



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: July 23, 2024

SUBJECT

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas amending the Denton Development Code Subchapter 1; amendments include but are not limited to: Subsection 1.3.4: Conflicts with Other Ordinances and Criteria Manuals; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing a severability clause and an effective date. The Planning and Zoning Commission voted [6-0] to recommend approval of the request. Motion for approval was made by Commissioner Villarreal and seconded by Commissioner Cole. (DCA24-0003a, Conflicts with Other Ordinances, Angie Manglaris) <https://dentontx.new.swagit.com/videos/307778?ts=10414>

BACKGROUND

On June 4, 2024 the City Council adopted the Denton Design Criteria Manual (DCM), which consolidates the Solid Waste Design Criteria Manual, Stormwater Design Criteria Manual, Transportation Design Criteria Manual, Water and Wastewater Design Criteria Manual, and Streetlight Design Criteria Manual into one manual. The purpose of the Denton Design Criteria Manual is to provide minimum, non-exhaustive guidelines for the design and construction of solid waste, stormwater, transportation, water and wastewater, and streetlight infrastructure within the City of Denton, Texas and its extraterritorial jurisdictions.

The DCM Section 1.2 specifies that in the event of conflict between the DCM and the Denton Development Code (DDC), the DCM shall not supersede the regulations contained within the DDC. Currently, DDC Subsection 1.3.4 specifies that whenever any provision of the DDC conflicts with the provisions of a criteria manual, the criteria manual shall control. Thus, a Code amendment is necessary to resolve the discrepancy between the newly adopted DCM and the DDC as it relates to conflicting provisions.

The purpose of the Denton Development Code is to establish subdivision and design standards and land use regulations related to the development of land in the City of Denton to promote health, life and safety as well as to carry out the goals set forth in the Denton 2040 Comprehensive Plan. Criteria manuals are intended to provide supplemental technical detail related to carrying out the provisions of the Denton Development Code, and therefore should not supersede the zoning standards on which the technical specifications are based.

In addition to resolving the conflict noted above, the Subsection 1.3.4 Code Amendments are being proposed to address the consolidation of the respective criteria manuals into one succinct document, as well as to remove references to manuals which are no longer in use or are named incorrectly.

The proposed text amendments to Subsection 1.3.4: Conflicts with Other Ordinances and Criteria Manuals are as follows:

1.3.4: Conflicts with Other Ordinances and Criteria Manuals:

- A. Whenever any provision of this DDC conflicts with other provisions of the Municipal Code of Ordinances, the stricter provision, as determined by the Director following the interpretation procedure in Subsection 2.8.6, Interpretations, shall govern.
- B. Whenever any provision of this DDC conflicts with a Criteria Manual adopted by ordinance by the City of Denton as established in Section 2.11, including but not limited to those listed below, the ~~Criteria Manual~~ Denton Development Code shall govern, as determined by the Director:
 - ~~1. Administrative Criteria Manual~~
 - 2.1. Connectivity Component - Mobility Plan
 - 3.2. Construction Criteria Manual
 - 4.3. Environmentally Sensitive Areas ~~Criteria Manual~~ Primer
 - 5.4. Denton Design Criteria Manual, which includes:
 - a. Solid Waste Criteria Manual
 - b. Stormwater Design Criteria Manual
 - c. Transportation Criteria Manual
 - d. Water and Wastewater Criteria Manual
 - e. Streetlight Design Criteria Manual
 - 6.
 - 7.
 - 8.
- C. All Criteria Manuals are available online on the City's website and housed in the Development Services Department. Criteria Manuals are maintained and updated by the Department when amendments are necessary as determined by the Director.

See Exhibit 2 for a full Staff Analysis.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Date	Council, Board, Commission	Request	Action
April 23, 2019	City Council	Consider 2019 DDC Update	Approved with an effective date of October 1, 2019
June 12, 2024	Planning and Zoning Commission	Consider DDC Amendments related to DDC 1.3.4	Recommended approval [6-0]

Planning and Zoning Commission

The Planning and Zoning Commission considered the proposed amendments and held a public hearing at their June 12, 2024 meeting. No public comment was received, and the Planning and Zoning Commission voted [6-0] to recommend approval of the proposed amendments to the DDC as presented. Motion for approval was made by Commissioner Villarreal and seconded by Commissioner Cole.

OPTIONS

- 1. Approval
- 2. Approval with modifications
- 3. Denial
- 4. Postpone Item

RECOMMENDATION

Staff recommends **approval** of the amendments related to conflicts with other Ordinances and Criteria Manuals as the proposed amendments meet the established criteria for approval for Code Text Amendments as outlined in Subsection 2.7.4D of the DDC.

EXHIBITS

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Staff Analysis

Exhibit 3 - Draft Ordinance

Exhibit 4 - Presentation

Respectfully submitted:

Tina Firgens, AICP

Deputy Director of Development Services/
Planning Director

Prepared by:

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