on the effective date of this overlay district shall be deemed a lawful structure, lot, or site feature.
- B. **Subdistricts Established.** The following districts are established with separate goals and standards. The location and boundary of these subdistricts is shown on Figure 4.11-2

1. **Southeast Denton Residential Overlay (SEDRO).** The Southeast Denton Residential Overlay (SEDRO) Subdistrict regulations outlined in Subsection 4.11.3 establish standards to preserve the scale and design of existing residential neighborhoods. The regulations set forth in these development standards are for the SEDRO District which consists of approximately 375.94 total acres depicted in Figure 4.11-3.
2. **Southeast Denton Height Overlay (SEDHO).** The Southeast Denton Height Overlay (SEDHO) Subdistrict regulations outlined in Subsection 4.11.4 establish height limitations within the boundary to encourage compatible scale for commercial development near existing residential neighborhoods. The regulations set forth in these development standards are for the SEDHO Subdistrict which consists of approximately 39.77 total acres depicted in Figure 4.11-4.
3. **Southeast Denton Live-Work Overlay (SEDLWO).** The Southeast Denton Live-Work Overlay (SEDLWO) Subdistrict, as established in Subsection 4.11.5, establishes land use and site design standards to allow for neighborhood scaled commercial opportunities to occur in a manner that limits barriers for small business owners and minimizes adverse impacts on existing residences. The regulations set forth in these development standards are for the SELWOW Subdistrict which consists of approximately 27.58 total acres depicted in Figure 4.11-5.

{Figure 4.11-2: Southeast Denton Overlay Subdistricts Map}

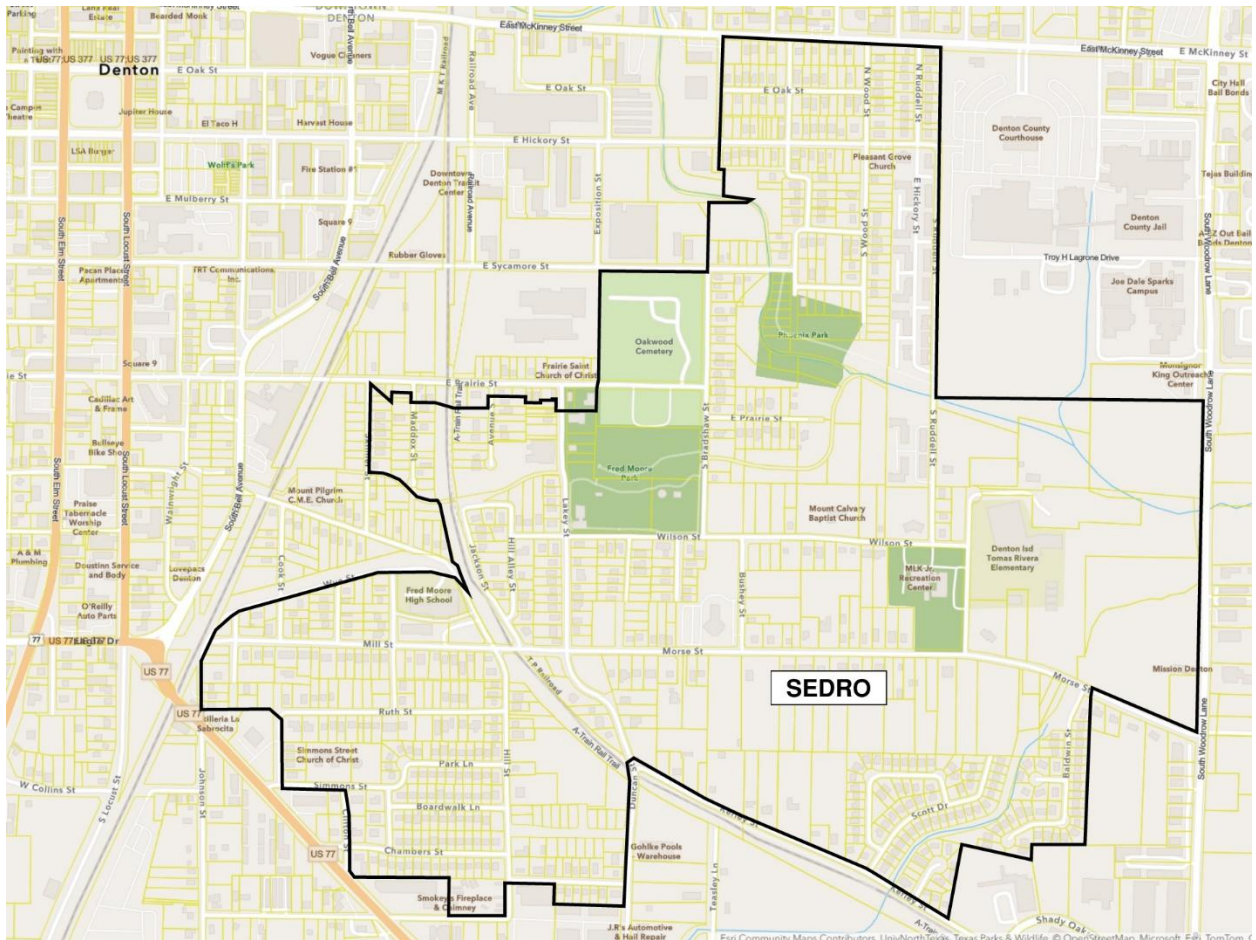


- C. **Administration.** Any future amendment to a specific overlay subdistrict will only require notification to the applicable overlay subdistrict in accordance with Subsection 2.4.6.

4.11.3 SEDRO – Southeast Denton Residential Overlay

- A **Purpose and intent.** Southeast Denton is a collection of culturally and historically significant residential neighborhoods constructed throughout the 20th Century. The Southeast Denton Residential Overlay (SEDRO) Subdistrict is intended to protect the character of these neighborhoods by encouraging compatible architectural design features and building scale for new and existing structures
- B **Boundary.** The SEDRO Subdistrict is 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 and consists of approximately 375.94 total acres as shown in Figure 4.11-3. And depicted on the Official Zoning Map of City.

[Figure 4.11-3: Southeast Denton Residential Overlay Subdistrict Map]



C Regulations.

- 1 **Applicability.** The following shall require compliance with the SEDRO Subdistrict regulations. Where modifications are not expressly established within the SEDRO Subdistrict, all other requirements of the Denton Development Code, as amended, must be met.
 - a Construction of a new primary or accessory structure on a Residentially zoned property shall comply with all SEDRO Subdistrict regulations. Construction of a new primary or accessory structure in all other zoning districts shall comply with Subsection 4.11.3C.2b and 4.11.3C.3d below.
 - b For expansions of an existing structure, the new/expanded portion of the structure shall only comply with Subsection 4.11.3C.2b and 4.11.3C.3d, below.
 - c Any structure, lot, and associated site feature lawfully existing within the boundaries of SEDRO Subdistrict on the effective date of this overlay subdistrict shall be deemed a lawful structure, lot, or site feature.

- 2 **Zoning**
 - a **Permitted Uses.** All properties located within the SEDRO Subdistricts are subject to a base zoning district which conforms to the Official Zoning Map established by DDC Subsection 3.1.3, as amended. Properties shall be developed and used only in accordance with the allowable primary and accessory uses in the applicable base zoning district.
 - b **Dimensional Standards.** All properties within the SEDRO Subdistrict shall comply with the dimensional standards associated with the applicable base zoning district except as modified herein.
 - i **Building Height (maximum).**
 - (a) The maximum building height for a primary structure shall be limited to 30 feet.
 - (b) The maximum building height for accessory structures shall be limited to 20 feet.
 - ii **Building Height Measurement.**
 - (a) Height shall be measured as the vertical distance above finished grade to the highest point of the roof.
 - (b) Table 3.7-B: Authorized Exceptions to Height Standards are applicable in the SEDRO Subdistrict.

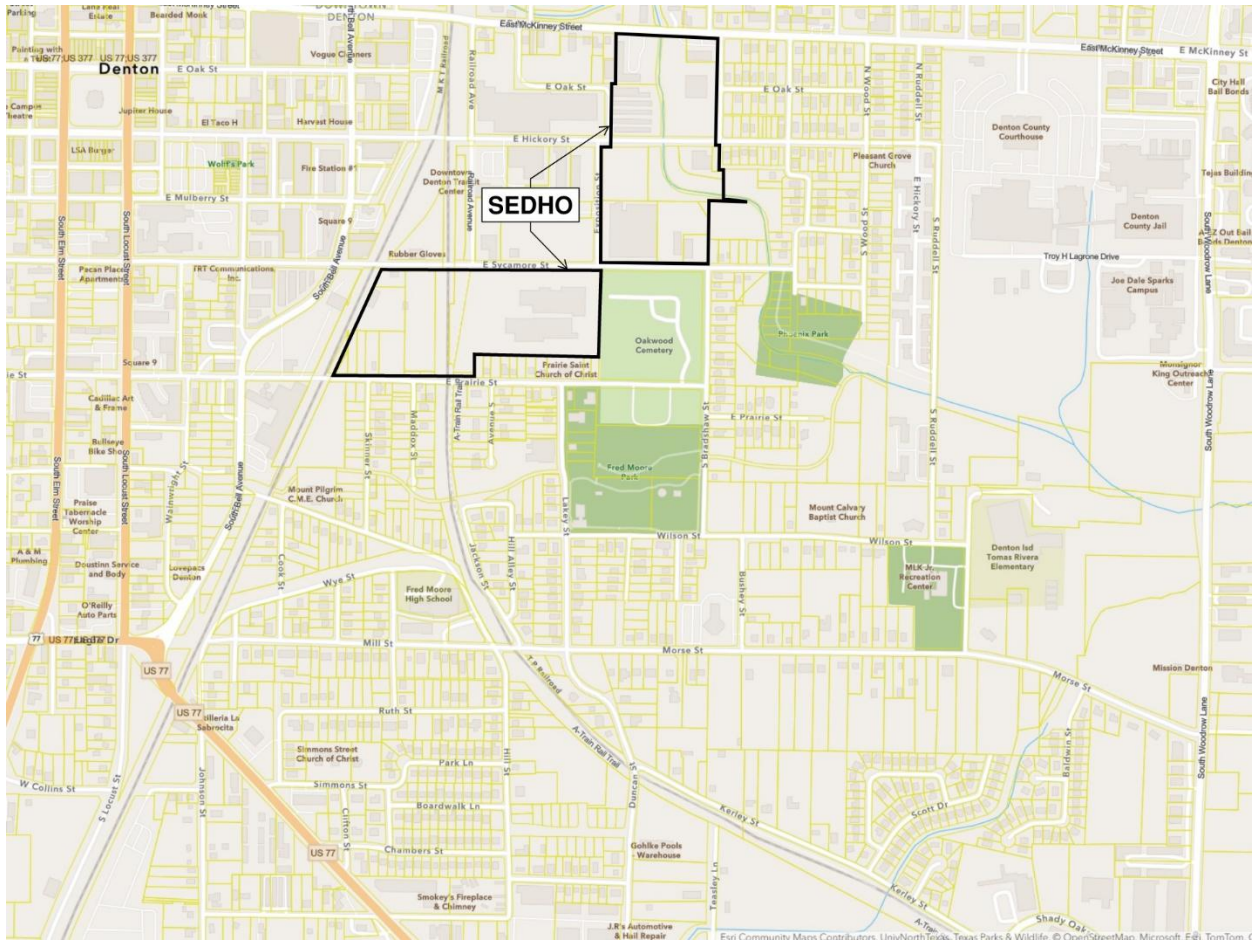
- 3 **Site and Building Design.** All properties within the SEDRO Subdistrict shall comply with the development standards listed in this Section below. Except as modified herein, all other requirements of the Denton Development Code applicable to a property's base zoning district and Building Design requirements in Subsections 7.10.3 and 7.10.5, as amended, shall apply.
 - i **Building Mass and Form.** In place of the required design features in DDC Section 7.10.3E, each single-family detached, duplex, townhome, triplex, and fourplex dwelling shall provide the following:
 - (a) **Front Entry.** All new primary structures shall provide either an unenclosed front porch or a stoop which extends forward from the face of the front façade or is in line with a plane of the front façade. Recessed front entries are not permitted.
 - (i) **Front Porch.** An unenclosed front porch is a covered exterior shelter built as an integral architectural element of a structure that is open on two or more sides and leads to the front entrance of the structure.

-
1. Minimum width: 25 percent of the ground floor front façade width.
 2. Minimum depth: 4 feet measured from the outside of the support columns to the face of the front façade.
 3. Porch roof support columns are required and shall be constructed as a decorative feature by incorporating designs that may include, but are not limited to, use of two or more contrasting materials on each support, box columns with a brick or stone base, or turned wood.
- (ii) **Stoop.** A stoop is a smaller, covered or uncovered, raised exterior platform which extends forward from the face of the front façade and leads to the front entrance of the structure.
1. Minimum size: 24 square feet.
 2. The stoop platform shall be elevated a minimum of 7 inches above finished front yard grade.
- b **Design Features.** Primary residential buildings shall incorporate at least two of the following design features to provide visual relief along the front of the residence:
- i Dormers;
 - ii Projected Window (bay, bump-out, or bow) with a minimum 24 inches projection;
 - iii Split garage doors where a column or post divides single-car garage doors;
 - iv Balustrade, railing, or low wall enclosing the front porch or stoop; and/or
 - v Multi-pane or mission-style windows for all front façade windows.
- c **Building Transparency/Windows.**
- i Within the front façade (front adjoining a public or private right-of-way where the entrance/address is located), windows and doors (excluding garage doors) shall comprise at least 25 percent of the wall area. Shutters, trims, or false windows/doors shall not count toward the minimum requirement.
 - ii Decorative trim is required for all windows and doors within the front facade and must be at least 3 ½ inches wide.
- d **Roof Form.** Roofs visible from the street shall be gabled, hipped, or a combination thereof. Flat, mansard, shed, or other similar roof forms are not permitted. Awnings are permitted.

4.11.4 SEDHO – Southeast Denton Height Overlay

- A. **Purpose and intent.** The Downtown Denton Transit Center sits within the Southeast Denton Area, creating a prime opportunity for increased residential density and transit-oriented development. The Southeast Denton Height Overlay (SEDHO) Subdistrict is intended to allow space for these opportunities while minimizing adverse visual impacts on the adjacent low-density residential neighborhoods.
- B. **Subdistrict Established.** The Southeast Denton Height Overlay (SEDHO) Subdistrict is 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 consists of approximately 37.77 total acres as shown in Figure 4.11-4 and depicted on the Official Zoning Map of City.

[Figure 4.11-4: Southeast Denton Height Overlay Subdistrict Map]



C. Regulations.

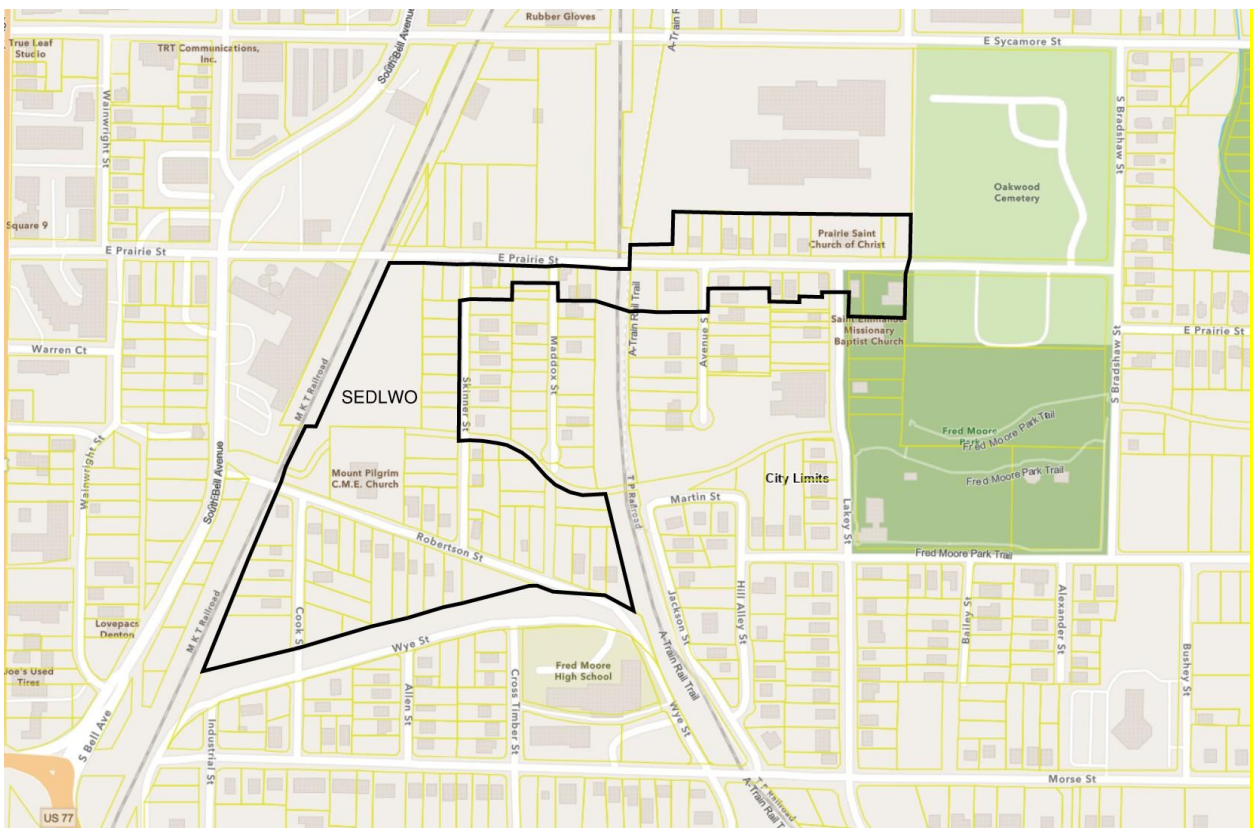
1. **Applicability.** The following shall require compliance with SEDHO Subdistrict Proposed Regulations. Where modifications are not expressly established with the SEDHO Subdistrict, all other requirements of the Denton Development Code, as amended, must be met.
 - a. Construction of a new primary or accessory structure.
 - b. Expansions of an existing structure shall comply with the SEDHO Subdistrict regulations.
2. **Zoning.**
 - a. **Permitted Uses.** All properties located within the SEDHO Subdistrict are subject to a base zoning district which conforms to the Official Zoning Map established by DDC Subsection 3.1.3, as amended. Properties shall be developed and used only in accordance with the permitted primary and accessory uses allowed in the applicable base zoning district.

- b. **Dimensional Standards.** All properties within SEDHO Subdistrict shall comply with the dimensional standards associated with the applicable base zoning district except as modified herein.
 - i. **Building Height.** The maximum building height shall not exceed 40 feet.
 - ii. DDC Table Note 3.3-A [1] and 3.3-A [2] shall not apply in SEDHO Subdistrict.
 - iii. Table 3.7-B: Authorized Exceptions to Height Standards are applicable in SEDHO Subdistrict.

4.11.5 SEDLWO – Southeast Denton Live-Work Overlay

- A **Purpose and Intent.** The Southeast Denton Live-Work Overlay (SEDLWO) Subdistrict encompasses an area historically known for neighborhood scaled nonresidential activities. The Subdistrict is intended to allow for a variety of appropriate residential and nonresidential land uses while mitigating adverse impacts of increased nonresidential activity on adjacent residential neighborhoods.
- B **Subdistricts Established.** The Southeast Denton Live-Work Overlay (SEDLWO) Subdistrict generally includes 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 and consists of approximately 27.58 total acres as shown in Figure 4.11-5 and depicted on the Official Zoning Map of City.

{Figure 4.11-5: Southeast Denton Live/Work Overlay Subdistrict Map}



The SEDLWO Subdistrict includes three Sections:

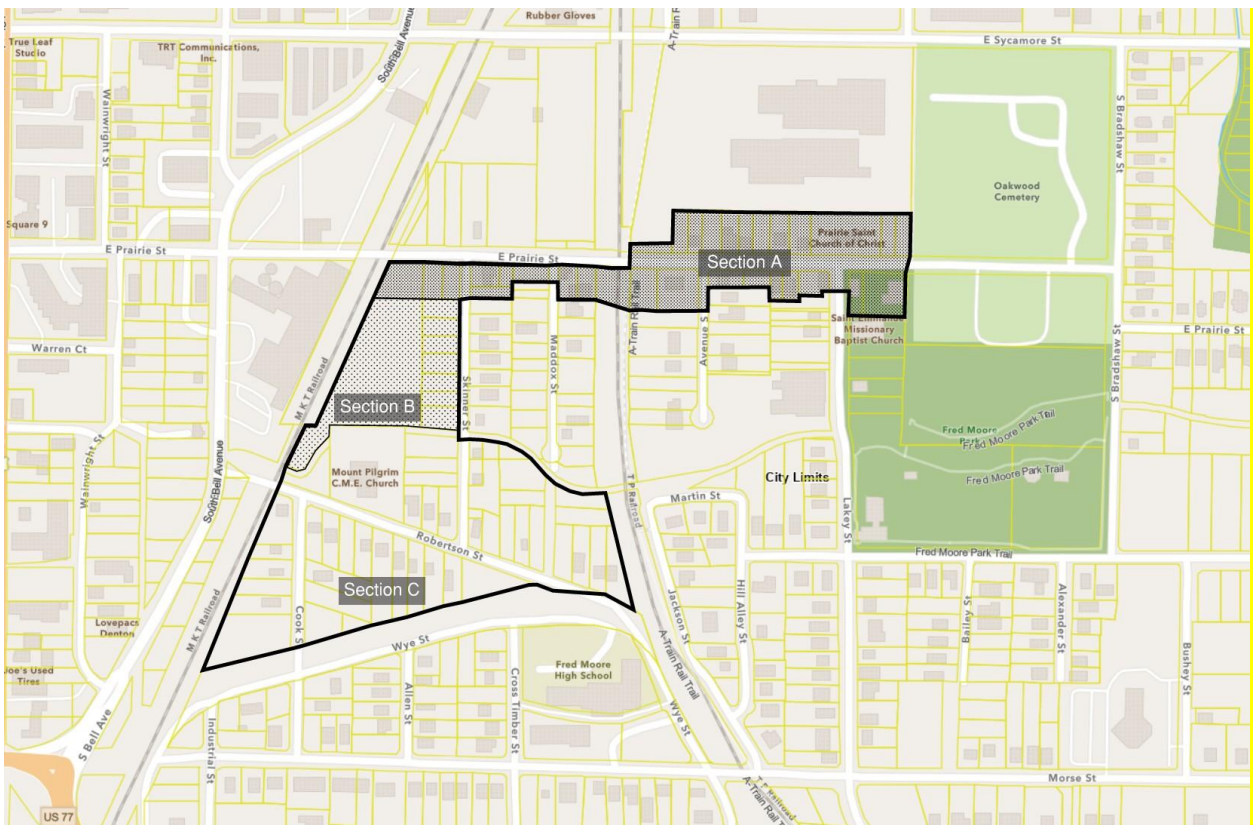
Section A – including properties along the north and south side of East Prairie Street, between Oakwood Cemetery and the MKT Railroad

Section B – including properties along the west side of Skinner Street, between East Prairie Street and the Stream PEC 4 drainage channel

Section C – including properties along the west and east side of Skinner, south of the Stream PEC 4 drainage channel, properties along the north and south sides of Robertson Street, between the MKT Railroad and TP Railroad, and properties along the east and west sides of Cook Street, between Robertson Street and Wye Street

The locations of these Sections are shown on Figure 4.11-6: Southeast Denton Live-Work Overlay Sections Map and depicted on the Official Zoning Map of City.

{Figure 4.11-6: Southeast Denton Live-Work Overlay Sections Map}



C Proposed Regulations.

- 1 **Applicability.** Unless otherwise stated herein, the standards of this section shall apply to all new development located within the SEDLWO area and for the following development activities:

- a An existing principal structure is relocated on a lot;
- b Expansions, alterations, or modifications that increase the gross floor area of an existing structure by the lesser of 1,000 square feet or 25%; or
- c Properties and existing structures seeking a Certificate of Occupancy or Certificate of Land Use for any new non-residential land use and/or change of non-residential land use.

2 Zoning.

- a **Section A: Permitted Uses and Operational Standards.** This section is intended to allow opportunities for new neighborhood-scale non-residential uses within proximity to existing residential neighborhoods.
 - i All properties located within the SEDLWO District Section B are subject to the property’s applicable base zoning district which conforms to the Official Zoning Map established by DDC Subsection 3.1.3, as amended, except as modified herein. Properties shall be developed and used only in accordance with the permitted primary and accessory uses allowed in the applicable base zoning district except as otherwise stated herein.
 - ii In addition to those land uses permitted within a property’s underlying zoning district as established by Table 5.2-A, the land uses listed in Table 4.11-B may be permitted subject to the associated Building Design Standards, Operational Standards, and Land Use Standards established within this Section. New residential and nonresidential development shall comply with the Use Specific Standards provided in Section 5.3. Where there is conflict between the Use Specific Standards of Section 5.3 and the Land Use Standards provided within this section, the Land Use Standards provided within this section shall govern.

Table 4.11-A: Southeast Denton Live-Work Table of Allowed Uses Section A		
P = permitted S = specific use permit required Blank cell = use prohibited + = use specific standards apply		
		Land Use Standards
Administrative Office	P+	4.11.6D.2.a.iv(a)
Business or Trade School	S+	4.11.6D.2.a.iv(b)
Day Care, Child	P+	4.11.6D.2.a.iv(c)
Dwelling, Work/Live	P+	4.11.6D.2.a.iv(d)
Mobile Food Court	S+	4.11.6D.2.a.iv(e)
Personal Service, General	P+	4.11.6D.2.a.iv(f)
Restaurant	P+	4.11.6D.2.a.iv(g)
General Retail	P+	4.11.6D.2.a.iv(h)
Self-Service Laundry	S+	4.11.6D.2.a.iv(i)

-
- iii **Operational Standards for Nonresidential Uses.** To minimize impacts on the existing residences, operations for all new nonresidential uses within this Overlay District shall adhere to the following standards:
 - (a) Hours of Operation – Excluding day-care centers, permitted hours of operation for all new nonresidential uses shall be limited to 8:00 a.m. to 8:00 p.m. Monday to Thursday, and 8:00 a.m. to 10:00 p.m. Friday to Sunday.
 - (b) Noise – Noise levels shall comply with the Code of Ordinances.
 - iv **Building Design Standards.** New residential and nonresidential land uses shall comply with the design standards of the Southeast Denton Residential Overlay as established in Section 4.11.3 above.
 - v **Land Use Standards.** New nonresidential land uses proposed within Section A shall be subject to the land use standards of this subsection in addition to the Use Specific Standards of Section 5.3. Where there is conflict between the Use Specific Standards of Section 5.3 and the Land Use Standards provided within this section, the Land Use Standards provided within this section shall govern. Additionally, any minimum parking standards noted herein shall replace those prescribed in Table 7.9-I.
 - (a) Administrative Offices
 - (i) This use shall not exceed 5,000 square feet gross floor area per lot
 - (ii) Minimum vehicular parking required: 4 spaces
 - (b) Business or Trade School
 - (i) Practical or “hands-on” training related to welding, auto repair and engineering, obtaining a Commercial Driver’s License, and similar training requiring significant welding and mechanical work or the use of large commercial vehicles on-site shall be prohibited. Classroom space for instruction related to these training categories may be permitted.
 - (ii) This use shall not exceed 5,000 square feet gross floor area per lot
 - (iii) Minimum vehicular parking required: one space per 2 students design capacity plus 1 space per employee on the largest shift, but no less than four spaces
 - (c) Day Care, Child
 - (i) Permitted hours of operation shall be limited to 6:00 a.m. to 8:00 p.m. daily.
 - (ii) Minimum vehicular parking required: one space per 5 children, but no less than four spaces
 - (d) Dwelling, Work/Live
 - (i) There shall be no minimum or maximum proportional gross floor area requirement for the residential or nonresidential component, but the structure shall comply with all building code requirements applicable to the proposed proportions.
 - (ii) The nonresidential use does not have to be operated by a resident of the work/live dwelling, but the nonresidential use and residential unit shall maintain the same ownership.
 - (iii) The nonresidential use shall be limited to those nonresidential uses and associated use specific standards permitted applicable to the underlying Zoning District as well as the additional uses listed within Table 4.11-A .

-
- (iv) Minimum vehicular parking required: 4 spaces
 - (e) Mobile Food Court
 - (i) Mobile food courts shall comply with the Use Specific Standards of Subsection 5.3.5G, as amended
 - (ii) Mobile food courts shall not exceed 5,000 square feet per lot
 - (f) Personal Service, General
 - (i) This use shall not exceed 5,000 square feet gross floor area per lot
 - (ii) Minimum vehicular parking required: 4 spaces
 - (g) Restaurant
 - (i) Restaurants shall not exceed 5,000 square feet gross floor area
 - (ii) Walk-up pick-up windows may be allowed, but drive-through facilities shall not be permitted
 - (iii) The storage of raw and/or spent materials associated with crafting of alcoholic beverages shall be prohibited
 - (iv) Minimum vehicular parking required: one space per 4 design occupancy-load per Building Code, but no less than 4 spaces
 - (h) General Retail
 - (i) If Retail sales is the only land use, the structure may not exceed 5,000 square feet
 - (ii) Retail sales between 5,000 square feet and 15,000 square feet shall only be permitted as part of a mixed-use building that contains a minimum of 5 residential units
 - (iii) Retail sales exceeding 15,000 square feet shall be prohibited
 - (iv) Minimum vehicular parking required: one space per 350 square feet gross floor area, but no less than four spaces
 - (i) Self-Service Laundry
 - (i) If self-service laundry is the only land use, the structure may not exceed 2,500 square feet gross floor area
 - (ii) A self-service laundry facility may be between 2,500 square feet and 5,000 square feet only as part of a mixed-use building that contains a minimum of 5 residential units
 - (iii) A self-service laundry facility may not exceed 5,000 square feet
- b **Section B: Permitted Uses and Use-Specific Standards.** This section is intended to allow opportunities for additional missing middle housing within the area. This section encourages the vertical mix of uses for new neighborhood-scale commercial and new residential development of moderate density within proximity of existing residential neighborhoods.
- i All properties located within the SEDLWO District Section B are subject to the property's applicable base zoning district which conforms to the Official Zoning Map established by DDC Subsection 3.1.3, as amended, except as modified herein. Properties shall be developed and used only in accordance with the permitted primary and accessory uses allowed in the applicable base zoning district except as otherwise stated herein.

- ii In addition to those land uses permitted within a property’s underlying zoning district as established by Table 5.2-A, the land uses listed in Table 4.11-B may be permitted subject to the associated Building Design Standards, Operational Standards, and Land Use Standards established within this Section. New residential and nonresidential development shall comply with the Use Specific Standards provided in Section 5.3. Where there is conflict between the Use Specific Standards of Section 5.3 and the Land Use Standards provided within this section, the Land Use Standards provided within this section shall govern.

Table 4.11-B: Southeast Denton Live-Work Table of Allowed Uses Section B		
P = permitted S = specific use permit required Blank cell = use prohibited + = use specific standards apply		
		Land Use Standards
Day Care, Child	P+	4.11.6D.2.b.iv(a)
Dwelling, Duplex	P+	
Dwelling, Fourplex	P+	
Dwelling, Triplex	P+	
Dwelling, Townhome	P+	
Dwelling, Work/Live	P+	4.11.6D.2.b.iv(b)

- iii **Operational Standards for Nonresidential Uses.**
 - (a) Hours of Operation - Excluding day-care centers, permitted hours of operation for all new nonresidential uses shall be limited to 8:00 a.m. to 8:00 p.m. Monday to Thursday, and 8:00 a.m. to 10:00 p.m. Friday to Sunday.
 - (b) Noise – Noise levels shall comply with the Code of Ordinances.
- iv **Building Design Standards.** New residential and nonresidential land uses shall comply with the design standards of the Southeast Denton Residential Overlay as established in Section 4.11.3 above.
- v **Land Use Standards.** New nonresidential land uses proposed within Section A shall be subject to the land use standards of this subsection in addition to the Use Specific Standards of Section 5.3. Where there is conflict between the Use Specific Standards of Section 5.3 and the Land Use Standards provided within this section, the Land Use Standards provided within this section shall govern. Additionally, any minimum parking standards noted herein shall replace those prescribed in Table 7.9-I.
 - (a) Child-Care Center
 - (i) Permitted hours of operation shall be limited to 6:00 a.m. to 8:00 p.m. daily.
 - (ii) Minimum vehicular parking required: one space per 5 children, but no less than four spaces
 - (b) Dwelling, Work/Live:

-
- (i) There shall be no minimum or maximum proportional requirement for the residential or nonresidential component, but the structure shall comply with building code requirements applicable to the proposed proportions.
 - (ii) The nonresidential use does not have to be operated by a resident of the work/live dwelling, but the nonresidential use and residential unit shall maintain the same ownership.
 - (iii) The nonresidential use shall be limited to those nonresidential uses and associated use specific standards permitted within the applicable base zoning district as well as the additional uses listed within this Subsection.
 - c Section C:** This section is intended to exist as a flexible transition between the neighborhood-scale nonresidential and missing middle housing types encouraged within the remainder of the SEDLWO and the established single-family residential neighborhoods outside of the SEDLWO. This section allows for the continuance of legally existing land uses and zoning designations while requiring designs compatible with the surrounding neighborhood character for all new development.
 - i** All properties located within the SEDLWO Subdistrict Section C are subject to the base zoning district which conforms to the Official Zoning Map established by DDC Subsection 3.1.3, as amended, except as modified herein. Properties shall be developed and used only in accordance with the permitted primary and accessory uses allowed in the applicable base zoning district.
 - ii** In addition to those land uses permitted within a property’s underlying zoning district as established by Table 5.2-A, “Dwelling, Work/Live” shall also be permitted subject to the Building Design Standards, Operational Standards, and Land Use Standards established within this Section. New residential and nonresidential development shall comply with the Use Specific Standards provided in Section 5.3. Where there is conflict between the Use Specific Standards of Section 5.3 and the Land Use Standards provided within this section, the Land Use Standards provided within this section shall govern.
 - iii Land Use Standards.** New nonresidential land uses proposed within Section A shall be subject to the land use standards of this subsection in addition to the Use Specific Standards of Section 5.3. Where there is conflict between the Use Specific Standards of Section 5.3 and the Land Use Standards provided within this section, the Land Use Standards provided within this section shall govern.
 - (a) Dwelling, Work/Live:**
 - (i) There shall be no minimum or maximum proportional requirement for the residential or nonresidential component, but the structure shall comply with building code requirements applicable to the proposed proportions.
 - (ii) The nonresidential use does not have to be operated by a resident of the work/live dwelling, but the nonresidential use and residential unit shall maintain the same ownership.
 - ii Operational Standards for Nonresidential Uses.**
 - (a) Hours of Operation** – Excluding day-care centers, permitted hours of operation for all new nonresidential uses shall be limited to 8:00 a.m. to 8:00 p.m. Monday to Thursday, and 8:00 a.m. to 10:00 p.m. Friday to Sunday.
 - (b) Noise** – Noise levels shall comply with the Code of Ordinances.

-
- iii **Building Design Standards.** New residential and nonresidential land uses shall comply with the design standards of the Southeast Denton Residential Overlay as established in Section 4.11.3 above.

2 Landscaping and Screening

- a Compatibility Landscape Buffer Requirements – The following standards shall apply to all new nonresidential land uses adjacent to a single-family residential land use in lieu of the Compatibility Landscape Buffer Requirements established in Subsection 7.7.6
 - i Where a nonresidential use is proposed adjacent to an existing single-family residential use, a minimum 8-foot-tall double-faced solid wood fence shall be constructed along the entire length of the shared property line.
 - ii Where landscaping or trees exist in an area where a fence is required, the existing landscaping may be preserved in lieu of the 8-foot-tall fence if the Director determines that the height and planting locations of the existing landscaping provides equivalent screening
 - iii Where a nonresidential use is proposed adjacent to an existing single-family residential use, a minimum 15-foot-wide landscape buffer shall be maintained along the entire length of the shared property line.
- b For all new residential and nonresidential land uses, the property must comply with the minimum Landscape and Tree Canopy Requirements of Subsection 7.7.5 as applicable to the property's underlying zoning district.
- c For all fences constructed on shared property lines intended to satisfy the compatibility landscape and screening requirements of this section, proper fence maintenance shall be the responsibility of the nonresidential property owner.