



# City of Denton

City Hall  
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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**CM:** Todd Hileman

**DATE:** September 19, 2017

### **SUBJECT**

Receive a report and hold a discussion regarding permitting requirements for home-based music studios.

### **BACKGROUND**

Home based music studios are currently regulated by Section 35.12.10 *Home Occupations* of the Denton Development Code (DDC). In addition to complying with specific provisions related to the operation of the use (Exhibit 2), the studio would also need to secure a specific use permit (SUP) from the City Council. SUPs are used to evaluate applications for development and land uses that have a unique or widely varying operating characteristic or unusual feature. This procedure is intended to ensure compatibility with surrounding properties and to mitigate potential impacts. Since 2007, one application has been processed to allow for a home-based music studio; however, it was withdrawn by the applicant prior to City Council action.

The City has engaged Clarion Associates (Clarion) to review and update the City's land development code, known as the Denton Development Code (DDC). On July 14<sup>th</sup>, a meeting of the Planning and Zoning Commission Denton Development Code (DDC) Re-write Subcommittee was held to review the proposed draft of the revised DDC Module 1: Zoning Districts and Uses. During the meeting, Special Use Permit (SUP) requirements for home-based Music Studio became a focus of the meeting. The subcommittee recommended that the SUP requirement be removed for home-based Music Studios in the updated DDC. Staff concurred and directed the consultant team to remove this requirement in the final draft of the DDC.

On August 15, 2017, after reviewing a preliminary draft of Module 1 online, a concerned citizen emailed several councilmembers regarding the SUP requirements for home-based music studios, expressing concern that this requirement may be too onerous. This work session is intended to provide clarification on the City's current and proposed permitting requirements for home-based music studios.

### **DISCUSSION:**

Section 35.12.10 *Home Occupations* of the DDC regulates home-based music studios. This use is permitted with conditions in the following zoning districts: RD-5, RC, NR-1, NR-2, NR-3, NR-4, NR-6, NRMU-12 NRMU, DR-1, DR-2, DC-N, and DC-G, and prohibited in CM-G, CM-E, EC-C, EC-I, and IC-E. In addition, Section 35.12.10 of the DDC outlines several provisions such as signage, number of employees, sales, etc., that apply to the use.

The updated version of the Denton Development Code proposes to remove the requirement for owners to obtain an SUP for home-based music and artist studios. The use would be permitted in all of the residential zoning districts, and owners would be required to comply with several use-specific standards that are

designed to mitigate any potential negative impacts of the use. The draft standards are provided in Exhibit 3 for reference. These standards are intended to mitigate potential concerns from neighbors for such things as noise without the need of an SUP.

### **EXHIBITS**

1. Agenda Information Sheet
2. Current limitations for Home Occupations
3. Proposed Use Specific Regulations

Respectfully submitted:  
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