



# City of Denton

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## 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 proposed revisions to the Accessory Dwelling Unit and Townhome standards of the Denton Development Code; amendments include but are not limited to Table 5.2-A, Table of Allowed Uses, regarding zoning districts which permit Accessory Dwelling Units, Subsection 5.4.3, General Standards for Accessory Uses and Structures, regarding the location of accessory dwelling units on residential lots and general applicability of architectural compatibility; Subsection 5.4.4, Additional Standards for Specific Accessory Uses, regarding general standards, maximum size, location, and design of accessory dwelling units; Table 7.9-I: Minimum Required Off-Street Parking, removing requirements for additional parking for accessory dwelling units; Subsection 1.5.2, Regulations Applicable to All Nonconformities, regarding applicability for residential uses; Subsections 3.2.5B, R4 District Dimensional Standards, 3.2.6B, R6 District Dimensional Standards, 3.2.7B, R7 District Dimensional Standards, 3.3.1B, MN District Dimensional Standards, 3.3.2B, MD District Dimensional Standards, and 3.3.3B, MR District Dimensional Standards, related to minimum lot dimension notes for townhome developments; Subsection 3.7.2A.2, Minimum Lot Dimensions, related to minimum lot standards and maximum number of units for townhome developments; Subsection 3.7.6D, Building Coverage, related to maximum building coverage for townhome developments; and Subsection 7.10.3, Single-Family Detached, Duplex, Townhome, Triplex, and Fourplex Dwelling Site and Building Design, regarding the open space requirements for duplex, townhome, triplex, and fourplex dwellings. (DCA25-0001a, Missing Middle Housing, Angie Manglaris and Julie Wyatt)

<https://dentontx.new.swagit.com/videos/364942?ts=11060>

### **BACKGROUND**

The proposal includes several revisions to the Denton Development Code (DDC) which aim to clarify and refine the regulations for missing middle housing types to facilitate townhome and accessory dwelling unit (ADU) development in the City of Denton.

### **Denton's Housing Goals and Strategies**

**Denton 2040 Comprehensive Plan Goal HN-1** envisions a range of housing options that meet the needs of all residents with a diverse array of choices in type, cost, and location. Options can range from single-family detached dwellings, townhomes, accessory dwelling units (ADUs), duplexes, multifamily, and many types and styles in-between. Relevant policies associated with Goal HN-1 which are intended to guide decision-makers and describe context and rationale of the desired outcome include:

- **Action 7.1:** Promote development of higher density housing as part of mixed-use development in Denton's urban core, including Downtown, the Neighborhood/University Compatibility Areas, and in designated centers and corridors outside the urban core.

- **Action 7.2:** Expand the availability of affordable housing choices for community members most in need of housing, including those with low incomes and special needs.
- **Action 7.4:** Expand the availability of housing choices for existing and potential community members most in need of housing, including seniors.
- **Action 7.5:** Support expanded opportunities for home ownership to encourage neighborhood stability and reduce blight.
- **Action 7.7:** Establish tools and strategies to enhance the quality and character of housing and neighborhoods.

Additionally, the City of Denton has adopted a variety of plans which further support the Comprehensive Plan's housing goals and policies, including the Affordable Housing Strategic Toolkit, Southeast Denton Area Plan, and Design Downtown Denton. These plans refine the housing goals and present strategies and metrics to achieve the objectives. Specifically, these plans recommend the following:

- **Affordable Housing Strategic Toolkit:** This document, adopted February 15, 2022, provides the City of Denton with a set of strategies and actions that will set the stage for the development of more housing options and opportunities.
  - ***Strategy 1: Use Existing Land and Buildings - Infill Development.***
    - The plan recommends revisions to the DDC to allow for additional ADUs, recognizing that ADUs “provide housing options for guests, aging parents, young adult age children, or other renters seeking reasonably priced rental housing integrated into a neighborhood setting.”
    - The strategy also supports making necessary zoning changes to encourage the use of small homes for infill development. This includes using infill lots for small townhome or duplex developments.
- **Southeast Denton Area Plan:** Approved in July 2024 after extensive public engagement, the Southeast Denton Area Plan aims to rebuild trust between the City and the community and provide action steps to encourage investment and minimize displacement.
  - ***Action 1.1.4*** recommends removing minimum parking requirements for accessory dwelling units to lower barriers to entry for homeowners.
- **Design Downtown Denton:** Design Downtown Denton was approved in August 2024 after extensive community input. It is a “blueprint for the next decade aimed at enhancing the vitality and character of Downtown Denton. This plan addresses key areas such as parks, housing, mobility, and historic preservation.”
  - ***Recommendation 3A Develop Southern Downtown,*** encourages townhomes for targeted infill of for-sale dwellings on underutilized land within existing development.
  - ***Recommendation 3B Encourage Downtown Living,*** includes the following actions:
    - Ensure the types of units produced should represent a variety of housing types that meet diverse housing needs.
    - The City should take actions that will encourage additional development of Accessory Dwelling Units within Downtown, including pre-approving standard ADU plans, waiving fees, or creating grant opportunities.

### **What is “missing middle” housing?**

Opticos Design ([www.missingmiddle.com](http://www.missingmiddle.com)) defines missing middle housing as dwellings that “fit in the middle of a spectrum between detached single-family homes and mid-rise to high-rise apartment buildings, in terms of form and scale.” Typically, missing middle housing refers to moderate-density housing types, including duplexes, triplexes, fourplexes, townhomes, and the addition of accessory dwelling units to existing homes. The smaller scale of these housing types can blend in with established neighborhoods and provide infill homes near existing schools, shopping, and services. The Missing Middle website further states that because most zoning codes have limited the ability to construct new missing middle housing units for many decades, the supply has not kept up with demand.

As discussed above, the Denton 2040 Comprehensive Plan and other plans envision a variety of housing options, including those defined as “missing middle,” to provide choices to meet the needs of all residents. While Denton has taken steps to reintroduce a new generation of missing middle housing, some DDC regulations can be confusing or cumbersome, potentially discouraging development. The proposed DDC amendment is intended to target the most challenging regulations to clarify the standards and create opportunities for property owners, developers, and residents.

**For this request, staff is not proposing any changes to the zoning map. Rather, the proposed amendments outlined below are related to applicability, dimensional standards, use-specific standards, and design for two residential types: townhomes and accessory dwelling units.**

Staff initially presented the proposed code amendments related to townhomes to the Planning and Zoning Commission as a Work Session item in order to gather feedback, while the amendments related to ADUs were workshopped with the Development Code Review Committee (DCRC) over the course of several meetings. It should also be noted that the proposed DDC Amendments were presented at three community meetings held in person on August 21, 2025, virtually on August 22, 2025, and in person on August 28, 2025. During the meetings, staff led a discussion of the topics and collected survey feedback. The survey was also posted to Discuss Denton between September 13, 2025 and October 12, 2025. Across the in person and online surveys, Staff received between 54/55 survey responses for each question (not every person responded to every question). Results of the online survey are attached as Exhibit 5. The following amendment explanations will include relevant survey results.

Due to the large number of text changes, the full redline versions are attached as Exhibits 3 and 4.

## **PROPOSED AMENDMENTS**

### **Townhomes**

The DDC defines townhome dwellings as, “three to eight attached single-family dwelling units, each of which is a separate household on its own lot.” Fundamentally, townhomes are single-family homes (albeit attached to other single-family homes and with no interior side yard setbacks) which can be purchased fee simple (buyer owns both the structure and the land upon which it sits). Townhomes are allowed with an approved Specific Use Permit in the Residential 4 (R4) District and by right in the Residential 6 (R6), Residential 7 (R7), Mixed-Use Neighborhood (MN), Mixed-Use Downtown (MD), and Mixed-Use Regional (MR) Districts.

Since 2020, twenty-five developers and/or property owners have approached the City to study the feasibility of pursuing townhome development, but only three new townhome communities have been constructed. According to developers and property owners, the range of zoning districts which permit townhomes is appropriate, but some DDC dimensional and open space regulations create potential barriers to development. Therefore, the proposed amendment is related to scale and design aspects only and not to

where and in what zoning districts townhomes are allowed. Specifically, the amendments fall into four categories:

1. Applicability to existing uses
2. Minimum lot dimensions
3. Maximum number of units
4. Minimum percentage of common open space

The title and citation for the relevant regulations and a rationale for the proposed changes are provided below. The full redline versions of the DDC Subsections are attached as Exhibit 3:

- **DDC Subsection 1.5.2I, *Applicability of This DDC to Existing Residential Uses and Structures.***

The original 2019 DDC included language to ensure that its adoption would not render single-family detached, townhome, or duplex properties nonconforming. “Nonconforming” is a label applied to properties or uses which were developed legally, but due to regulatory changes, no longer conform to the minimum standards. Generally, nonconforming regulations are intended to limit substantial investment in properties, structures, and uses which no longer meet zoning or development requirements. To achieve this, DDC Subsection 1.5 prohibits the expansion of nonconforming uses or structures and limits the capacity to rebuild if a use or structure is destroyed or otherwise removed.

As the City continues to refine and update DDC regulations related to residential development, changes may impact how single-family detached, townhome, and duplex dwellings are designed. However, it is not Staff’s intent to render existing homes nonconforming and limit a residential owner’s ability to invest in their property or rebuild if the structure is destroyed.

Therefore, the proposal includes additional language to ensure that any new regulations will not cause any existing, legally constructed residential use, lot, or site feature to become nonconforming. For example, the amendment includes a minimum lot size reduction for townhomes in mixed-use areas, but some existing townhome lots are smaller than the recommendation. While the original language would likely protect townhome owners, the proposal will remove potential uncertainty and make clear that those lots are conforming.

- **DDC Subchapter 3, *Zoning Districts.***

- ***Various District Dimensional Standards Tables***

The proposal updates the Dimensional Standards Tables for R4, R6, R7, MN, MD, MR Districts to provide a reference Note to the alternate townhome lot dimension regulations. While the DDC has included specific stand-alone townhome lot dimensions since its adoption in 2019, the alternative dimensions are difficult to find due to their location in a different subsection. Therefore, to improve clarity for all DDC users, staff recommends adding the proposed Note.

Additionally, the tables for all Residential and Mixed Use Districts include a reference to DDC Subsection 1.5.2I regarding the applicability of the DDC to existing residential uses and structures. The proposal revises the language to reflect the changes to Subsection 1.5.2I

- ***Subsection 3.7.2A, *Lot and Site Requirements.****

- **Lot Area:** Currently, the DDC includes a separate dimensional standard for townhomes, allowing a minimum lot size of 2,000 square feet, minimum lot width of 20 feet, and a minimum lot depth of 60 feet, regardless of the dimensions established by the zoning district. This lot size is appropriate for the Residential

Districts (R4, R6, R7), as they are intended for residential neighborhoods with moderately-sized lots near mixed-use and commercial areas. The proposal recommends maintaining existing minimum dimensions for townhomes in the Residential Districts.

For Mixed-Use Districts (MN, MD, and MR), the proposal recommends reducing the minimum lot size to 1,000 square feet and removing the minimum lot depth for townhome lots. The proposed minimum area is similar to existing townhome developments in the MD and MR Districts. Additionally, these districts are intended for walkable, compact development, and the smaller lot sizes encourage the preferred urban forms as indicated in the DDC, Denton 2040 Comprehensive Plan, and the Design Downtown Denton plan.

Community Feedback: 67% of respondents agreed that reducing the minimum lot size in the Mixed-Use Districts to 1,000 square feet is appropriate. 19% of respondents disagreed, and 13% had no opinion.

- **Number of Lots per Development:** In addition to minimum lot dimensions, the DDC includes a separate specification for townhomes designed to limit the maximum number of units within individual developments. Specifically, the regulations states, “Provided, however, the overall townhome development shall have a minimum land area equal to or greater in size than the minimum lot area that would be required for the development of the equivalent number of single-family dwelling units in the applicable zoning district.” More simply put, to obtain the maximum number of units, the gross square feet of a site is divided by the minimum lot size for the zoning district.

This was a late addition during the drafting of the 2019 DDC, and its implementation has been challenging. The language is confusing, and it potentially creates a disincentive to develop townhomes over other residential types, particularly in infill areas. The requirement only affects townhomes and does not apply to any other residential types such as duplexes, triplexes, or fourplexes. Finally, it reduces the capacity to build townhomes, reducing potential opportunities for home ownership (as townhomes can be owned fee simple, as noted above).

The following example illustrates how the regulation can impact a conceptual site: consider a 20,200 square foot infill lot zoned R7 District, after netting out setbacks and right-of-way dedication for alley access:

- Using the 2,000 square foot townhome lot size only, 7 lots could be developed.
- When the maximum number of units regulation is applied, the number of townhome lots must be reduced to 5, regardless of lot size. This is calculated by dividing the gross lot size by the minimum lot size for R7 District (4,000 square feet)
- For comparison, if the developer converted the use to duplex and removed the alley, 5 lots could be platted in accordance with the minimum R7 District dimensions, resulting in 10 dwelling units.

To address these issues, the amendment proposes removing the regulation regarding the number of townhome lots altogether, allowing projects to rely on development considerations applicable to all residential types to determine the number of units.: minimum lot dimensions, roadway dedication, drainage infrastructure, and required open space, if applicable.

Community Feedback: 64% of respondents agreed that the “maximum number of units” for townhomes should be removed from the DDC. 24% of respondents disagreed, and 12% had no opinion

- **Subsection 3.7.6, *Building Coverage***

The maximum building coverage for townhomes is 85% of the lot, which is less than the maximum building coverage in the MD and MR Districts. Therefore, *buildings which hold any other use can exceed 85% of the lot*. This creates a penalty for townhome developments. The proposal adds a statement to allow townhomes to follow the higher building coverage currently permitted in the MD and MR Districts.

- **Subsection 7.10.3C, *Open Space Requirements***

The existing regulations requires “any development consisting of 10 or more duplex, townhome, triplex, and fourplex dwelling units shall set aside a minimum of five percent of the land area as open space for the use and enjoyment of the development's occupants and users.” The regulation further states that the open space must comply with the open space design standards for multifamily developments.

While private open space is a valuable design feature for residential communities, it is important to devise standards that create meaningful, well-placed common areas, particularly for large projects and those in greenfield contexts. The proposal refines the current standard to apply to developments three acres or greater (medium- to large-scale developments) located further than one-half mile from a City-owned park or open space. Furthermore, design, maintenance, and management standards similar to those required for multifamily developments have been added but tailored to the specific needs of duplex, townhome, triplex, or fourplex developments.

The rationale for the amendment includes several considerations:

- **Size of open space.** The current threshold for 10 dwelling units generally results in small, less functional open spaces, particularly for townhome, triplex or fourplex developments.
  - For example, a development of 10 duplex units (5 lots) in the R6 District would yield approximately 2,200 square feet of open space. A development of 12 fourplexes (3 lots) would yield approximately 1,300 square feet.
  - For comparison, the smallest pocket park in the City’s inventory is Wolff’s Park, which is approximately 4,800 square feet. The second smallest park is 13,500 square feet (Jimmy Carter Park).

Modifying the minimum threshold to three acres generates larger, more usable space (a minimum 6,534 square feet), similar to the City’s pocket parks.

- **City park development and availability.** Open space requirements as outlined in DDC Subsection 7.10.3C are in addition to the City’s Park dedication and development requirements. All residential developments are required to dedicate

land or pay a fee in lieu for park property based upon the number of persons expected to live in the development and the number of acres the City needs to serve the population increase. Additionally, a park development fee must be paid at the time of building permitting for each dwelling. These fees allow the City to acquire additional park land and fund park improvements.

The proposed modification ensures adequate recreational amenities will be provided for projects with a greater total population and in greenfield locations where parks are less accessible but exempts smaller projects near existing parks where community open space is more readily available.

- **Cost of maintenance.** Regardless of how required common open space is developed—a simple lawn, social space, play equipment, or active recreation—maintenance will be required. When smaller numbers of dwellings are tasked with bearing the cost, each resident or property owner must pay a larger share of the total, which impacts affordability.

Therefore, the proposal exempts projects less than three acres in size. This will ensure that common open space is still provided with larger-sized projects (which likely include more dwellings) but exempt the smaller developments.

Community Feedback: 50% of respondents agreed that projects under three acres could be exempted from the open space requirement. 38% of respondents believed that open space requirements should apply to projects under 3 acres, and 12% had no opinion.

68% of respondents agreed with an open space exemption for projects near city parks. 25% of respondents disagreed, and 8% had no opinion.

### **Accessory Dwelling Units**

The Denton Development Code defines an ADU as a subordinate dwelling unit added to, created within, or detached from a single-family residence, that contains a dwelling that is subordinate to a principal single-family detached dwelling and that provides basic requirements for living, sleeping, cooking, and sanitation. A HUD-Code manufactured home shall not be considered an accessory dwelling unit. Accessory Dwelling Units are one “tool” which can be used to provide for Missing Middle Housing by creating affordable units within a community. A homeowner may choose to pursue construction of an ADU for any number of reasons including, but not limited to the following: supplemental income, care for ageing parents, to age in place themselves, or to downsize.

As detailed herein, the ADU Code Amendment topic was identified as a priority since it aligns with Affordable Housing Toolkit strategies, as well as the Southeast Denton Area Plan recommended actions, both of which were adopted by City Council. In addition, Staff has identified areas within the ADU regulations which could be revised to improve clarity, thereby simplifying implementation of the regulations both for residents trying to add ADUs and Staff during plan review. Examples of areas for clarification include the allowable location of ADUs and requirements for architectural compatibility and/or screening.

In 2025, Staff worked with the DCRC over the course of several meetings to review existing regulations and identify areas for clarification or revisions. Conversations with the DCRC centered around the following topics: architectural compatibility between ADUs and the primary dwelling unit, the allowable locations of ADUs, expanding the uses to which ADUs may be accessory (townhomes, duplex, etc.), and the maximum allowable size of ADUs, parking requirements for ADUs, allowing separate ownership for ADUs, as well as maximum allowable heights for ADUs.

The title and citation for the relevant regulations and a rationale for the proposed changes are provided below. The full redline versions of the DDC Subsections are attached as Exhibit 4:

- **DDC Subchapter 5, Use Regulations**

- **Table 5.2-A, Table of Allowed Uses**

- Currently, the DDC permits ADUs in all zoning districts which permit single-family detached dwellings (RR-R7 and MN Districts).

As part of the proposed ADU updates, and in tandem with amendments to Subsection 5.4.4, the revisions to the Table of Allowed Uses propose allowing ADUs as a permitted use in the Mixed-Use Downtown and Mixed-Use Regional Zoning Districts (MD & MR), allowing those with Townhomes, Duplex, or Triplex uses to pursue an ADU if desired. The intent of the amendment is to expand the uses to which an ADU may be accessory.

- **Subsection 5.4.3, General Standards for Accessory Uses and Structures**

- Proposed amendments to this section are intended to provide clarity that ADUs may be allowed in the side yard. Presently, there is a conflict between DDC Subsections 5.4.3B and 5.4.4A.3.a.ii regarding where ADUs may be located on a lot. The intent of the amendment is both to remove the conflicting provisions and add clarity that ADUs may be located in side yards to allow for additional flexibility in the ADU regulations. The manner in which ADUs may be located in the side yard is further described in the proposed amendments to Subsection 5.4.4A.3.

- **Subsection 5.4.4A, Additional Standards for Specific Accessory Uses**

- **5.4.4A.1. Generally:** Proposed amendments to this section are intended to clarify that ADUs may be attached to or detached from the main structure, to establish that one ADU may be permitted per principal dwelling unit, and to establish that ADUs may be accessory to single-family detached residential dwellings, townhomes, duplexes, and triplexes.

The intent of these proposed amendments is to provide clarity in the number of ADUs allowed per dwelling unit, to clarify and expand which uses an ADU may be accessory to, creating additional options for individuals interested in constructing these uses.

Community Feedback: 69% of respondents felt allowing ADUs to be accessory to townhomes, duplexes and triplexes was appropriate. 24% of respondents did not feel it was appropriate, and 5% of respondents did not have an opinion.

Upon reviewing the survey results, the DCRC held additional discussion regarding the uses to which ADUs may be accessory. One member of the Committee indicated their preference was to only allow ADUs to be accessory to single-family detached dwellings. Another member of the Committee indicated they would like to see additional flexibility by allowing duplex units to pursue up to two ADUs per duplex (one per dwelling unit). The DCRC did not reach consensus regarding either of these proposals. Staff recommends allowing one ADU per principal dwelling unit for single-family detached residential dwellings, townhomes, duplexes, and triplexes as shown in Exhibit 4; however, the Commission may propose an alternative motion reflecting one of the two options above if desired.

- **5.4.4A.2: Size:** Proposed amendments to this section are designed to clarify the measurement standards which will be applied to for ADUs, citing the specifications



prescribed in Subsection 3.7.7. The intent of this clarification is to provide better direction for Staff reviewing ADU permits as well as to provide guidance for those interested in pursuing an ADU.

In addition, the maximum allowable size for an ADU is proposed to be revised as part of these amendments. Currently, ADUs on lots smaller than 10,000 square feet shall not exceed 50 percent of the square footage of the principal dwelling unit on the lot nor may they exceed 1,000 square feet per lot. For ADUs on lots larger than 10,000 square feet, the ADU may not exceed 50 percent of the square footage of the principal dwelling unit.

Rather than differentiate the maximum allowable size of an ADU based on the square footage of the lot the ADU is to be located on, the proposed amendments allow the square footage of the ADU to be a maximum of 800 square feet or 75 percent of the square footage of the principal dwelling unit, whichever is greater. The proposed amendment creates one standard for the maximum allowable size of ADUs across all lot sizes and guarantees an ADU may be a minimum of 800 square feet regardless of the size of the principal dwelling unit. This amendment allows those with smaller dwelling units to have additional flexibility when considering the size of their ADU.

Community Feedback: 52% of respondents felt the proposed size was appropriate, 20% felt the proposed limit was too small, 22% felt the proposed size was too large, and 6% had no opinion.

- *5.4.4A.3: Location and Design:* Proposed amendments to this section are intended to provide additional clarity regarding where ADUs may be situated on the lot. The proposed amendments clarify that ADUs attached to the principal dwelling unit shall meet the primary setbacks of the principal dwelling unit and ADUs detached from the principal dwelling unit may be located to the rear or side yard of the principal dwelling provided ADUs in the side yard maintain a minimum 3-foot offset behind the front building line of the principal dwelling. The intent of these proposed amendments is provide additional clarity to the requirements specified in Subsection 5.4.3 which allow ADUs to be located in the side yard.

In addition, amendments to this section propose to provide additional clarity and guidance to when ADUs shall demonstrate architectural compatibility with the principal dwelling unit. Under current DDC requirements, ADUs shall be architecturally compatible with the principal dwelling unit they are accessory to unless they are screened from view of adjacent properties and rights of way. The proposed amendments further specify that any ADU, or portion thereof, visible from the public right-of-way shall be architecturally compatible with the primary dwelling unit on the lot by providing at least two of the following: Consistency in color; consistency in roof pitch; consistency in orientation of building materials; same architectural design or detail. This proposed amendment is designed to ensure ADUs visible from the public right-of-way are compatible with the main structure and thus maintain community character while allowing for additional design flexibility for those units which are not publicly visible.

- *Subsection 5.4.4A.5: Ownership Requirements:* Proposed amendments to this section allow separate ownership of an ADU by way of a condominium association provided the ADU is not severed from the primary dwelling unit via a plat. Under current DDC requirements, there is no path forward for separate ownership of an ADU.

- *Table 7.9-I: Minimum Required Off-Street Parking.* Currently, the DDC requires ADUs to have one parking space per bedroom. The minimum parking requirement often creates a barrier to entry for those seeking to construct an ADU on their lot. The proposed amendments remove the minimum parking requirement but require any required parking spaces for the principal dwelling unit that were removed for development of the ADU to be replaced with the same number of spaces elsewhere on the property.

Community Feedback: 35% of respondents felt the proposed parking requirement was appropriate, 30% felt the proposed limit was too restrictive, 26% felt the parking requirement was too relaxed, and 15% had no opinion.

- *Height requirements:* Currently, the DDC does not prescribe maximum height requirements for ADUs, meaning the maximum height of an ADU may be the maximum allowable height for the zoning district. The DCRC contemplated during review of the ADU regulations specifying height limitations for ADUs. However, the DCRC did not reach consensus on the topic and directed staff to seek public feedback on the matter. Staff presented several options to the public for feedback, including: allowing ADUs to be 20 feet if following the setbacks of the primary structure and 15 feet if using the reduced setback allowance for accessory buildings; height of the ADU not to exceed the height of the primary structure; or no change (height allowed in Zoning District).

Community Feedback: 50% of respondents preferred allowing ADUs to be the height of the zoning district (no change), 43% of respondents preferred requiring ADUs to not exceed the height of the primary structure, and 7% preferred allowing ADUs to be 20 feet if following setbacks of primary structure and 15 feet if using the reduced setback allowance.

Upon reviewing the survey results, the DCRC and Staff determined no changes were needed to the height requirements for ADUs at this time.

See Exhibit 2 for Staff Analysis.

### ***PLANNING AND ZONING COMMISSION***

The Planning and Zoning Commission held a public hearing for the request at their December 17, 2025, meeting where Staff presented the proposed DDC amendments with analysis.

Two community members spoke during the public hearing regarding the amendments: one against the proposal, citing concerns about ADU architectural compatibility and height in established neighborhoods, and one in favor of the proposal, citing affordability and development flexibility as the reason for support.

During the discussion that followed, the Commissioners considered the following:

- **Number of ADUs.** As written, the proposal limits the number of one per lot, including those lots which contain more than one dwelling unit (duplex, triplex, and fourplex). The Commission discussed ways in which more than one ADU could be allowed per lot in situations where it may be appropriate and feasible, depending on the lot's configuration. The Commission was generally amenable to the allowance of one additional ADU per lot with the approval of a Specific Use Permit.
- **ADU height.** The Commission inquired about the maximum allowable height for ADUs and how taller structures are integrated into existing residential areas. Staff noted the maximum allowable height for ADUs is the maximum allowable height for the zoning district, which is 40' in residential zoning districts. Staff also noted that the design and style of roof incorporated into the ADU are accounted for when considering the height of the structure.

- **ADU parking.** The Commission discussed parking requirements for ADUs under current regulations and sought clarification of the proposed language and parking regulations. Staff responded the proposed amendments would not require additional parking be constructed for ADUs. In circumstances where required parking for the primary structure is removed for the construction of an ADU, that parking shall be mitigated onsite. The Commission further discussed parking concerns as a whole, particularly on residential streets where on-street parking can be prevalent at times.
- **Smaller Townhome lots.** The Commission expressed concern that the proposed smaller lot size in the Mixed-Use Districts (MN, MD, and MR) could impact potential home size and private open space. Staff responded that the amendment would not impact DDC Subsection 5.3.3C.3, which requires a minimum dwelling unit size of 900 square feet for Townhomes, and that two- and three-story dwellings are more likely to be constructed on the smaller lots. Furthermore, the proposal is consistent with existing Townhome developments in the MD and MR Districts and with the intended compact development pattern.

### **OPTIONS**

1. Approve
2. Approve with conditions
3. Deny
4. Postpone item

### **RECOMMENDATION**

The Planning and Zoning Commission recommended approval of the request (6-0), subject to the following modification:

- An additional ADU may be allowed per lot with the approval of a Specific Use Permit. For properties within 1.5 miles of the Downtown Square District an additional ADU may be allowed without requiring a Specific Use Permit.
- In no case shall an additional ADU create more than four dwelling units on any lot.

Staff recommended approval of the Denton Development Code text amendments related to townhomes and accessory dwelling units as the proposed amendments meet the established criteria for approval for Code Text Amendments as outlined in Section 2.7.4D of the DDC.

### **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

<b>Date</b>	<b>Council, Board, Commission</b>	<b>Request</b>	<b>Action</b>
April 23, 2019	City Council	2019 Denton Development Code	Approved with an effective date of October 1, 2019
February 12, 2025	Planning and Zoning Commission	Work Session on possible Townhome amendments	Provided feedback to Staff regarding proposed amendments.
January 27, 2025, February 10, 2025, February 24, 2025, March 3, 2025, March 24, 2025	Development Code Review Committee	Review Accessory Dwelling Unit Regulations	Provide feedback to Staff regarding proposed amendments.

October 27, 2025	Development Code Review Committee	Review survey results and final draft of ADU Regulations	Provided Staff direction to proceed to Public Hearing
December 17, 2025	Planning and Zoning Commission	DDC amendment (DCA25-0002)	Recommended approval

### **PUBLIC OUTREACH:**

A notice was published in the Denton Record Chronicle on December 27, 2025. As of the writing of this report, one member of the public spoke in opposition and one member of the public spoke in favor to the request at the Planning and Zoning Commission public hearing.

### **EXHIBITS**

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Staff Analysis

Exhibit 3 - Proposed Townhome Redlined Amendments to the Denton Development Code

Exhibit 4 - Proposed ADU Redlined Amendments to the Denton Development Code with Modifications

Exhibit 5 - Proposed ADU Redlined Amendments to the Denton Development Code without Modifications

Exhibit 6 - Survey Results

Exhibit 7 - Draft Ordinance with Planning and Zoning Commission Modifications

Exhibit 8 - Draft Ordinance without Planning and Zoning Commission Modifications

Exhibit 9 - Presentation

Respectfully submitted:  
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Planning Director

Prepared by:  
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Principal Planner