

Minutes
Denton Code Review Committee
September 20, 2019

After determining that a quorum was present, the Denton Code Review Committee of the City of Denton, Texas convened in a Regular Meeting on **Friday, September 20, 2019 at 11:00 a.m.** in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas.

PRESENT: Chris Watts, Keely Briggs, John Ryan and Margie Ellis.

STAFF: Ron Menguita, Scott McDonald, Brenda McDonald, Monica Salcedo, Karina Maldonado, Julie Wyatt, Hayley Zagurski, Sean Jacobson, Richard Cannone, Charlie Rosendahl, Cindy Jackson, Emily Loisel, Amber Rodgers, Michelle Brown, Nathan Gonzales, Angela Adams, Erica Marohnic, Ken Schmidt and Cynthia Kirkoff.

Chair John Ryan called the Regular Meeting to order at 11:00 a.m.

1. ITEMS FOR CONSIDERATION

- A. Receive a report, hold a discussion, and give staff direction regarding the 2019 Development Code and strategies for amending specific Sections of the Code.
- B. Consider approval of the minutes of August 9, 2019.

Council member Keely Briggs motioned, Mayor Chris Watts seconded to approve the August 9, 2019 meeting minutes. Unanimous vote, no denials. Chair John Ryan sated motion carried (4-0).

AYES (4): Chair John Ryan. Council Members: Chris Watts, Keely Briggs. Commissioner: Margie Ellis

NAYS (0): None

Ron Menguita, Principal Planner, presented information on perimeter fences. Menguita added that staff is seeking further direction what the best definition for elevated and sealed fence is to help Menguita asked how high the masonry part of a sealed wood fence should be. Chair John Ryan, stated it will be helpful to include photos that show exactly how the city would like fences with specific verbiage in the code book. Mayor Chris Watts, stated that it's important that you have on the ground issues and you can apply the law to the facts. Watts wants to distinguish between perimeter fences that are the backyard of someone's home because it's serving as a fence for homeowners and a perimeter fence for the city. Watts added, another issue is wrought iron fencing because it doesn't look consistent as a perimeter or homeowner's fence. He stated it looks better if you have a more durable and consistent material. Council member Keely Briggs agreed with Watt's comment. She stated that Corinth's perimeter fences are all masonry and it seems other cities are doing this to separate the developments from the main road. Seeing a recent development on State School Road, she felt more comfortable with masonry material because it looked very good and consistent. Briggs added that she recently saw a development of Shady Shores Road whose backyards had wrought iron along with beautiful landscaping which

1 helps understand wrought iron would be ok for backyards but not as perimeter fencing that is
2 used to separate the main road from the developments. Menguita asked if the Committee would
3 like to go straight masonry. Scott McDonald, Director of Development Services, stated it sounds
4 like the Committee would like a wall rather than a fence, because the perimeter wall shouldn't be
5 called a fence since fences are for individual lots that are maintained by the lot owners. He stated
6 there needs to be a provision for maintenance on any of these because all construction material
7 will fail eventually. Brenda McDonald, Legal, stated that in the future a requirement should be
8 the perimeter fence should be owned and maintained by an HOA for residential and a POA when
9 there's common area maintenance and requires mandatory membership for commercial
10 properties. McDonald stated staff will work with legal to verify materials for perimeter fencing
11 and if fencing should be mandatory to be maintained by HOA communities. Mayor Watts stated
12 to add a specific management mechanism to follow in order to know how to move forward in a
13 couple years when issues come up with maintenance. It help to include who will be responsible
14 for each development and include if they rely on a sustainable financial plan to maintain the
15 perimeter wall, boundary and or fence they desire to build for each new subdivisions whether
16 their commercial, industrial or residential for fencing. Ryan recommended for wrought iron to be
17 placed in common areas. Watts recommended for this matter to be discussed as a work session
18 with Planning and Zoning Commission and or Council in order to have a solid answer after
19 reviewing everyone's comments and recommendations for perimeter walls and fences.

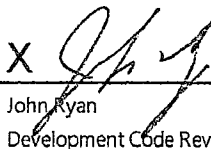
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21 Menguita shared staff is working on what will be presented for Accessory Dwelling Units to City
22 Council to gather their direction on code amendments and after present to Planning and Zoning
23 for recommendations. Menguita added ADU's shall only be permitted on lots where the principal
24 use is a single-family detached dwelling and will be allowed with a Use Specific Standard. One
25 of the main questions that were raised by citizens was, how many mailboxes or addresses will be
26 allowed and the answer is only one mailing address and mailbox will be allowed on a lot.
27 Parking requirements have to be met as well, only one parking space per bedroom will be
28 allowed and the ADUs shall not be conversions of the primary structure which includes a garage
29 that is attached to the house unless it's detached. The Committee held a discussion about fire
30 code and the specifications between the distances from building to building. Watts mentioned
31 there is a ten foot requirement between buildings and or structures to prevent fire risks that has to
32 be followed. Menguita shared they city wants to protect the neighborhoods by having parking
33 requirements and by maintaining the character of the neighborhood Brenda McDonald stated that
34 the current requirement in the DDC that an ADU be architecturally compatible with the main
35 structure. The Committee had concern whether the current increase in the number of applications
36 regarding ADUs and may need to be addressed immediately to have specific guidelines in place
37 to follow. McDonald stated ADUs is one of many subjects that will be addressed quickly and
38 come back before the Council for correction.

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40 Mobile food trucks decision was there would be a reference created in the definitions to state
41 what they must follow Chapter 13 and Chapter 25. There was discussion on Commissary and
42 based on the uses they will be allowed in HC, GO, LI and HI zoning districts which are the
43 higher intense zoning districts. Commissaries must comply with Chapter 13 of the Municipal
44 Code of Ordinances – Food and Food Service Establishments for regulations and standards
45 related to Commissary. Brenda McDonald inquired the difference between a mobile food truck
46 and commercial kitchens. McDonald stated the difference from a commercial kitchen and mobile

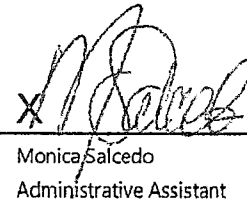
1 food truck based on the Texas Food Establishment rules defines and or references for a
2 Commissary to require a mobile food truck and not a commercial kitchen, but a commercial
3 kitchen can serve as a Commissary. Council member John Ryan had a concern that by adding a
4 Commissary then a restaurant may be used as a Commissary in an area other the recommended
5 by staff.

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7 Menguita discussed Urban Farm and proposed changes. Menguita mentioned Urban Farm are
8 permitted if they meet the right criteria by right if under 5 acres in size and no on-site sale of
9 products, its permitted with an Use-Specific Standards if greater than 5 acres in size or have on-
10 site sale of products. Urban Farm as a use will be permitted in the R1, R2, R3, R4, R6, and R7
11 Zoning Districts. Briggs remembered the conversation was between 1 and 5 acres and how we
12 got to 5 acres. Briggs committee has also discussed that if you had more than an acre and had to
13 use heavy machinery you could only operate at specific times during the day but could that could
14 have been settled with the noise ordinance. Richard Cannone, Deputy Director of Development
15 Services added that community gardens are permitted in every district with exception of
16 industrial but urban farms are not unless criteria is met. Menguita asked the Committee if they
17 agree with current criteria, Watts stated the SUP should stay in place and the Committee agreed.

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19 There was no further discussion. Chair John Ryan adjourned the meeting at 12:47 p.m.
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X 

John Ryan
Development Code Review Committee

X 

Monica Salcedo
Administrative Assistant

