

Staff Analysis

DCA24-0003a/ Conflicts with Other Ordinances and Criteria Manuals

REQUEST:

This is a city-initiated Code amendment to the Denton Development Code (DDC); Subsection 1.3.4 related to the Denton Development Code and conflicts with other ordinances and criteria manuals.

CONSIDERATIONS:

Subsection 2.7.4D of the DDC states that an application for a DDC text amendment may be approved upon consideration of the following criteria as to whether and to what extent the proposed amendment:

1. *Is consistent with the Comprehensive Plan, other adopted plans, and other city policies;*

The proposed Code amendments are consistent with the Denton Development Code establishing procedures for the processing of planning and zoning actions that affect the development and use of property subject to the planning jurisdiction of the City:

Subsection 1.3.2.A Unless otherwise stated, this DDC applies to all land, buildings, structures, and uses located within the City and if applicable, its extraterritorial jurisdiction (ETJ).

The proposed Code amendments are consistent with the following Comprehensive Plan policies and actions related to ensuring the City has a complete and efficient development review process and minimizes conflicting language across all documents relating to the development of land:

2.2.1 Utilize the Denton Development Code (DDC) to ensure that future development review applications are consistent with the Preferred Growth Concept Map, the Preferred Land Preservation Plan, and the Future Land Use Map.

2. *Does not conflict with other provisions of this DDC or other provisions in the Municipal Code of Ordinances;*

The proposed Code amendments do not conflict with any provisions of the DDC or Municipal Code of Ordinances. The purpose of the Code amendments is to provide further clarification and remove potential conflicts between the provisions of the Denton Design Criteria Manual and the Denton Development Code by clarifying the Denton Development Code shall supersede the Denton Design Criteria Manual in the event of conflict.

3. *Is necessary to address a demonstrated community need;*

This proposed city-initiated Code amendment to the Denton Development Code is needed to clarify that the Denton Development Code shall govern when there is a conflict between the Denton Development Code and the Denton Design Criteria Manual. The Denton Development Code establishes zoning actions which affect the development of land within the City of Denton. The Denton Design Criteria Manual is a manual which pertains to the technical and design requirements of the provisions within the DDC. Additionally, this amendment will correctly identify the names of the City's criteria manuals within the DDC to avoid confusion for future development applications.

4. *Is necessary to respond to a substantial change in conditions and/or policy; and*

The Code Amendment is in response to the Denton Design Criteria Manual adoption on June 4, 2024, which consolidated several separate manuals and contains language clarifying that the technical specifications in the manual do not supersede the adopted standards in the DDC.

5. *Is consistent with the general purpose and intent of this DDC.*

The proposed Code amendments are consistent with the general purpose and intent of the DDC as discussed above.