



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Kenneth Hedges

DATE: June 16, 2026

SUBJECT

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a change in the zoning district and use classification from Residential 2 (R2) district to Light Industrial (LI) district on approximately 2 acres of land generally located on the south side of FM 377, approximately 1,025 feet east of the intersection of FM 377 and North Trinity Road in the City of Denton, Denton County, Texas; adopting an amendment to the City's Official Zoning Map; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing for a severability clause and an effective date. The Planning and Zoning Commission voted (6-1) to recommend approval. Motion for approval by Commissioner Dyer and second by Commissioner Ketchersid (Z26-0005a, Winston-Cox Waterworx, Sean Jacobson).

[May 27, 2026 Planning and Zoning Commission Meeting](#)

BACKGROUND

On October 14, 2025, following an approximately six-month staff analysis, the Planning & Zoning Commission recommended, and City Council approved, a Future Land Use Map (FLUM) Amendment for approximately 55.3 acres around the US 380 corridor at the City's easternmost limits – an area that includes the subject property. The FLUM designation for this area was amended from Rural Areas and Low Residential to Light Industrial. The Light Industrial designation for this area better aligns with many of the current uses of the properties in the area (including the subject property), the recent development inquiries received by staff about the area, and the City's goals and expectations for future development of the area, particularly given its location adjacent to a freeway.

Following the FLUM amendment, the applicant, Jamie Bratton of Winston-Cox Waterworx, on behalf of the property owner, ZBH Denton Ltd., submitted an application to rezone approximately 2 acres of land from Residential 2 (R2) District to Light Industrial (LI) District. The subject property's two current uses – an Office use and an Outdoor Storage use are both not permitted in the R2 zoning district and are thus nonconforming. In 2024, the applicant submitted a pre-application conference request for construction of a General Retail and Outdoor Storage Facility. Staff informed the applicant that a Comprehensive Plan Amendment, Rezoning, and Specific Use Permit (SUP) would be required to proceed through the development review and permitting process. The applicant proceeded to construct the proposed uses as planned without proper permits, creating the nonconforming situation. Upon learning of the development of the property, Staff worked through the code compliance process to contact the property owner and outline next steps necessary to legally operate the proposed uses. The purpose of this rezoning is to begin the process of bringing the subject property into compliance with the City's codes and ordinances. The Office use is permitted in the LI District by right, and Outdoor Storage, as a primary land use, is permitted in the LI District with a Specific Use Permit (SUP) approved by City Council. Should the rezoning be approved, the applicant is expected to bring forward an SUP for the Outdoor Storage use.

Although this request is intended to bring the currently developed land use into conformance with the City’s codes and ordinances, if this zoning change were approved, any use permitted under the LI zoning district could be developed on the subject property in the future. See Exhibit 8 for a complete list of permitted uses under both the current and proposed zoning districts. Any future site improvements or use changes would require a detailed review of developments plans by staff for compliance with the City’s codes and ordinances.

The subject property is surrounded by a mix of commercial and residential uses within the City limits and industrial uses in the adjacent Extraterritorial Jurisdiction (ETJ) to the south. The subject property has frontage on and direct driveway access to US 380. There are no recognized Environmentally Sensitive Areas, floodplain, or floodway on the subject property.

A full Staff Analysis is provided in Exhibit 2.

PLANNING AND ZONING COMMISSION

On May 27, 2026, the Planning and Zoning Commission held a public hearing and recommended approval of the rezoning request [6-1]. One member of the public requested clarification about the location of the subject property.

During the public hearing, a Commissioner inquired as to why the rezoning request and Specific Use Permit (SUP) request needed to bring the current use into conformity were not brought before the Commission simultaneously. Staff explained that the applicant had a choice and chose to bring the requests one at a time rather than simultaneously. At the time of voting on the item, a Commissioner expressed concerns about approving development in this area related to a desire to focus on infill development.

OPTIONS

1. Approve
2. Deny
3. Postpone item

RECOMMENDATION

Staff recommends **approval** of the request as it complies with the criteria in Section 2.4.5.E of the Denton Development Code (DDC) for approval of all applications, and Section 2.7.2.D of the DDC for approval of a zoning change.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

<u>Date</u>	<u>Council, Board, Commission</u>	<u>Request</u>	<u>Action</u>
September 3, 1974	City Council	City-initiated Annexation and zoned to Agricultural (A) District.	Approved
February 2002	City Council	New DDC Zoning Code & City-wide zoning change – rezoned to new Neighborhood Residential 2 (NR-2) district.	Approved
October 1, 2019	City Council	New DDC Zoning Code & City-wide zoning district transition to Residential 2 (R2) District.	Approved
April 23, 2025	Planning & Zoning Commission	Work Session Report on FLUM Amendment	Direction Received

September 24, 2025	Planning & Zoning Commission	Future Land Use Map Amendment from Rural Areas and Low Residential designation to Light Industrial designation.	Recommend Approval
October 14, 2025	City Council	Future Land Use Map Amendment from Rural Areas and Low Residential designation to Light Industrial designation.	Approved
May 27, 2026	Planning & Zoning Commission	Rezoning from a Residential 2 (R-2) district to Light Industrial (LI) district.	Recommend Approval

PUBLIC OUTREACH:

Ten notices were sent to property owners within 200 feet of the subject property, and eleven postcards were mailed to current residents within 500 feet of the subject property. As of the writing of this report, no responses have been received.

The applicant held a neighborhood meeting on May 11, 2026. There were no neighbors in attendance.

A notice was published on the City’s website on May 27, 2026.

A notice was published in the Denton Record Chronicle on May 30, 2026.

One sign was posted on the site on May 14, 2026.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact disclosures have been provided to staff from members of this body as of the issuance of this report.

EXHIBITS

- Exhibit 1 - Agenda Information Sheet
- Exhibit 2 - Staff Analysis
- Exhibit 3 - Site Location Map
- Exhibit 4 - Project Narrative
- Exhibit 5 - Current Zoning Map
- Exhibit 6 - Proposed Zoning Map
- Exhibit 7 - Future Land Use Map
- Exhibit 8 - Table of Allowed Uses
- Exhibit 9 - Notification Map & Sign Affidavit
- Exhibit 10 - Draft Ordinance
- Exhibit 11 - Staff Presentation

Respectfully submitted:
Hayley Zagurski, AICP
Planning Director

Prepared by:
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Senior Planner