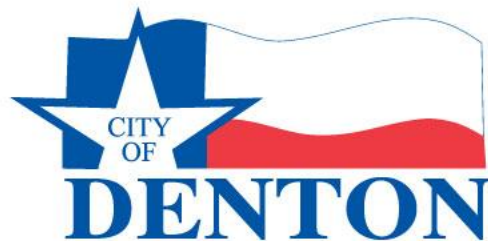


DCA25-0002a

Legislative Updates

Julie Wyatt, AICP
Principal Planner
December 16, 2025



Proposal Summary

Proposal: Amend the Denton Development Code

Purpose:

Three bills adopted by the 89th Regular Legislative Session impact existing DDC regulations. The proposed changes are intended to ensure the City's development standards correspond to state law, including:

- Address “familial status” as a basis for **maximum dwelling occupancy** and associated definitions (SB 1567)
- Distinguish between “No-Impact” and all other **home-based businesses** and compatibility considerations which can be regulated for each (HB 2464)
- Clarify notification and protest procedures for **zoning changes which increase residential development or modify some or all existing zoning districts**. These city-initiated “comprehensive zoning changes” and property owner-initiated rezoning requests have alternate notification requirements and protest thresholds (HB 24)

Recommendation: Staff recommends approval as the proposal it is consistent with state law and the criteria for approval

Senate Bill 1567

Summary

- Applies to cities with populations less than 250,000 with a college that has enrollment greater than 20,000
- **Prohibits** regulating **# of dwelling occupants** based on **age, familial status, occupation, relationship status, or relation**
- **Allows** occupancy regulations based on: **one occupant per sleeping room with a minimum floor area of 70 sf** and an **additional occupant per each 50 additional sf**

DDC Updates

DDC 5.3.1D, Maximum Persons Occupying a Dwelling: ~~“a maximum of four unrelated persons which may occupy a dwelling”~~

No single dwelling unit shall have more occupants residing therein than the following:

1. One occupant per bedroom with a minimum floor area of 70 square feet, and
2. One additional occupant for each additional 50 square feet in same room.

DDC 9.2: Definitions

- Bedroom: Any room other than a living room, family room, dining room, kitchen, bathroom, closets, or utility room, for the purpose of this DDC, shall be considered a bedroom. Dens, studies, etc. with or without closets and similar areas, which comply with all requirements established by the International Residential Code for sleeping areas and labeled as such on the floorplan, shall be counted as bedrooms for the purposes of this DDC.
- Family: ~~One or more persons related by blood, marriage, or legal adoption.~~ Any number of persons occupying a single dwelling unit and living as a single housekeeping unit. The term "family" does not include any organization or institutional group that receives federal or state funding for the care of the individual.

Senate Bill 2464

Summary

- Cities may **not prohibit** the operation of a “**No Impact**” **Home-Based Business**
- For **all others**, cities can **prohibit** specific uses but not require rezoning or the installation of fire sprinklers in single-family or duplex
- Cities **may regulate** for **both: fire** and **building code** municipal regulations, **health** and **sanitation**, **transportation** or **traffic** control, **waste**, **pollution**, and **noise**; **uses incompatible** with **residential**; **scale—secondary** to the residential use; **limitation** or **prohibition** for **alcohol sales**, **sober living**, and **sexually oriented business**

DDC Updates

DDC Table 5.2-A, Table of Allowed Uses:

- Add Home-Based ~~Occupation~~ Businesses to all zoning districts

DDC 5.4.4, Additional Standards for Specific Accessory Uses (summarized):

- “No Impact Home-Based Business” added as a subtype in Use-Specific Standards without exception
- Updated standards related to elements cities may regulate, including compatibility with the residential use, limitations on parking, and prohibitions on certain uses

DDC 9.2: Definitions

- Resolve conflicts with state law by clarifying who and how a dwelling occupant may operate a Home-Based Business and adding the term “Home-Based Business, No Impact.”



House Bill 24

Summary

- Establishes ***comprehensive zoning change***: 1) **city-initiated** zoning regulation change that allows **more housing** and **applies to one or more zoning districts**, 2) adoption of a **new zoning code or map** that applies to the **entire city**, or 3) adoption of a **zoning overlay** that **allows more housing** and is along a **major roadway, highway, or transit corridor**
- **Comprehensive zoning changes** require **newspaper** and **website notice** only and are **exempt from protest**
- **Other zoning changes** which **allow additional housing** or meet specific standards for **mixed-use development** follow **previous practice for notice** (newspaper, website, mailing, sign) and require written **protest from owners of at least 60%** within 200 feet requires a **majority** of all **City Council** members (for example, 4 out of 7 members, regardless of how many are present at the meeting) to approve
- **All other** zoning changes follow **previous practice** for notice and protest

DDC Updates

DDC Table 2.2-A, Summary of Development Review Procedures:

- Add two new Notes summarizing notification procedures and identify which projects should adhere to which procedure

DDC Subsection 2.4B: Public Notice Requirements:

- Expanded to provide more specificity as to the types of notification required, including procedures and applicability required by the City of Denton and HB 24 and SB 929 (enacted in 2023 for properties which may become nonconforming due to rezoning)

DDC Subsections 2.5-2.8:

- Update protest procedures on specific project types



Criteria for Approval, DDC Subchapter 2

Approval Criteria for a DDC Text Amendment (Sec. 2.7.4D)

1. Consistent with the Comprehensive Plan other adopted plans, and other city policies;
2. Does not conflict with other provisions of this DDC or other provisions in the Municipal Code of Ordinances;
3. Is necessary to address a demonstrated community need;
4. Is necessary to respond to a substantial change in conditions and/or policy; and
5. Is consistent with the general purpose and intent of this DDC.

Summary:

- ✓ Consistent with Denton 2040 Comprehensive Plan's vision, goals, and actions
- ✓ Does not conflict with other provisions of the DDC and updates to the Code of Ordinances are proposed
- ✓ The proposal DDC amendments are needed to ensure consistency with state law

Public Outreach

- Newspaper Ad: November 29, 2025
- Responses:
 - In Opposition: 0
 - In Favor: 0
 - Neutral: 0

Recommendation

The Planning and Zoning Commission recommended **approval** of the request (6-0).

Staff recommended **approval** of the request as it complies with the applicable criteria.

Questions?

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