



City of Denton

City Hall
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AGENDA INFORMATION SHEET

DEPARTMENT: Environmental Services and Sustainability

CM/ DCM/ ACM: Mario Canizares, 349-8535

DATE: March 19, 2018

SUBJECT

Receive a report, hold a discussion, and provide a recommendation regarding Denton Development Code Subchapter 17 *Environmentally Sensitive Areas* (ESAs), Subchapter 3 *Procedures*, and Subchapter 23 *Definitions*.

BACKGROUND

Staff proposes numerous amendments throughout Subchapter 17 that would address identified deficiencies and conflicts with the current code. The proposed amendments were vetted through numerous Committee on the Environment (COE) meetings (Aug. 2016 - Sep. 2017). The following are the most substantial changes proposed:

- The creation of an ESA Criteria Manual (Sec. 35.17.3)
- Increase the credits given by preservation of ESAs (Sec. 35.17.4.E)
- Establish an appeal process for staff ESA field determinations (Sec. 35.17.6.C.3)
- Classification of floodplains ESAs based on field assessments (Sec. 35.17.7)
- The exemption of roadways identified on the city Thoroughfare Plan from the limits on fill and vegetation disturbances (Sec. 35.17.7.B.1.h and Sec. 35.17.8.A.8)
- Non-residential development to preserve 30% of Cross Timbers upland habitats (Sec. 35.17.9.A.2)
- Criteria for the approval of alternative ESA plans (Sec. 35.17.11.B)

On September 11, 2017 the COE directed staff to proceed with the proposed amendments to Subchapter 17. Since then, the proposed changes have been advertised on the Denton Development Code Update webpage, notifications about the proposed code amendments were sent via email to all ProjectDox applicants, presentations were made as part of the DDC Update open house meetings, and staff solicited input from local and out of town developers and consultants. A compilation of all public comments received and staff responses is provided in Exhibit 2.

The Planning and Zoning Commission (P&Z) held three work sessions and two public hearings on the proposed changes. On February 21, P&Z recommended approval (4-2) with conditions. The conditions are meant to address comments received during the public comment period and few other changes recommended by P&Z Commissioners. Exhibit 3 includes the COE-vetted changes as redlines and the changes proposed by P&Z as callouts. The P&Z changes have been incorporated into the Subchapter 17 clean version document (Exhibit 4). The proposed changes would require amending Subchapter 3 *Procedures* and Subchapter 23 *Definitions* (Exhibit 5).

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

June 6, 2016:	Presentation to the COE regarding Amendments to Subchapter 17
August 1, 2016:	Presentation to the COE regarding code corrections to Subchapter 17
September 12, 2016:	Presentation to the COE regarding code language clarifications to Subchapter 17 Part 1
October 3, 2016:	Presentation to the COE regarding code language clarifications to Subchapter 17 Part 2
December 5, 2016	Presentation to the COE regarding code language additions to Subchapter 17 Part 1
January 17, 2017:	Presentation to the COE regarding code language addition (Part 2) and policy changes (Part 1) to Subchapter 17
February 6, 2017:	Presentation to the COE regarding code language policy changes to Subchapter 17 Part 2
March 6, 2017:	Presentation to the COE regarding code language policy changes to Subchapter 17 Part 3
April 3, 2017:	Presentation to the COE regarding code language policy changes to Subchapter 17 Part 4
August 14, 2017:	Presentation to the COE regarding all proposed changes to Subchapter 17
September 11, 2017	Presentation to the COE regarding Undeveloped floodplain ESAs
January 24, 2018	Planning and Zoning Commission work session regarding proposed changes to Subchapter 17
February 7, 2018	Planning and Zoning Commission continuation of work session, and public hearing regarding proposed changes to Subchapter 17
February 21, 2018	Planning and Zoning Commission continuation of work session and public hearing regarding proposed changes to Subchapter 17

STRATEGIC PLAN RELATIONSHIP

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

Related Key Focus Area: Sustainable & Environmental Stewardship

Related Goal: 5.4 Manage land use and preserve open/natural spaces

EXHIBITS

1. Agenda Information Sheet
2. Public Comments and Staff Responses Compilation
3. DDC Subchapter 17 Redline Version
4. DDC Subchapter 17 Clean Version
5. Subchapter 3 and Subchapter 23 Amendments
6. Presentation Slides

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