



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda

Development Code Review Committee

Monday, January 9, 2023

10:00 AM

Development Service Center

After determining that a quorum is present, the Development Code Review Committee of the City of Denton, Texas will convene in a Regular Meeting on Monday, January 9, 2023, at 10:00 a.m. in Training Rooms 3, 4, and 5 at the Development Service Center, 401 N. Elm Denton, Texas, at which the following items will be considered:

1. ITEMS FOR CONSIDERATION

- A. [DCRC23-003](#) Receive nominations and election of a Chair and Vice Chair.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Ordinance Establishing the DCRC](#)

- B. [DCRC23-001](#) Consider approval of the December 12, 2022 minutes.

Attachments: [Exhibit 1 - December 12, 2022 DCRC Meeting Minutes](#)

- C. [DCRC23-004](#) Receive a report, hold a discussion, and give staff direction regarding proposed Code amendments related to Outdoor Storage and Outdoor Display.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
 [Exhibit 2 - Presentation](#)

- D. [DCRC23-005](#) Receive a report, hold a discussion, and give staff direction regarding prioritizing future potential Denton Development Code amendments.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)

2. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Development Code Review Committee or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

CERTIFICATE

I certify that the above notice of meeting was posted on the official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on January 6, 2023, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.



City of Denton

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Legislation Text

File #: DCRC23-003, **Version:** 1

AGENDA CAPTION

Receive nominations and election of a Chair and Vice Chair.



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

IACM: Cassandra Ogden

DATE: January 9, 2023

SUBJECT

Receive nominations and election of a Chair and Vice Chair.

BACKGROUND

The purpose of this agenda item is to have the Development Code Review Committee (DCRC) nominate and elect a Chair and a Vice Chair. Pursuant to the ordinance establishing the DCRC, the Chairperson and Vice Chairperson shall be chosen annually by the DCRC and shall be City Councilmembers serving in these roles. The last time the DCRC nominated and elected a Chair and a Vice Chair was on November 17, 2021.

The Committee is currently made up of the following members:

City Council Members

Jesse Davis – Current Chair

Brian Beck – Current Vice Chair

Vicki Byrd

P&Z Commissioners

Tim Smith

Eric Pruett

Jordan Villarreal

EXHIBITS

1. Agenda Information Sheet
2. Ordinance Establishing the DCRC

Respectfully submitted:

Tina Firgens, AICP

Deputy Director of Development Services/
Planning Director

Prepared by:
Ron Mengueta, AICP
Principal Planner

FILE REFERENCE FORM

- ☒ Additional File Exists
- ☐ Additional File Contains Records Not Public, According to the Public Records Act
- ☐ Other

FILE(S)	Date	Initials
Resolution adopted creating the Ad Hoc Development Code Review Committee – 18-637	04/10/2018	KR
Resolution amending 18-637 – 19-1115	05/21/2019	KR
Resolution reestablishing the Ad Hoc Development Code Review Committee to assist in the Denton Development Code amendment process – 20-1967	10/06/2020	KR
The committee terminated and dissolved	03/31/2021	KR
Ordinance establishing the Development Code Review Committee as an advisory committee – 21-647	04/06/2021	KR

ORDINANCE NO. 21-647

AN ORDINANCE OF THE CITY OF DENTON ESTABLISHING THE DEVELOPMENT CODE REVIEW COMMITTEE AS AN ADVISORY COMMITTEE OF THE CITY; ESTABLISHING THE POWERS AND DUTIES OF THE DEVELOPMENT CODE REVIEW COMMITTEE; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 10, 2018, the City Council adopted a Resolution creating the Ad Hoc Development Code Review Committee ("Committee") to consider and advise the City Council whether and in what manner to revise the 2002 Denton Development Code (Resolution No. 18-637); and

WHEREAS, the City Staff, with the assistance of an outside consultant, Clarion Associates, completed draft revisions of the 2002 Denton Development Code and presented to the general public, the Committee, the Planning and Zoning Commission and to the City Council for review and comment; and

WHEREAS, on April 10, 2019, the Planning and Zoning Commission recommended approval (7-0) of the 2019 Denton Development Code, with the Zoning District Transition Chart; and

WHEREAS, on April 23, 2019, the City Council adopted the 2019 Denton Development Code and Zoning District Transition Chart, but delayed the effective date until October 1, 2019, to allow further refinement, while allowing the existing Denton Development Code provisions to remain in force during this interim period; and

WHEREAS, on May 21, 2019, the City Council approved a resolution amending Resolution No. 18-637 to extend the term of the Committee and to review all proposed revisions to the 2019 Denton Development Code (Resolution No. 19-1115); and

WHEREAS, on September 17, 2019, the City Council approved and adopted a city-wide rezoning, to coincide with zoning regulations adopted under the 2019 Denton Development Code; and

WHEREAS, on October 1, 2019, the 2019 Denton Development Code went into effect; and

WHEREAS, the Committee continued to meet after the effective date to discuss and make recommendations to the entire City Council related to subsequent Code amendments to refine the Denton Development Code and to address nonconforming issues that resulted by applying the 2019 Denton Development Code; and

WHEREAS, on December 31, 2019, the Committee terminated and dissolved; and

WHEREAS, on October 6, 2020, the City Council reestablished the Committee, with the same members, to assist in the Denton Development Code amendment process by providing guidance, prioritizing and reviewing draft amendments (Resolution No. 20-1967); and

WHEREAS, the Committee recommended that the Committee be established as a standing City Committee to provide guidance on all proposed and future Code amendments after March 31, 2021; and

WHEREAS, the Committee recommended that all members (three City Councilmembers and three Planning and Zoning Commissioners) be voting members; and

WHEREAS, on March 31, 2021, the Committee terminated and dissolved; and

WHEREAS, on March 16, 2021, the City Council discussed and directed staff to establish the Development Code Review Committee as a standing City Committee, to describe the role and responsibilities of the Committee, and to establish all members as voting members; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. The Development Code Review Committee is hereby established as a standing City Committee to review proposed Denton Development Code amendments and make recommendations to the Planning and Zoning Commission and the City Council regarding proposed Denton Development Code amendments.

SECTION 3. The Committee shall be composed of six (6) voting members: three (3) City Councilmembers and three (3) Planning and Zoning Commissioners. The members shall be nominated and appointed by the City Council for a term of two (2) years and serve at the pleasure of the City Council until successors are duly appointed by the City Council. The initial term of all Members of the Development Code Review Committee ends on August 31, 2021, which inaugural term shall not constitute a term for purposes of §2-65 of the Code of Ordinances of the City of Denton. Thereafter, the term of all Members of the Development Code Review Committee ends August 31 of odd numbered years. Members of the Development Code Review Committee must be current members of the Planning and Zoning Commission or current elected City Council members of the City of Denton. If such a Member is no longer on the Planning and Zoning Commission or the City Council, their appointment to the Development Code Review Committee is terminated and their unexpired term shall be filled by a currently serving City Councilmember or Planning and Zoning Commissioner. The Chairperson and Vice Chairperson shall be chosen annually by the Development Code Review Committee and shall be City Councilmembers. A quorum of the Development Code Review Committee required to hold a meeting is four (4) of the

Development Code Review Committee members. The Development Code Review Committee shall meet as needed when called by the City Council or the City Manager, or his or her designee.

SECTION 4. The Development Code Review Committee shall be advisory only. The powers and duties of the Development Code Review Committee shall include and be limited to providing information, advice, and the making of recommendations to the Planning and Zoning Commission and City Council in matters brought forward to the Development Code Review Committee by the City Manager, or his or her designee, or assigned by the City Council, which shall pertain to the provisions of the Denton Development Code. Nothing in this section shall restrict a majority of the Development Code Review Committee from requesting that the City Manager, or his or her designee, place an item on the agenda of the Development Code Review Committee. The powers and authority of the Development Code Review Committee shall not limit, expand, or amend the authority and requirements of Loc. Gov't Code Chapter 211 and no recommendation of the Development Code Review Committee shall be binding on the Planning and Zoning Commission or City Council or be required in order for the Planning and Zoning Commission or City Council to act.

SECTION 5. The City Manager, or his or her designee, will provide support to the Committee as necessary and shall be responsible for ensuring that records are maintained in accordance with the requirements of the City Secretary's Office. The City Attorney shall provide legal counsel to the Committee and City Staff with the drafting of all proposed Code amendments to the Denton Development Code, as recommended by the Committee.

SECTION 6. Any matters not addressed by this ordinance shall be governed by the Code of Ordinances of the City of Denton (the "Code") and the "City of Denton Handbook for Boards, Commissions and Council Committees," except §2-83(c) of the Code does not apply to City Councilmembers serving on the Development Code Review Committee. Any restriction on the number of boards and committees that a person may serve on shall not prevent a City Councilmember or Planning and Zoning Commissioner from serving on the Development Code Review Committee. The terms of this ordinance shall control over conflicting provisions of the Code and the "City of Denton Handbook for Boards, Commissions and Council Committees."

SECTION 7. All ordinances and resolutions, or parts of ordinances and resolutions, in force when this ordinance becomes effective which are inconsistent or in conflict with the terms of this ordinance are hereby repealed to the extent of such conflict, including without limitation, the entirety of Resolution Numbers 18-637, 19-1115 and 20-1967.

SECTION 8. This ordinance shall become effective immediately upon its passage and approval.

The motion to approve this ordinance was made by Jesse Davis and seconded by Connie Baker, the ordinance was passed and approved by the following vote [5 - 2]:

	Aye	Nay	Abstain	Absent
Gerard Hudspeth, Mayor:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Birdia Johnson, District 1:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Connie Baker, District 2:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Jessie Davis, District 3:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
John Ryan, District 4:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Deb Armintor, At Large Place 5:	<u> </u>	<u>✓</u>	<u> </u>	<u> </u>
Paul Meltzer, At Large Place 6:	<u> </u>	<u>✓</u>	<u> </u>	<u> </u>

PASSED AND APPROVED this the 6th day of April, 2021.


GERARD HUDSPETH, MAYOR

ATTEST:
ROSA RIOS, CITY SECRETARY

BY: 



APPROVED AS TO LEGAL FORM:
AARON LEAL, CITY ATTORNEY

BY:  Digitally signed by Mack Reinwand
Date: 2021.04.02 12:51:06 -05'00'



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
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Legislation Text

File #: DCRC23-001, **Version:** 1

AGENDA CAPTION

Consider approval of the December 12, 2022 minutes.

MINUTES
DEVELOPMENT CODE REVIEW COMMITTEE
December 12, 2022

After determining that a quorum was present, the Development Code Review Committee of the City of Denton, Texas convened in a Regular Meeting on Monday, December 12, 2022, at 10:04 a.m. in Training Rooms 3, 4 and 5 at the Development Service Center, 401 N Elm Street, Denton, Texas.

PRESENT: Chair Jesse Davis, Vice-Chair Brian Beck, Members: Vicki Byrd, Eric Pruett, Jordan Villarreal, and Tim Smith

ABSENT:

REGULAR MEETING

1. ITEMS FOR INDIVIDUAL CONSIDERATION

A. DCRC22-104: Consider approval of the October 24, 2022 minutes.

Vice-Chair Beck moved to approve the minutes as presented. Motion seconded by Member Pruett. Motion carried.

AYES (6-0): Chair Jesse Davis, Vice-Chair Brian Beck, Members: Vicki Byrd, Eric Pruett, Jordan Villarreal, and Tim Smith

B. DCRC22-102: Receive a report, hold a discussion, and give staff direction regarding proposed Code amendments related to Outdoor Storage and Outdoor Display.

Ron Menguita, Principal Planner, presented to the Committee and a discussion followed.

C. DCRC22-103: Receive a report, hold a discussion, and give staff direction regarding prioritizing future potential Denton Development Code amendments.

Item was not discussed, postponed to the January 9, 2023, DCRC meeting.

2. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 12:09 p.m.

X

Jesse Davis
Development Code Review Committee Chair

X

Monica Salcedo
Administrative Assistant



City of Denton

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Legislation Text

File #: DCRC23-004, **Version:** 1

AGENDA CAPTION

Receive a report, hold a discussion, and give staff direction regarding proposed Code amendments related to Outdoor Storage and Outdoor Display.



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

IACM: Cassandra Ogden

DATE: January 9, 2023

SUBJECT

Receive a report, hold a discussion, and give staff direction regarding proposed Code amendments related to Outdoor Storage and Outdoor Display.

BACKGROUND

On October 10, 2022, October 24, 2022, December 5, 2022 and December 12, 2022, the Development Code Review Committee (DCRC) held a discussion regarding proposed Code amendments related to Outdoor Storage and Outdoor Display. During the meeting on January 9, 2023 the DCRC and staff will continue the discussion, and staff will provide responses to comments received from the Committee members.

The purpose of this Code amendment is primarily to confirm a recent interpretation by the Zoning Board of Adjustment (ZBA), to address inconsistent language, and to propose additional Use-Specific Standards as it relates to outdoor storage and outdoor display uses.

In May 2021, the ZBA considered a request for an Appeal of an Administration Decision in response to a formal written interpretation of use-specific standards for Automotive Repair, Major as it relates to the storing of vehicles onsite. Refer to the Director's formal written interpretation below.

1. Automobiles awaiting repairs for less than 24 hours do not constitute storage.
2. Any vehicles intended for service and stored outside of a structure for more than 24 hours are classified as "open storage" and must be contained within an entirely enclosed structure in accordance with the use specific standards.
3. While Outdoor Storage may be generally permitted as an Accessory Use under the provisions of the zoning district, the Use-Specific Standards for the Primary Use of Automotive Repair, Major prohibit outdoor storage of any elements related to the use.

During their next meeting in June 2021, the ZBA denied the applicant's appeal request and affirmed the Director's interpretation. This amendment is intended to clarify the DDC language related to Automotive Repair to be consistent with that past interpretation and to ensure the same interpretation is consistently applied across other related uses.

Staff will also present proposed Code amendments to address inconsistent language throughout the DDC and to propose additional Use-Specific Standards as it relates to outdoor storage and outdoor display uses. The amendments will consist of the following topics:

1. Provide consistent language related to:

- a. how and where outside storage and outdoor display can be physically located; and
 - b. what types of items can be outdoor and which items are prohibited.
2. Provide additional Use-Specific Standards for the following land uses:
 - a. Automotive Fuel Sales
 - b. Automotive Repair Shop, Major
 - c. Automotive Repair Shop, Minor
 - d. Equipment Sales and Rental
 - e. Self-Service Storage
 - f. Outdoor Storage (as a Principal Use)
 - g. Outdoor Storage, Accessory
 3. Provide consistent language throughout other Sections of the Denton Development Code as it relates to outside storage and outdoor display.
 4. Amend the following definitions as it relates to outside storage and outdoor display for consistency and clarity:
 - a. Automotive Fuel Sales
 - b. Automotive Sales or Leasing
 - c. Building Materials and Supply Store
 - d. Outdoor Storage (as a Principal Use)
 - e. Outdoor Storage, Accessory
 - f. Outdoor Storage
 - g. Outdoor Display

EXHIBITS

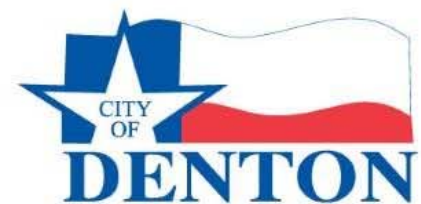
1. Agenda Information Sheet
2. Presentation

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/
Planning Director

Prepared by:
Ron Mengueta, AICP
Principal Planner

Outdoor Storage and Outdoor Display

**January 9, 2023 – Development Code
Review Committee Meeting**



Purpose

1. Confirm an Administration Decision related to Outdoor Storage

- Automobiles awaiting repairs for less than 24 hours do not constitute storage.
- Any vehicles intended for service and stored outside of a structure for more than 24 hours are classified as “outside storage” and must be contained within an entirely enclosed structure in accordance with the use specific standards.

2. Address inconsistent language

3. Propose additional Use-Specific Standards

- How and where outside storage and outdoor display can be physically located?
- What types of items can be outdoor and which items are prohibited?

Amend Section 5.3.5U

Automotive Fuel Sales

- ~~1. Storage of equipment, auto parts, and supplies used in servicing vehicles shall be maintained entirely within an enclosed structure.~~
 - ~~2. Open storage of wrecked or inoperable cars, discarded tires, auto parts, or similar materials shall be prohibited.~~
1. Outdoor storage and display of auto-related equipment and parts (including tires), is prohibited. Auto-related equipment and parts (including tires) shall be maintained entirely within an enclosed structure or shall be opaquely screened from all rights-of-way, residential zoning districts, and residential uses, and shall comply with standards in Subsection 7.7.8: Walls, Fences, and Screening.
 2. Outdoor display of retail supplies, including auto-related consumable products applied and/or installed by a customer off premise, is permitted.
 3. Auto repair and servicing shall constitute an Automotive Repair, Major or Minor use.
 4. The sale and leasing of motor vehicles shall constitute an Automotive Sales and Leasing use.



1/9/2023

Table 5.2-A: Table of Allowed Uses																	
	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	Use-Specific Standard
Automotive Fuel Sales								S+	S+	P+	P+	P+	P+	P+	P+		5.3.5U

Amend Section 5.3.5V

Automotive Repair Shop, Major

- ~~1. All repairs, services, and storage shall be conducted within an entirely enclosed structure.~~
 - ~~2. Open storage of wrecked or inoperable cars, discarded tires, auto parts, or similar materials shall be prohibited.~~
1. All auto repairs and maintenance services shall be conducted within an entirely enclosed structure.
 2. Outdoor storage and display of auto-related equipment, parts (including tires), discarded parts and wrecked or inoperable motor vehicles is prohibited, except:
 - a. Within the MR, SC, HC, and GO Zoning Districts auto-related equipment, parts (including tires), discarded parts and wrecked or inoperable motor vehicles shall be maintained entirely within an enclosed structure or shall be opaquely screened from all rights-of-way, residential zoning districts, and residential uses with a minimum eight (8) foot tall wall or fence of masonry, elevated and sealed wood or a combination of such materials.
 - b. Within the LI and HI Zoning Districts discarded parts and wrecked or inoperable motor vehicles shall be maintained entirely within an enclosed structure or shall be opaquely screened from all rights-of-way, residential zoning districts, and residential uses, and shall comply with standards in Subsection 7.7.8: Walls, Fences, and Screening.
 - c. Within the LI and HI Zoning Districts outdoor storage and display of auto-related equipment and parts (including tires) is permitted.
 3. Outdoor display of retail supplies, including auto-related consumable products applied and/or installed by a customer off premise, is permitted.
 4. The sale of motor vehicles shall constitute an Automotive Sales and Leasing use. The leasing of motor vehicles as a secondary use is permitted.

5. Noise levels shall comply with City of Denton Ordinance 11/9/2023



Table 5.2-A: Table of Allowed Uses

	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	Use-Specific Standard
Automotive Repair Shop, Major										P+	P+	P+	S+	P+	P+		5.3.5V

Amend Section 5.3.5W

Automotive Repair Shop, Minor

- ~~1. Storage of vehicles on the premises shall not exceed 30 days.~~
 - ~~2. Storage of equipment, auto parts, and supplies used in servicing vehicles shall be maintained entirely within an enclosed structure.~~
 - ~~3. Open storage of wrecked or inoperable cars, discarded tires, auto parts, or similar materials shall be prohibited.~~
1. All auto repairs and maintenance services shall be conducted within an entirely enclosed structure.
 2. Outdoor storage and display of auto-related equipment, parts (including tires), discarded parts and wrecked or inoperable motor vehicles is prohibited, except:
 - a. Within the MN, MR, SC, HC, and GO Zoning Districts auto-related equipment, parts (including tires), discarded parts and wrecked or inoperable motor vehicles shall be maintained entirely within an enclosed structure or shall be opaquely screened from all rights-of-way, residential zoning districts, and residential uses **with a minimum eight (8) foot tall wall or fence of masonry, elevated and sealed wood or a combination of such materials.**
 - b. Within the LI and HI Zoning Districts discarded parts and wrecked or inoperable motor vehicles shall be maintained entirely within an enclosed structure or shall be opaquely screened from all rights-of-way, residential zoning districts, and residential uses, and shall comply with standards in Subsection 7.7.8: Walls, Fences, and Screening.
 - c. Within the LI and HI Zoning Districts outdoor storage and display of auto-related equipment and parts (including tires) is permitted.
 3. Outdoor display of retail supplies, including auto-related consumable products applied and/or installed by a customer off premise, is permitted.
 4. The sale of motor vehicles shall constitute an Automotive Sales and Leasing use. The leasing of motor vehicles as a secondary use is permitted.
 5. Noise levels shall comply with City of Denton standards.

1/9/2023

Table 5.2-A: Table of Allowed Uses

	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	Use-Specific Standard
Automotive Repair Shop, Minor								S+		P+	P+	P+	P+	P+	P+		5.3.5W

Amend Section 5.3.5Y

Equipment Sales and Rental

- ~~1. Maintenance of equipment shall be conducted entirely within an enclosed building.~~
 - ~~2. Unenclosed storage of inoperable or wrecked equipment or materials shall be prohibited.~~
 - ~~3. All other unenclosed stored equipment shall be screened from public view from all rights-of-way, residential zoning districts, and residential uses.~~
-
1. Repairs and maintenance services of equipment shall be conducted entirely within an enclosed building.
 2. Inoperable or wrecked equipment or materials shall be maintained entirely within an enclosed structure or shall be opaquely screened from all residential zoning districts, and residential uses, and shall comply with standards in Subsection 7.7.8: Walls, Fences, and Screening.



1/9/2023

Table 5.2-A: Table of Allowed Uses

	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	Use-Specific Standard
Equipment Sales and Rental												S+		S+	P+		5.3.5Y

Amend Section 5.3.6G.4 and Add Section 5.3.6G.5

Self-Service Storage

4. Other Activities

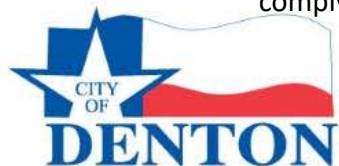
~~No business activity other than the rental of storage units shall be conducted on the premises. Outdoor storage is prohibited.~~

- a. Rental of storage units, rental of storage space for recreational vehicles (RV) and boats, and the sale of moving related items are allowed uses.
- b. No other land use or business activity within storage units is allowed.
- c. The rental of moving trucks and moving related equipment shall constitute an Equipment Sales and Rental use.
- d. The sale and leasing of recreational vehicles (RVs) and boats shall constitute an Automotive Sales and Leasing use.

5. Outdoor Storage

Outdoor storage of recreational vehicles (RVs) and boats is prohibited, except:

- a. Within the MN, MD, MR, SC, HC, and GO Zoning Districts recreational vehicles (RVs) and boats shall be maintained entirely within an enclosed structure or shall be opaquely screened from all rights-of-way, residential zoning districts, and residential uses with a minimum eight (8) foot tall wall or fence of masonry, elevated and sealed wood or a combination of such materials.
- b. Within the LI and HI Zoning Districts recreational vehicles (RVs) and boats shall be maintained entirely within an enclosed structure or shall be opaquely screened from all rights-of-way, residential zoning districts, and residential uses, and shall comply with standards in Subsection 7.7.8: Walls, Fences, and Screening.



1/9/2023

Table 5.2-A: Table of Allowed Uses

	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	Use-Specific Standard
Self-Service Storage								S+	S+	S+	P+	S+	P+	P+	P+		5.3.6G

Amend Section 5.3.6F

Outdoor Storage (as a Primary Use)

Generally

~~No outdoor storage use shall constitute an automotive wrecking service, impound lot, junkyard, or salvage yard.~~

Location and Screening of Storage

~~a. No outdoor storage operation shall be located in front of a principal building.~~

~~b. Outdoor storage shall be opaquely screened from public view pursuant to screening standards in Subsection 7.7.8: Walls, Fences, and Screening.~~

1. Materials shall not be stored in areas intended for vehicular or pedestrian circulation.
2. Materials stored outdoors shall be setback at least five feet from all property lines.
3. **Within the PF Zoning District** outdoor storage shall be maintained entirely within an enclosed structure or shall be opaquely screened from all rights-of-way, residential zoning districts, and residential uses with a minimum eight (8) foot tall wall or fence of masonry, elevated and sealed wood or a combination of such materials.
4. **Within the LI and HI Zoning Districts** shall outdoor storage shall be opaquely screened from all rights-of-way, residential zoning districts, and residential uses, and shall comply with standards in Subsection 7.7.8: Walls, Fences, and Screening.



1/9/2023

Table 5.2-A: Table of Allowed Uses

	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	Use-Specific Standard
Outdoor Storage														S+	S+	S+	5.3.6F

Amend Section 5.4.4D

Outside Outdoor Storage, Accessory

In addition to complying with all EPA regulations, the International Fire Code, and all other applicable ordinances, statutes, rules and regulations, outdoor storage:

~~Shall be confined to the side or rear yard only, and shall be opaquely screened from public view, using screening materials pursuant to Subsection 7.7.8: Walls, Fences, and Screening; and~~

~~Shall be set back at least five feet from the property line, and maintained so as to not create a nuisance to the public or any adjoining property.~~

1. Shall be limited to goods or materials sold or used on the premises as part of the principal use of the property.
2. Shall not be located between the front building façade and the adjacent street frontage.
3. Materials shall not be stored in areas intended for vehicular or pedestrian circulation.
4. Materials stored outdoors shall be setback at least five feet from all property lines.
5. Within the HC, GO and PF Zoning Districts outdoor storage shall be maintained entirely within an enclosed structure or shall be opaquely screened from all rights-of-way, residential zoning districts, and residential uses with a minimum eight (8) foot tall wall or fence of masonry, elevated and sealed wood or a combination of such materials.
6. Within the LI and HI Zoning Districts shall outdoor storage shall be opaquely screened from all rights-of-way, residential zoning districts, and residential uses, and shall comply with standards in Subsection 7.7.8: Walls, Fences, and Screening.

Policy Question:
Should there be special screening in HC, GO, and PF?

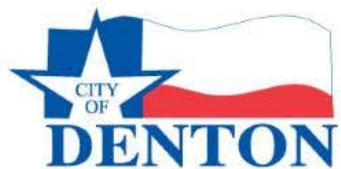
Similar to Automotive Repair Major



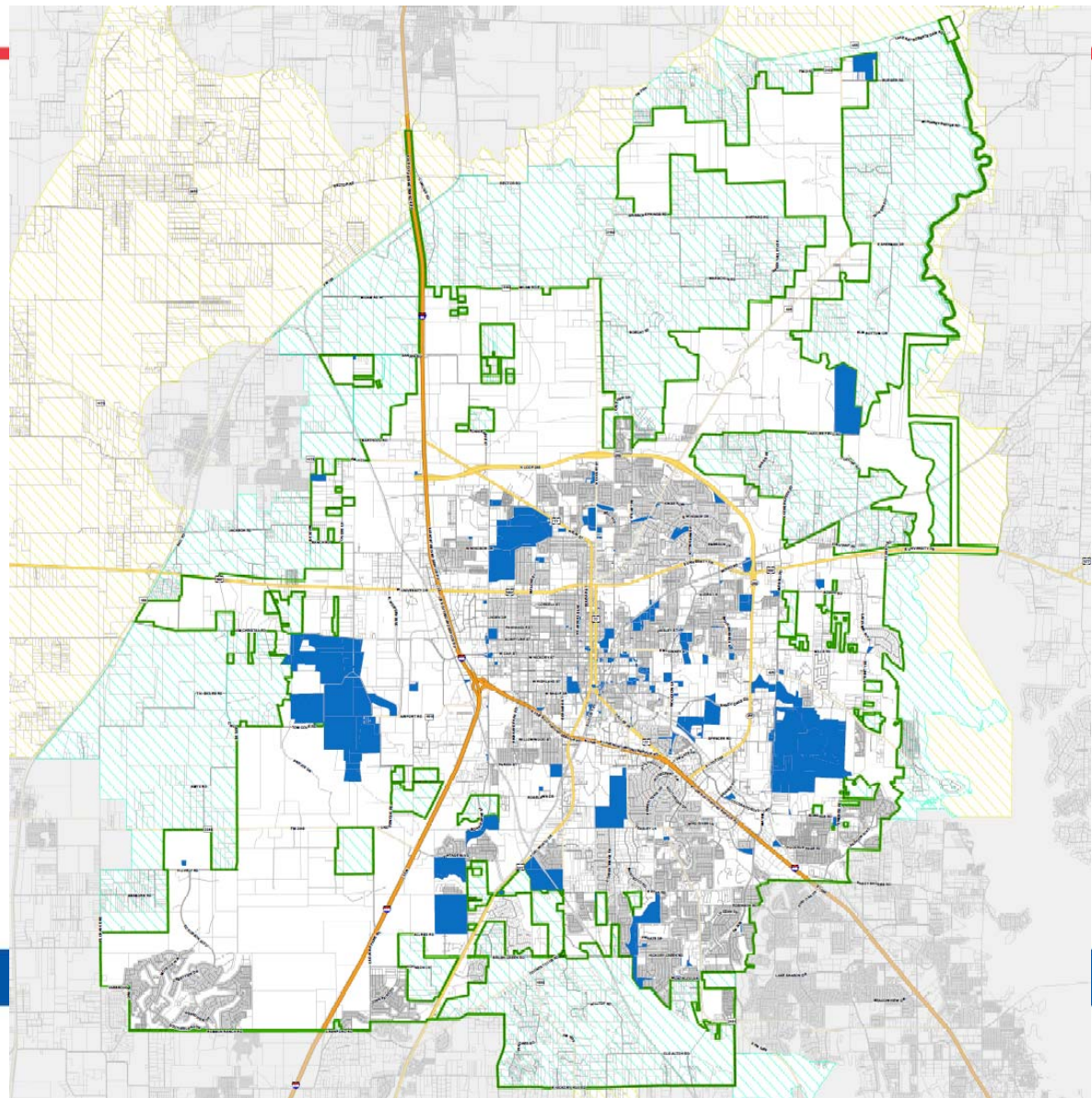
1/9/2023

Table 5.2-A: Table of Allowed Uses																	Use-Specific Standard
	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	
Outdoor Storage, Accessory												P+	P+	P+	P+	P+	5.4.4D

City Owned Properties Zoned PF



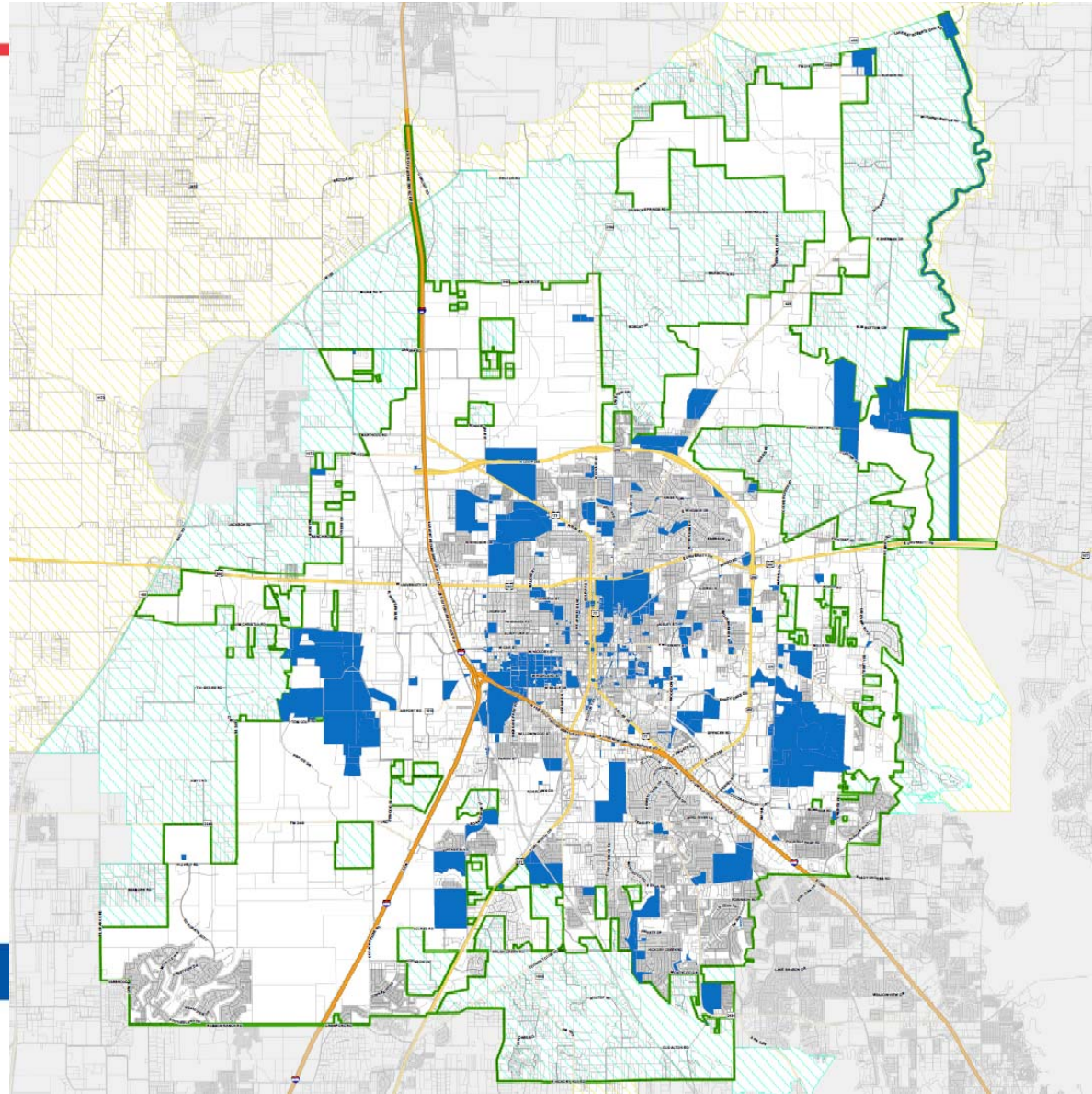
1/9/2023



Properties Zoned PF



1/9/2023



Amend Section 6.3.2E.6

Outdoor Storage Areas

~~Outside~~ Outdoor storage areas shall be equipped with a secondary containment system designed to contain a spill from the largest individual vessel. If the area is open to rainfall, secondary containment shall be designed to include the volume of a 24-hour rainfall as determined by a 25-year storm and provisions shall be made to drain accumulations of ground water and rainfall.

Amend Section 7.7.8E.3 Screening

Outside Outdoor Storage

Except for industrial uses that are legally permitted, and uses in the LI, HI, and PF zoning districts ~~district~~, all outdoor ~~outside~~ storage shall be opaquely screened from all rights-of-way, residential zoning districts, and residential uses, and shall comply with standards in Subsection 7.7.8: Walls, Fences, and Screening. ~~with a fence or wall at least six feet in height.~~ No outdoor ~~outside~~ storage shall be stacked in a way that it becomes visible from the public right-of-way.

Public Right-of-Way

Any designated public street, sidewalk, or alley.



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Amend Section 9.2

Automotive Fuel Sales

An establishment where fuel, motor oil, automobile lubricants, travel aids and other supplies are sold to the motoring public. ~~Outside storage of any automobiles or materials such as tires, auto parts, etc., is prohibited. The sale of motor vehicles is prohibited.~~

Automotive Sales or Leasing

The sale, ~~display~~, lease, rental, ~~or outdoor~~ storage, or outdoor display of ~~light~~ motor vehicles, ~~including automobiles, vans, light trucks, light trailers, boats, ATVs, snowmobiles, and recreational vehicles.~~ This definition shall not include salvage operations, scrap operations, ~~vehicle~~ impound yards, or commercial parking lots available for short-term use.



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Amend Section 9.2

Building Materials and Supply Store

A business involved in the sale, outdoor storage, outdoor display, and distribution of structure supplies and services including lumber, brick, tile, cement, insulation, floor covering, lighting, plumbing supplies, electrical supplies, cabinetry and roofing materials. Accessory uses may include repair or delivery services and ~~outside~~ outdoor sale of plants and gardening supplies.



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Amend Section 9.2

Outdoor Storage (as a Primary Use)

As a principal use, a property or area used for the long term (more than 24 hours) storage of materials, merchandise, products, stock, supplies, machines, operable motor vehicles, equipment, manufacturing materials, or other items not kept within a structure having at least four walls and a roof. New or used ~~automobile~~ motor vehicle sales and leasing display and parking, and outdoor sales and display and parking areas shall not be defined as ~~outside~~ outdoor storage. Automotive wrecking service, impound lot, junkyard, or salvage yard shall not be defined as outdoor storage.

Outdoor Storage, Accessory

The keeping of goods, materials, or equipment as an accessory use to a principal use located on the same lot, where such goods, materials, or equipment are not kept in a structure having at least four walls and a roof. New or used motor vehicle sales and ~~rental~~ leasing display and parking, and outdoor sales and display and parking areas shall not be defined as accessory ~~outside~~ outdoor storage. Automotive wrecking service, impound lot, junkyard, or salvage yard shall not be defined as accessory outdoor storage.

Amend Section 9.2

Automotive Repair Shop, Major

An establishment primarily engaged in providing ~~vehicle~~ major automotive repair services such as engine and drive train repair, body work, mechanical servicing, and/or painting.

Automotive Repair Shop, Minor

An establishment primarily engaged in providing minor automotive ~~vehicle~~ repair services such as lubrication, oil and tire changes, and tune-ups, brake repair, tire replacement, ~~and~~ detailing and polishing, paintless repair, window tinting, vehicle wraps, and audio installation. Major repairs such as automotive bodywork or painting or repair of engines or drive trains shall not be provided.

Amend Section 9.2

Outside Outdoor Storage

The storage of objects, items, products or materials outside an enclosed building, and not intended for immediate sale.

Outdoor Display

The short term outdoor display outside an enclosed building, of new or used merchandise, products, stock, supplies, materials, machines, equipment, or other items intended for immediate sale, rent, lease, or special order affiliated with the principal use.

Policy

Question: Do you agree with the proposed definitions?



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Motor Vehicle

A self-propelled vehicle or a vehicle that is propelled by electric power from overhead trolley wires. The term does not include an electric bicycle or an electric personal assistive mobility device (meaning a two (2) non-tandem wheeled device designed for transporting one (1) person that is: (1) self-balancing; and (2) propelled by an electric propulsion system with an average power of seven hundred fifty (750) watts or one (1) horsepower.) SOURCE: Chapter 17 – Property Maintenance Code, Section 17-2 Definitions

Wrecked

Ruin, damage, or imperil by a wreck. SOURCE: <https://www.merriam-webster.com/dictionary/wrecked>

Inoperable

A motor vehicle that is not in operating condition because it is wrecked, dismantled, partially dismantled, dilapidated, or has one (1) or more flat tires. SOURCE: Chapter 17 – Property Maintenance Code, Section 17-2 Definitions

Opaque

Blocking the passage of radiant energy and especially light. SOURCE: <https://www.merriam-webster.com/dictionary/opaque>

Add Definitions:

Motor Vehicles

Wrecked

Inoperable

Opaque



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Questions?



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City of Denton

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Legislation Text

File #: DCRC23-005, **Version:** 1

AGENDA CAPTION

Receive a report, hold a discussion, and give staff direction regarding prioritizing future potential Denton Development Code amendments.



AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

IACM: Cassandra Ogden

DATE: January 9, 2023

SUBJECT

Receive a report, hold a discussion, and give staff direction regarding prioritizing future potential Denton Development Code amendments.

BACKGROUND

After going through most of the Code amendments previously prioritized, staff will be presenting a new list of priority topic Code amendments that have been identified for the Development Code Review Committee (DCRC) to consider. These Code amendment topics are based on feedback staff has received from residents, businesses, developers, and other Department staff members. Staff will be seeking the DCRC's direction for prioritizing the following potential Code amendment topics to be brought forward at upcoming DCRC meetings. The list below is in no prioritized order.

- **Access and Circulation** (related to compliance with specifications, developer responsibility for access and circulation improvements, pedestrian and bicycle circulation, and public transit). Please note that the Code amendments related to this topic are different from the amendments related to access requirements and cross-access that were approved by City Council on December 6, 2022.
- **Accessory Dwelling Units** (related to encouraging ADUs while minimizing any adverse impacts on surrounding properties and the community)
- **Community Home/Group Home/Reasonable Accommodations** (related to Use-Specific Standards and regulations needing to be aligned with state law)
- **Definitions** (related to adding and clarifying definitions not associated with any other Code amendments)
- **Land Disturbing and ESAs** (related to applicability, general regulations, compliance requirements, ESAs, Alternative ESA Plan)
- **Landscaping, Screening, Buffering and Fences** (related to landscaping elements, walls, fences, and screening, tree survey and preservation plan, and maintenance responsibility)
- **Parking Minimum Ratios** (related to removal of parking minimum ratios following recent Code amendments)
- **Public Notification** (related to public notification requirements and written protest procedures)

- **Short-Term Rentals** (related to amendments responding to a recent court decision, removing repeated requirements, and clarifying standards and procedures)
- **Site and Building Design** (related to garages and building mass and form)
- **Table of Allowed Uses and Use-Specific Standards** (related to adding new uses, amending where existing uses are allowed either by right or by SUP, and adding and amending Use-Specific Standards)
- **Water and Wastewater Development Standards** (related to extensions of water and sewer lines, minimum easement widths, oversize participation by the City, and alternative water and sewer facilities)

EXHIBITS

1. Agenda Information Sheet

Respectfully submitted:
Tina Firgens, AICP
Deputy Director of Development Services/
Planning Director

Prepared by:
Ron Mengueta, AICP
Principal Planner