



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

DCM: Cassey Ogden

DATE: January 13, 2026

SUBJECT

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas, regarding a Comprehensive Plan Amendment from the Agriculture Future Land Use Designation to the Regional Mixed Use Future Land Use Designation on approximately 16.524 acres generally located north of West University Drive (US 380), approximately 2,800 feet west of Golden Hoof Drive, in the City of Denton, Denton County, Texas; adopting an amendment to the City's Official Future Land Use 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 (4-2) to recommend approval of the request. Motion for approval by Commissioner Riggs and second by Commissioner Ketchersid. (CA25-0003a, Hickory Grove Multifamily, Mia Hines)

<https://dentontx.new.swagit.com/videos/364942?ts=5705>

BACKGROUND

This request is for a Future Land Use Map (FLUM) amendment for an area generally located north of West University (US 380), approximately 2,800 feet west of Golden Hoof Drive. The request is to modify the FLUM designation from Agriculture to Regional Mixed Use to facilitate the development of multifamily residences. This is one of three concurrent applications associated with the Hickory Grove development on this agenda. Details regarding the history of Hickory Grove and the request are provided below.

HISTORY

The subject property was originally included as part of the Hickory Grove (also known as Legends Ranch) Municipal Utility District (MUD), which allows for the construction the development of 1,516 single-family and 624 multifamily residences. The City Council originally granted consent to the creation of this MUD in June 2022, followed by the approval of related development agreement that same month. In August 2024 the MUD developer sought Council approval to amend the development agreement in order to allow for the development of more multifamily units than what was previously allowed under the original agreement. The Council agreed to this change with the compromise that half of the units would be developed on property that would be annexed into the City in order for the City to collect impact fees and taxes from the development. Per Section 3.1 of the approved amended Development Agreement, further described below, the subject property was then excluded from the MUD:

Within ninety (90) days of the Effective Date of this Agreement, Owner shall cause the District to exclude the [subject property] from the boundaries of the District and, within ninety (90) days of a petition for voluntary annexation of the [subject property] into the corporate limits of the City. Owner agrees to supply, or cause to be supplied, any and all instrument and/or documentation

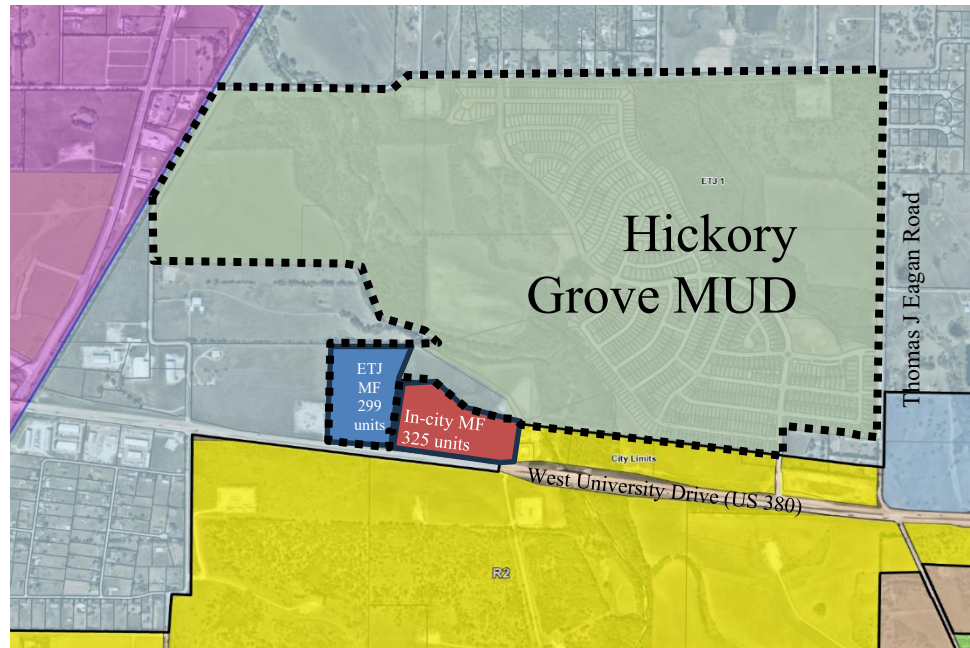
necessary for the City to annex the [subject property] within ten (10) days of being requested to do so. As soon as practicable after the City's annexation of the [subject property] into the City's corporate limits and after the City has zoning jurisdiction, the City council of the City shall consider, with its full legislative discretion, zoning the [subject property] for multi-family use. The City does not guarantee, and nothing in this Agreement may be conditioned upon, any outcome of any zoning or rezoning decision relating to the [subject property].

While a certificate of occupancy for the subject property has not yet been issued as the site is undeveloped, the applicant has already submitted a petition for voluntary annexation which was approved on November 18, 2025. Although the development agreement calls for development of the tract to occur in the ETJ prior to annexation, the applicants have stated that their intent for submitting the petition at that time was to avoid the risk of constructing a development that might ultimately not conform with zoning should the City decide not to grant a change of zoning to a District that allows the multifamily land use and layout contemplated by the Development Agreement. Upon annexation, the subject property was automatically assigned the placeholder zoning designation of Rural Residential (RR).

EXISTING CONDITIONS AND PROPOSED CHANGE

The Denton 2040 Comprehensive Plan designates the subject property for Agriculture land use, and parcels are currently zoned RR. As shown in Exhibit 8 the subject property is adjacent to the North Hickory Creek Tributary and associated floodway and is partially encumbered by floodplain stretching northwest to southeast around the north and east boundary of the subject property. The applicant is concurrently working with the Federal Emergency Management Agency (FEMA) and the City on the Conditional Letter of Map Revision (CLOMR) process to remove the subject property from the limits of the floodplain. Following a map revision, all future development activity would have to occur outside the limits of the floodplain and buildings within the floodplain buffer would have to be constructed with the appropriate finish floor elevation. Additionally, an approved Environmentally Sensitive Area (ESA) field assessment reflects the existence of undeveloped floodplain ESA within this floodway corridor. Should the applicant propose to further adjust the limits of the floodplain, an updated ESA assessment may be required. Future developments would be subject to the Denton Development Code requirements for development within ESA.

While the subject property is currently undeveloped, the subject area is part of a larger tract of land planned for the development of a total of 624 total multifamily residences according to the approved amended Hickory Grove MUD and Development Agreement and illustrated on the inset map. The remainder of the parent tract, abutting the subject property to the west, will remain in the City's ETJ and is subject to the Hickory Grove MUD and Development Agreement which anticipates the construction of 299 multifamily units on approximately 24.8 acres of land for which the City is currently reviewing site plans and civil engineering plans. For the properties to the east of the subject property, the Development Agreement anticipates the construction of nonresidential



land uses. These properties are within the City limits, and Staff has received separate applications to amend the FLUM and zoning designations to allow for the development of commercial land uses. These applications are tentatively scheduled to be heard by the Planning and Zoning Commission in January 2026.

In addition to this requested Comprehensive Plan Amendment, the applicant also submitted a proposal for a zoning change from the Rural Residential (RR) District to Mixed-Use Regional (MR) District to allow for the anticipated multifamily development. Additionally, the applicant has concurrently submitted a Mobility Plan Amendment to remove the future north-to-south Primary Arterial roadway that is shown to traverse the property along the eastern property line (See Exhibit 7). Both the request to rezone to the MR District and the Mobility Plan Amendment are also on the December 17, 2025 Planning and Zoning Commission agenda for separate consideration (items Z25-0014 and MPA25-0004, respectively).

The Denton Development Code (DDC) Section 2.7.1 establishes the comprehensive plan amendment process to provide flexibility in response to changing circumstances, to reflect changes in public policy, and to advance the general welfare of the city. Denton 2040 Comprehensive Plan was adopted on March 22, 2022 as an update to the previous comprehensive plan, Denton Plan 2030. To guide the City's zoning decisions and land use distribution, the plan includes a Future Land Use Map (FLUM) which identifies the locations of the different future land uses. Each Future Land Use Designation has distinct characteristics, and these are summarized below for the categories pertinent to this request:

- a. **Agriculture (existing designation):** This category includes farms and ranches as the predominant use along with rural residential (a maximum of one unit per five acres) and rural commercial including feed stores, farm equipment, etc. This land use may allow lots as small as one acre under the gross density provision to allow for conservation development which clusters smaller lots while permanently protecting scenic rural open space (through conservation easements). This land use may also include single-family homes on large lots, which are suited for areas on the periphery of the city that complement a more suburban type of development. Development in this future land use category will continue the present character of the rural areas of Denton with low-profile homes of no greater than two stories, generous lots and setbacks, and materials that complement the natural surroundings and ranch heritage.
- b. **Regional Mixed Use (proposed designation):** This designation applies to areas that serve as regional destinations within Denton. Development may include residential, commercial, office, entertainment and other uses except industrial, at the highest levels of scale and density within the city. Unique development standards are proposed to create the walkable urban character and day and nighttime activity of an urban center. Major medical and health care institutions and the areas of influence around them are included in this future land use designation. This designation is located primarily along I-35 interchanges and along primary arterials to encourage the greatest regional accessibility. Future development in Regional Mixed-Use areas will complement and embrace existing, viable uses, and raise the standard of design to increase their regional draw, accommodate greater connectivity and mobility options, and create a sense of place.

This Comprehensive Plan amendment is not a change to the existing zoning of any property within the subject boundary, nor does it render any use or property non-conforming. The accompanying Zoning Change application shall be considered as a separate request.

A detailed Staff Analysis of the Comprehensive Plan Amendment request is provided in Exhibit 2.

OPTIONS

1. Approve
2. Approve Subject to Conditions.
3. Deny

4. Postpone Item.

PLANNING AND ZONING COMMISSION

At their December 17, 2025 meeting, the Planning and Zoning Commission held a public hearing and recommended approval [4-2] of the Comprehensive Plan Amendment request. Some members of the Commission discussed the merit of delaying action on the request to allow more time for community engagement and a holistic analysis of appropriate Future Land Use Designations and allowable uses along the western US 380 corridor, comparing the longer time frame that it typically takes for a City-initiated Comprehensive Plan Amendment to the shorter time frame of this application. Staff clarified that, in applicant-lead Comprehensive Plan Amendment requests, the applicant's team provides an analysis for Staff's review so that Staff's primary role is reviewing the data, rather than sourcing the data which is what consumes most of staff's time during Staff-initiated Comprehensive Plan Amendments. Staff added that grants are currently being pursued to begin the process of updating the Comprehensive Plan and Future Land Use Map, which would allow for a future analysis of the western US 380 Corridor.

Following this discussion, a motion was put forward to table the Comprehensive Plan Amendment request until Staff and the applicant performed additional analysis and engagement. The motion to table the request failed [2-4] with opposing Commissioners noting that the current analysis is sufficient while also supporting the need for an overall update of the Comprehensive Plan given the local and regional growth over the past few years. The subsequent motion to recommend approval passed [4-2].

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 2.7.1D of the DDC for approval of a comprehensive plan amendment.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

| Date | Council, Board, Commission | Request | Action |
|-------------------|--------------------------------|---|--|
| June 28, 2022 | City Council | Legends Ranch (Hickory Grove) MUD Development Agreement | Approved |
| August 23, 2024 | City Council | Amended Hickory Grove MUD Development Agreement | Approved |
| October 14, 2025 | City Council | Municipal Services Agreement | Approved |
| October 14, 2025 | City Council | Public Hearing for Annexation | Public hearing held; no further action occurred |
| October 14, 2025 | City Council | First Reading of the Annexation Ordinance | First reading held; no further action occurred |
| November 18, 2025 | City Council | Second Reading of the Annexation Ordinance | Second reading held; Annexation Ordinance approved |
| December 17, 2025 | Planning and Zoning Commission | Comprehensive Plan Amendment – Agriculture FLUM to | Recommended Approval |

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|-------------------|-----------------------------------|---|-------------------------|
| | | Mixed Use Regional FLUM | |
| December 17, 2025 | Planning and Zoning Commission | Mobility Plan Amendment – remove future extension of C Wolf Rd | Recommended Approval |
| December 17, 2025 | Planning and Zoning Commission | Rezoning RR to MR | Recommended Approval |

PUBLIC OUTREACH:

Four (4) notices were sent to the property owners within 200 feet of the subject boundary. As of the writing of this report, no responses have been received by the City.

Three (3) notices were sent to residents within 500 feet of the subject boundary. As of the writing of this report, no responses have been received by the City.

A notice was published in the Denton Record Chronicle on Sunday, November 30, 2025 and December 27, 2025.

A notice was published on the City’s website on November 26, 2025 and December 22, 2025.

Three (3) signs were posted on the property by November 26, 2025.

The applicants have not hosted any community meeting related to this request.

A map showing the notification boundaries as well as documentation regarding the sign posting is provided in Exhibit 9.

EXHIBITS

- Exhibit 1 - Agenda Information Sheet
- Exhibit 2 - Staff Analysis
- Exhibit 3 - Site Location Map
- Exhibit 4 - Existing Future Land Use Map
- Exhibit 5 - Proposed Future Land Use Map
- Exhibit 6 - Project Narrative
- Exhibit 7 - Existing Thoroughfare Map
- Exhibit 8 - Existing ESA and Floodplain Map
- Exhibit 9 - Notification Map and Sign Posting
- Exhibit 10 - Draft Ordinance
- Exhibit 11 - Presentation

Respectfully submitted:
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Planning Director

Prepared by:
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