



MEMORANDUM

DATE: July 16, 2021
TO: The Honorable Mayor Hudspeth and Council Members
FROM: Sara Hensley, Interim City Manager
SUBJECT: Staff Report

I. Council Schedule

A. Meetings

1. **Cancelled** - Traffic Safety Commission Meeting on **Monday, July 19, 2021**, at **11:30 a.m.** at the Development Service Center.
2. Work Session of the City Council on **Tuesday, July 20, 2021**, at **2:00 p.m.** followed by a Regular Meeting at **6:30 p.m.** in the Council Chambers.
3. Mobility Committee Meeting on **Wednesday, July 21, 2021**, at **9:00 a.m.** in the Council Chambers.
4. **Cancelled** - Development Code Review Committee Meeting on **Wednesday, July 21, 2021**, at **11:00 a.m.** in the Development Service Center.
5. Health and Building Standards Commission Meeting on **Thursday, July 22, 2021**, at **3:00 p.m.** at the Development Service Center.
6. **Cancelled** - Audit/Finance Committee Meeting on **Friday, July 23, 2021**, at **1:00 p.m.** in the City Hall Conference Room
7. Sustainability Framework Advisory Committee on **Friday, July 23, 2021**, at **1:00 p.m.** at the Sustainability Office.

OUR CORE VALUES

Integrity • Fiscal Responsibility • Inclusion • Transparency • Outstanding Customer Service

II. General Information & Status Update

A. Pending Council Requests Work Session Topics – Pursuant to Ordinance No. 19-2026, the following items will be discussed during the June 15 City Council work session. Each week, the topics included on the next week’s agenda will be in the Friday Report. Staff contact: Rachel Balthrop Mendoza, City Manager’s Office

1. **A work session on making city boards and committees more inclusive and accessible for the public to serve and participate.**

a. **Requestor:** Council Member Armintor

b. **Council Member Request:** “In the spirit of our commitment to inclusion as a City value, I am heartened by the recent news that all board and commission members will be given City email addresses to be published on the website, and that there will be a more systematic way for board and commission members to request ADA accommodations. I had initially requested the aforementioned two improvements along with the following two, but now that the former have already been addressed by staff, I have edited my pitch to a work session on the following for greater accessibility, diversity, and inclusion:

- removing the voter registration requirement to serve on city boards and committees, regardless of voting status, so as to allow involved Denton city residents who can't register to vote because they are not U.S. citizens to serve on city boards and committees. Board and committee members would still have to be city of Denton residents in order to serve; and
- reassessing additional membership requirements based on profession or other factors besides Denton residence for boards and committees to ensure that these requirements are not restricting socioeconomic and experiential diversity and inclusion for any one or more committee positions, such as the list of white-collar professions for membership eligibility on the Ethics Board.”

c. **Staff Information:** Article III of the City of Denton Code of Ordinances designates the qualifications and rules of procedure for matters as they relate to Boards, Commissions, and Committees. Sec. 2-61 details that each member of a board or commission shall be a qualified voter of the city. An amendment to this section would require an amendment to the Code of Ordinances. Additionally, some city boards are provided for in the Charter. Depending upon the scope of the changes requested, the estimate for staff time is approximately 10-20 hours. If a charter amendment is necessary, an election will require significant lead time to coordinate a citizen’s committee, draft necessary language and documents, call an election, comply with all necessary requirements, develop education and materials, and more. An estimate of staff time to prepare for a charter amendment election would be conservatively figured in the 100+ hours range.

Date requested: June 18, 2021

Format for response: Work Session

- B. Economic Development 3rd Quarter Report –Economic Development has produced the **attached** Denton Economic Development Partnership 3rd Quarter Report. The report includes updates regarding key statistical indicators, business attraction, business retention and expansion, education and training efforts, partnerships, and more. Staff contact: Jessica Rogers, Economic Development
- C. Award of Landfill Expansion Permit – On July 9, 2021, the Executive Director of the TCEQ signed the City’s landfill expansion permit – 1590B. (See the **attached** notice). The Solid Waste and Recycling Department awaits the receipt of a signed hard copy. Members of the public have an opportunity to appeal the permit, either by filing a Motion to Overturn (MTO) the TCEQ Executive Director’s decision to issue the permit, or to appeal directly to district court. The appealing party, as part of either process, must explain why the TCEQ’s approval should be reversed.

The deadline to file a MTO is 23 days after the date TCEQ mails notice of the signed permit. The commissioners can grant the MTO, deny the MTO, or take no action. If the commissioners take no action on a MTO before the expiration of 45 days after the mailing of the signed permit (though this deadline can be extended), then the MTO is denied.

A person can also appeal to Travis County District Court. The deadline to appeal to District Court is either 30 days from the date the MTO was denied (if an MTO was filed) or 30 days from the date the permit was signed (if an MTO was not filed).

The permit becomes final and unappealable after all these possibilities have played out, which can be as early as 30 days after the permit is mailed, if no MTO and no appeal to district court is filed. Staff contact: Brian Boerner, Solid Waste and Recycling

- E. ERCOT: Roadmap to Improving Grid Reliability – On July 13, ERCOT delivered the “Roadmap to Improving Grid Reliability” to Governor Greg Abbott, members of the Texas Legislature and the Public Utility Commission. The **attached** Roadmap is a comprehensive plan that addresses operational improvements to the Texas power grid, including important legislative changes, objectives outlined in the Governor’s letter issued July 6 and other reforms. The [60-item Roadmap is available on ERCOT.com](#) and will be updated regularly through the end of the year. Staff contact: Tony Puente, DME
- F. Water Works Park’s Special Events – Water Works Park presented “Onward” at the Dive in Movie on Friday, July 9, from 8 p.m. to midnight. There were 313 attendees. Staff sold popcorn, and special event themed food. Water Works Park also hosted National French Fry Day on Tuesday, July 13. Patrons were able to purchase french fries with special toppings and seasonings. Water Works Park has identified additional national days to celebrate, such as national ice cream day on Sunday, July 18, and will continue to plan promotional specials to offer to patrons. Staff contact: Monica Martin, Parks and Recreation

- G. Barriers Fund Closed for Denton Residents – The annual \$40,000 allocation to the Barriers Fund from the City of Denton has been fully expended. The [Denton County Homelessness Barriers Fund](#) is now only open for City of Lewisville residents, Denton County Veterans and Atmos customers seeking assistance with Atmos bills.

The United Way of Denton County also operates a COVID-19 Barriers Fund with grant funding from the Texas Homeless Network to address barriers to housing. The COVID-19 Barriers Fund has funding available to serve all Denton County residents and requests must prevent, prepare or response to coronavirus. As an example, administrative fees charged by landlords or property management companies for someone moving from homeless to housed would be eligible under the COVID-19 Barriers Fund because moving into housing lowers their risk of contracting coronavirus.

The annual Barriers Fund allocation of \$40,000 has been included in the budget submitted by Community Services for the 2021-2022 budget year beginning October 1. Donations can be made to the [Denton County Homelessness Barriers Fund](#) (linked). The graphic **below** illustrates the outcomes of the barriers fund since its inception in 2018. Staff Contact: Courtney Cross, Community Services



- H. Media Corrections Requested – Staff would like to make Council aware of corrections requested in two Denton Record Chronicle articles that were published this week. Because Council may receive questions regarding the inaccurate information, staff included the correct information and the date of the correction below:

- [Bonnie Brae Construction](#) (published Monday, July 12) – In the article, it was stated that the Bonnie Brae Street construction project accounts for \$62 million of the 2014 bond program. Only \$15.6 million of the 2014 bond program is allocated for the Bonnie Brae project. The \$62 million figure is the total amount for all streets within that bond program. A correction was requested on July 13 and completed on July 14.
- [TWU Area Construction](#) (published Monday, July 12) – In the article, a staff member was incorrectly quoted as saying that any closure of Bell Avenue would require taking away emergency services. Capital Projects staff have been working closely with Police and Fire to ensure that any potential closure of Bell Ave. does not inhibit emergency services. A correction was requested the same day as the article was published and, as of this report, no correction has been made.

Staff contact: Ryan Adams, Customer Service and Public Affairs

- I. Residential Cart Tagging Program- As a follow-up to July 2, Informal Staff Report regarding Recycling Contamination, the City of Denton, Solid Waste and Recycling Department (SWR) increased its cart tagging program over the past two weeks. With the recent onboarding of two Solid Waste and Recycling Interns, supporting the efforts of SWR Collection's Route drivers, we have begun to focus cart tagging within our most contaminated recycling routes.

Since July 6, SWR has visited and audited the carts of 667 Denton residents. Of the 667 inspected, 224 carts (34%) were labeled contaminated (as evidenced by the presence of 15% or more contamination). Each contaminated cart is left with a tag to instruct the resident to remove the contaminated items and their cart will be collected next week. Each container is inspected for cracks, broken lids, and wheels all repairs needed are reported to SWR personnel to be abated. When a Cart Tag is left, educational material is provided for owner use. One of the benefits of the interns helping with the cart tagging is the ability to speak directly to the residents and work with them to clean the offending material from the cart in real-time.

Another result of the recent audits shows that many residents are doing an outstanding job at recycling right (programmatic material that is empty, clean, dry, and loose) and some need a refresher. One of the upcoming improvements will involve a three a tag approach to further educate and recognize those partners that are making the effort to use the program correctly; a Blue tag will identify the Recycling Star, an Orange tag /Oops Tag is a friendly reminder of commonly mistaken items in the cart, and Yellow Tag – contamination has been identified and needs to be cleaned for your cart to be collected.

The purpose of the program is to educate and reduce contamination in our recycling diversion. In week two of the program, program interns revisited the 224 carts that were tagged the immediate week prior. Improvement was seen in 165 carts (74%) previously offending carts. 59 carts were re-tagged as contaminated. In future weeks, we will work more closely with these identified customers to improve the quality of their recyclables set for collection.

We anticipate hitting one-third of Denton homes during the terms of SWR interns.
Staff contact: Brandi Neal, Solid Waste and Recycling

**RECYCLING
CONTAMINATION NOTICE**

**YOUR BLUE CART WAS NOT EMPTIED
DUE TO EXCESSIVE TRASH
CONTAMINATION**

Please remove all items that are not recyclable from your blue cart and it will be emptied on your collection day next week. If you have questions, call (940) 349-8700.

Only recycling should be placed in your blue recycling cart:

- Cardboard & Boxes that are clean and flattened.
- Cartons
- Paper
- Plastics that are marked with a recycling symbol and a number 1-7
- Glass Bottles & Jars that were used for food or drinks.
- Aluminum & Steel Cans

Please make sure all items are empty, clean, and dry before placing them in your blue cart.

DO NOT put plastic bags or styrofoam in your blue cart.

Notes: _____



Date: _____ Address: _____
Route: _____ Driver: _____
Comments: _____

Picture Taken

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Route: _____ Driver: _____
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Picture Taken

**RECICLAJE
AVISO DE CONTAMINACIÓN**

**TU CARRO AZUL NO FUE VACIADO
DEBIDO A EXCESO DE
CONTAMINACIÓN DE BASURA**

Por favor remueva todo artículo que no es reciclable de su carrito azul y entonces sera vaciado en su día de recolección la próxima semana. Si tiene preguntas, llame al (940) 349-8700.

Sólo reciclaje debe ser colocado en su carrito de reciclaje azul:

- Cartóns y cajas limpias y extendidas.
- Cartones
- Papel
- Plásticos que están marcados con un símbolo de reciclaje y un número 1-7
- Botellas y frascos de vidrio que se utilizaron para comida o bebidas.
- Latas de aluminio y acero

Por favor asegúrese de que todos los artículos estén vacíos, limpios y sean antes de colocarlos en su carrito azul.

NO PONGA BOLSAS PLÁSTICAS O STYROFOAM EN EL CARRO AZUL.

Notas: _____



Fecha: _____ Dirección: _____
Ruta: _____ Conductor: _____
Comentarios: _____

Foto tomada

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NO PONGA BOLSAS PLÁSTICAS O STYROFOAM EN EL CARRO AZUL.

Notas: _____



Fecha: _____ Dirección: _____
Ruta: _____ Conductor: _____
Comentarios: _____

Foto tomada



III. Responses to Council Member Requests for Information

- A. Active Construction Contract Performance – On June 25, Mayor Pro Tem Meltzer requested information on the performance of active construction projects managed by the Capital Projects/Engineering Department. The **attached** table outlines the active construction contracts that are managed by the Capital Projects/Engineering Department that have not yet reached final project closeout. The table provides the date the notice to proceed (which formally authorizes the contractor to begin construction) was issued, the number of construction days in the contract, and categorizes the project as being ahead of schedule/on schedule/behind schedule. The projected completion date for each active construction project is listed as quarters instead of specific dates because weather delays and other unforeseen circumstances can impact the project schedule but do not necessarily reflect on the performance of the contractor. The schedule category listing a project as ahead of schedule/on schedule/behind schedule is based on the assigned project manager’s estimated project completion date compared to the notice to proceed date and number of construction days specified in the contract. Some of the projects listed in the **attached** table were

recently completed but have a few procedural items that need to be addressed such as a pending claim or final project punch list items prior to being categorized as no longer an active construction project. Bonnie Brae Phase 1 is the only project listed in the attached table that is categorized as being behind schedule. This project reached substantial completion in January 2021, and was behind schedule due to franchise utility relocations, delays in the processing of change orders that resulted in the contractor demobilizing and then having to remobilize at the construction site, required rework on the bridge railing, and work stoppages due to construction crews having COVID-19. Currently, the only remaining component for the Bonnie Brae Phase 1 Project is the finalization of the streetlight installation on the new bridge.

Through the implementation of alternative project solicitation and delivery methods such as Competitive Sealed Proposals and Construction Manager at Risk, staff is working to improve the quality of contractors selected to perform construction on major infrastructure projects in Denton. Staff contact: Rachel Wood, Capital Projects

- B. Asbestos Removal Requirements – Mayor Pro Tem Meltzer and Council Member Davis forwarded staff information about asbestos removal at a property on W. Hickory St. that was posted online by a resident and requested additional information about this issue and generally about asbestos removal requirements. Staff had a call with the resident, Mr. Hammond, on Tuesday, July 13. During the discussion Mr. Hammond asked a series of questions related to the permitting process and wanted to gain a better understanding of why the City of Denton allowed demolition of several single family residential properties. Mr. Hammond requested some additional information related to the zoning map update and transition of the zoning district allowing for the multifamily, the previous zoning was DR-2 updated to MN, however, multifamily was allowed prior to the update. Additionally, he requested some additional information regarding notifications and transitions when the zoning maps were updated. Staff discussed the site application information; specifically, questions concerning his request for “*site plans*” and how the *site plan* and *zoning compliance plan* are similar, and a request for information my not include the *zoning compliance plan* if not specifically requested. Staff provided Mr. Hammond with copies of those documents and plans, rather than requiring a formal request for the information. Copies of those are **attached**.

Currently, in accordance with State/Federal Law the City of Denton does not require asbestos surveys for demolition or remodels of single-family residences. Federal law and State law under TAC Subchapter 295.34 only require municipalities to review asbestos surveys for public or commercial buildings and specifies the building owner is the party primarily responsible for asbestos compliance. The EPA excluded residential buildings from asbestos survey/abatement requirements based on a National Academy of Sciences Report which stated that single-family residential structures contain only small amounts of asbestos-containing materials. Since the development of the federal rules the EPA provided an opinion: “*EPA believes that the residential buildings exemption does not apply where multiple (more than one) small residential buildings on the same site are demolished or renovated by the same owner or operator...*”

Staff discussed with Mr. Hammond that City staff is aware of the EPA opinion. Staff is monitoring demolition applications to ensure if these conditions exist, staff will

ensure an asbestos survey is provided. The EPA/State rules and regulations are complex and can be quite confusing.

Staff also discussed with Mr. Hammond that staff has been reminded of the EPA opinion and that it is the owners responsibility to comply with the Federal Regulations. The City will be requesting asbestos surveys when multiple residential buildings, owned by the same owner are being demolished prior to issuance of a demolition permit.

Note for City Council: Mr. Hammond has pre-registered to speak about this item during the “Presentations from Members of the Public” section on the July 20 City Council meeting agenda. Staff contact: Scott McDonald, Development Services

- D. History of Deerwood Addition and ESAs Regulations – On July 8, Council Member Armintor requested information about the history of Environmentally Sensitive Areas (ESA) for the Deerwood addition. Deerwood Phase 1 was platted prior to the adoption of the 2002 Denton Development Code (DDC), and thus the environmentally sensitive areas (ESAs) protection requirements did not apply to this property and the developer was not required to protect any portion of the forest under the ESA regulations. Because residential development not subject to preservation of ESAs typically disturbs or completely removes the understory and ecological context of these forested areas (leaving just the trees), the designation as Cross Timbers Upland Habitat is typically no longer applicable to any remnants of trees after development is completed.

Below is a timeline of the ESAs regulations since its inception until the adoption of the 2019 DDC. Staff has included important events pertaining Deerwood Subdivision to better understand why the Deerwood development was permitted to remove the Cross Timbers Upland Habitat.

- **Early 1994:** A final plat was filed for Phase 1 of the Deerwood development. Phase 1 included the lots on Deerfield Drive. This gave the property owner vested rights to develop the property under the set of regulations at the time of the platting.
- **February 1, 2000:** The City of Denton adopted interim regulations (**attached**) that included a broad definition of Environmentally Sensitive Areas and the adoption of a map developed in 1999 that depicted the approximate location of Environmentally Sensitive Areas. The definition did not specify the four types of ESAs as currently exist, nor the definition made references to Cross Timber upland habitat. The interim regulation made the first references to the ESA map created in 1999.
- **2001:** Historical aerial photography shows that Phase 1 of Deerwood had been completed by 2001.
- **February 20, 2002:** The Denton Development Code was adopted. The ESA code language was refined between the 2000 interim regulation and the 2002 DDC to include definitions of the four types of ESAs (including references for the first time about Cross Timber habitat and the 10-acre minimum threshold), preservation requirements, list of permitted and prohibited uses, described procedures for field verification of ESAs and for Alternative ESAs (**attached**).
- **February 15, 2016:** Staff analyzed the ESA map and determined certain ESAs that had originally been identified no longer existed as shown for various

reasons, including situations similar to the Deerwood development where grandfathered land clearings occurred sometime after the 1999 map had been created but before protection requirements were adopted. Because development typically disturbs or completely removes the understory and ecological context of these forested areas, the designation as Cross Timbers Upland Habitat are no longer applicable after the development is completed. The analysis also included some isolated tree stands of less than 10 acres in size and thus would not meet the 10-acre minimum threshold. The map update was made in compliance with Sec. 35.17.5 of the 2002 DDC.

- **April 3, 2018:** Amendments to the DDC were adopted to update the ESA regulations (**attached**). Definition for Cross Timber Upland habitat was reworded for improving clarity; however, no changes were made to the minimum upland habitat threshold of 10 acres.
- **April 23, 2019:** The new DDC was adopted (implementation date was October 1, 2019). It incorporated the changes made to the ESA regulations adopted in 2018.

Staff contact: Deborah Viera, Environmental Services

- C. Ryan Road Future Plans – On July 9, a resident contacted Council Member Maguire inquiring about future plans for traffic calming and pedestrian safety measures at several Ryan Road intersections. The Ryan Road Widening Project is in the early stages of development and design. The project includes 2019 Bond funding and will widen approximately two miles of Ryan Road from Teasley Lane (FM 2181) to Country Club Road (FM 1830). The project is currently in the preliminary design phases, with 30% design scheduled to be complete during Q3 of calendar year 2021. Preliminary plans for Ryan Road anticipate a sidewalk on the south side of Ryan Road and street lighting. At this stage of design, traffic calming devices have not been determined. As project design progresses, staff will explore necessary traffic calming measures to enhance safety along the roadway.

The current project plan calls for the Ryan Road Widening Project design to be brought up to the 30% milestone in Q3 of calendar year 2021. Design and further progress on this project will then be temporarily put on hold until Q3 of calendar year 2023 to ensure Ryan Road and the Hickory Creek Road Phase 3 Project (two important roadway construction projects that connect FM 2181 to FM 1830) are not closed at the same time due to construction. Staff plans to deliver the Ryan Road Widening Project using the Construction Manager at Risk (CMAR) delivery method. Under CMAR, the selection of a design contractor to bring the project to 100% design and the selection of a construction manager will occur at the same time so the construction manager can provide input on the constructability of the design as it is finalized. Staff plans to select the construction manager and design firm by Q3 of calendar year 2023 with the design scheduled to be complete by Q1 of calendar year 2024. Construction is currently projected to be complete by Q3 of calendar year 2025. Staff contact: Kyle Pedigo, Capital Projects

- J. Teasley and Bent Oaks Construction – On July 10, a resident contacted Mayor Pro Tem Meltzer regarding sight-lines and other traffic safety concerns on Teasley Lane near Bent Oaks. The resident also asked about the potential reopening of the traffic bypass that residents were previously able to use behind Fire Station 6. Construction

on Teasley Lane (FM 2181) is a Texas Department of Transportation (TxDOT) project. TxDOT's project managers have been made aware of the issues with contractors blocking the sight-lines at the intersection of Bent Oaks and FM 2181. According to TxDOT, the vehicles pictured **below** belonged to an independent contractor hired by Frontier Communications to address a damaged to fiber line at the Teasley/Bent Oaks intersection. The contractor was advised not to park equipment in that area before work began. The contractor moved their vehicles once a TxDOT inspector noticed they had obstructed the sight-lines. TxDOT is monitoring this situation and will continue to ensure that any vehicles obstructing the intersection will be promptly moved.



Bypassing the Bent Oaks intersection with the alley behind Fire Station 6 was temporarily allowed in summer 2020 due to unanticipated excavation required to address utility work. The alley was not built to maintain regular through traffic for an extended period. During the period the bypass was opened to traffic, it presented a safety hazard for Fire operations and motorists as the Fire Department uses that drive to park and work on vehicles. Staff contact: Kyle Pedigo, Capital Projects

- D. Construction Vehicle Traffic Through Neighborhood – On July 12, Mayor Hudspeth forwarded a resident's concerns about construction vehicle traffic, including large 18-wheelers, using Monte Carlo Rd. as a cut-through to access a development off of Teasley Ln. Public Works Inspection spoke with the developer on the following day to have them reinstall check dams along that street, which will block access to the development from Monte Carlo, and reinforce the issue of not using the street as access to their contractors. Staff visited the site on July 16, and confirmed the rock check dam and fencing has been re-established and the dead end of Monte Carlo. The Public Works Inspection and Building Inspections teams will continue to monitor the situation and address any additional concerns that are raised. Staff contact: Rebecca Diviney, Capital Projects and Engineering
- E. Environmentally Sensitive Areas – On July 13, Council Member Beck requested information about Environmentally Sensitive Areas (ESA), including a comparison of ESAs from 2002 to 2021. In addition to the information below, the Council Member submitted questions that would require significant staff time, and staff will work with Council Member Beck to schedule a one-minute pitch for the item if desired.

2002 Upland Habitat ESA Map: The **attached** 2002 ESA map designated approximately 2,287 acres as upland habitats. The 2002 map reflects the information contained in the first ESA map created in 1999 and formally adopted in 2000 under

the interim regulations. The 1999 map was created using the best digital data from various sources available at the time; however, it lacked field-verified information. The 1999 ESA map depicted areas of significant tree canopy disregarding of acreage. These areas were then designated as upland habitats with the adoption of the 2002 Denton Development Code (DDC). The 2002 definition of upland habitat established a minimum area of ten acres of Cross Timbers forest. Therefore, under the 2002 definition many areas shown on the ESA map as upland habitat did not meet the minimum area criterion. Also important to consider is that many development applications that were submitted before the 2000 interim regulations, and implemented afterwards, were grandfathered and allowed to clear all ESAs. This situation created a time lag between what was shown on the map and what was on the ground. These factors caused the 2002 baseline acreage of upland habitat to be inaccurate.

2021 Cross Timbers Upland Habitat Map: The 2021 map currently shows approximately 1,701 acres of Cross Timbers habitat within city limits. The reduction in Cross Timbers habitat ESA acreage is the result of various factors. As development has taken place staff has been able to field-verify some of information. Field verification is generally conducted during the review of development applications and the ESA map has been updated to reflect the findings of field assessments. Also, the 2021 map reflects the 2015 map update when areas incorrectly shown as upland habitats in the 2002 map were corrected. And finally, the reduction of the habitat due to partial clearings allowed by current regulations (residential development requires 50% preservation, non-residential development requires 30% preservation).

Moving Forward: Staff is currently working on various data and spatial analysis involving the ESA map for capturing additional information that might be pertinent for the map end-users (staff, developers, consultants, etc.) and policy makers. Staff would be available to bring this information forward on a future date if that is the Council's direction.

Staff contact: Deborah Viera, Environmental Services

- F. Redistricting Update – On July 13, Mayor Pro Tem Meltzer requested information about the timing and requirements of redrawing City Council Districts. The Charter addresses the redrawing of Council districts in Sections 2.01 and 2.08, and states that “...districts shall be created so that each will contain, as nearly as possible, a population equivalent to the others, according to the latest available census data.” [Sec. 2.01(d)] The current districts, which were drawn in 2011 and have been updated as new property is annexed into the City, will need to be updated after the 2020 Census data is published. We anticipate this data to be available by the end of September for the local-level. Once that data is available, staff will schedule a work session to begin this process and recommends having outside counsel/consultants advise and lead the discussion on this process. Outside counsel was previously utilized during the 2011 redistricting. Staff contacts: Catherine Clifton, City Attorney's Office and Ryan Adams, Customer Service and Public Affairs

IV. Upcoming Community Events and Meetings

- A. None

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DENTON ECONOMIC DEVELOPMENT PARTNERSHIP

FY 2020-2021
3rd Quarter Report
April - May - June

EconStat

Demographics

Population: 141,522

Median Age: 29.5

Median Household Income: \$66,644

Bachelor's Degree or Higher: 42.7%

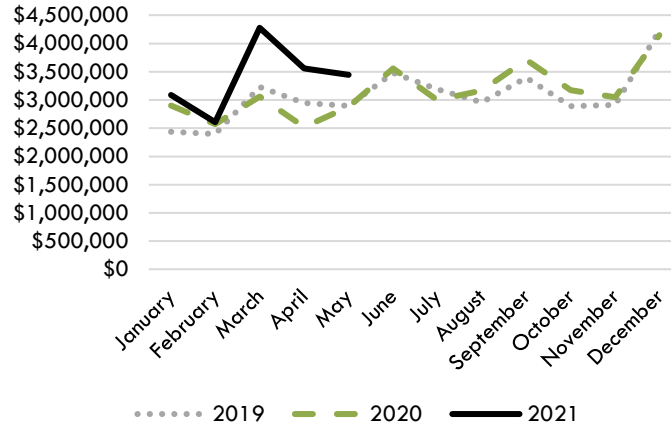
Denton's Top 5 Industries by Jobs

1. Government
2. Health Care & Social Assistance
3. Manufacturing
4. Accommodation & Food Service
5. Retail Trade

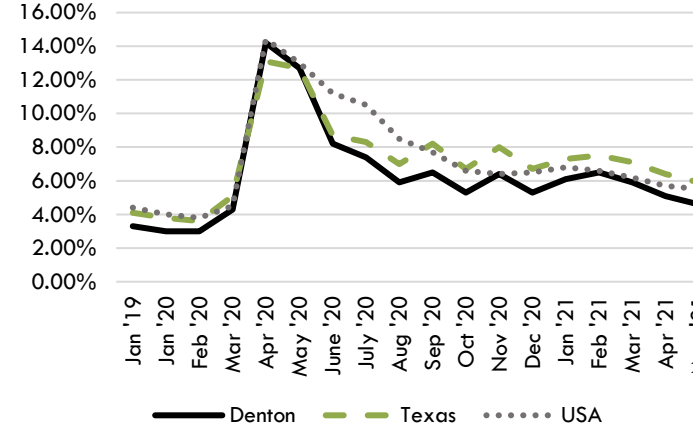
Denton's Fastest Growing Industries

1. Transportation & Warehousing
2. Arts, Entertainment & Recreation
3. Government
4. Management of Companies & Enterprises
5. Information

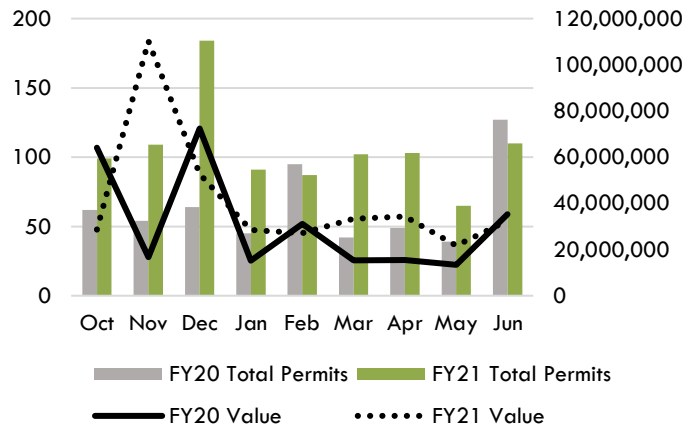
Sales Tax Collections



Unemployment Rate

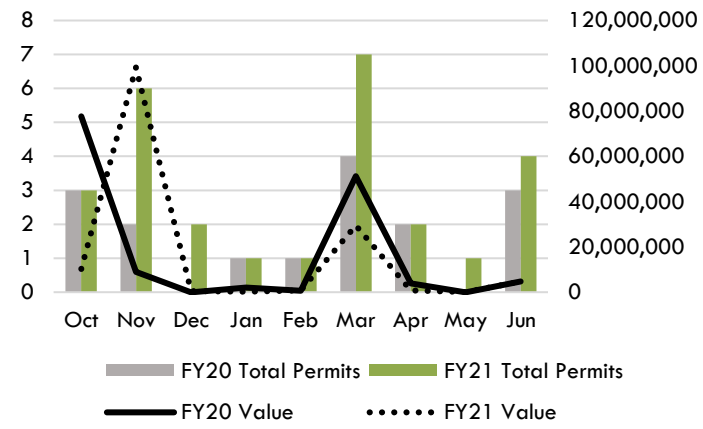


New Residential Permits & Value



*Does not include multifamily or additions and alterations.

New Commercial Permits & Value



*Does not include tax-exempt facilities or additions and alterations.



We're Here For All Businesses!

The Denton Economic Development Partnership can assist your business with:

- Site search & selection
- Expansion or relocation
- Workforce and training programs
- Labor market analyses
- Demographic research
- Incentive applications
- City processes or operations
- Business networking
- Investment opportunities

Denton EDP
City of Denton Econ. Dev.

Business Attraction

This Quarter

5 Site Visits Hosted

17 RFIs Submitted

7 Requests for Incentive Reviews

Year to Date

8 Site Visits Hosted

58 RFIs Submitted

18 Requests for Incentive Reviews

In the News

Cold Storage Facility could bring hundreds of jobs to Denton area
(Denton Record Chronicle)

Cold Creek Solutions to build 375k s.f. speculative cold storage facility at I-35 and Barthold Road. Fifty percent of space leased by Southwest Warehouse Services.



Q3 PROSPECTS IN PROGRESS

G=Governor's Office, D=Dallas Regional Chamber, F=Fort Worth Chamber, DI=Direct, O=Other

| Project | Industry | Investment | Jobs | Status | Source |
|----------------------|---|---------------|-----------|-------------------------|---------------|
| Arc Supply | Metal Fabricating | \$35M | 140 | Short List | GO |
| Blue Nose | Armored Vehicle Manufacturing | \$5M | 100 | Short List | GO |
| Bropak | Plastics and Paper Food Packaging | \$10M | 43 | Incentive Analysis | Direct |
| Carmen SandiTejas | Munitions and Rifle Manufacturing | \$20M | 119 | Submitted RFI | GO |
| Chill Cold Storage | Speculative Refrigerated Facility | NP | NP | Short List | Direct |
| Cold Creek Solutions | Cold Storage | NP | 180 | Short List | Direct |
| Darwin | Automotive Manufacturing | \$3.5B | 5,200 | Submitted RFI | GO |
| DynaGrid | Construction Support Services | \$7.5M | 82 | Closed-Won | Direct |
| Green Ranch | Food Manufacturing and Storage | NP | 500 | Submitted RFI | Direct |
| Hotel | Transportation Equipment Manufacturing | \$223M | 1,200 | Submitted RFI | Direct |
| Innoverse | Natural Gas Flaring | NP | NP | Prospect Due Diligence | Direct |
| Jellyfish Sun | Manufacturing and Warehousing | \$2M | 90 | Submitted RFI | GO |
| Life Crown | Vaccine Production | \$83M | 550 | Submitted RFI | GO |
| Made in America | Electric Vehicle Software Manufacturing | \$20M | 110 | Submitted RFI | GO |
| Modular Data Center | Data Center | NP | NP | Prospect Due Diligence | Direct |
| Otro Auto | Electric Vehicle Battery Manufacturing | \$2B | 2,000 | Submitted RFI | GO |
| Perfect Game | Sports Complex | \$35M | 20 | RFI Received/Evaluating | Direct |
| Pike | Liquid Bottling and Distribution | \$375M | 140 | Prospect Due Diligence | Direct |
| Primoris Engineering | Construction and Civil Engineering | NP | NP | Short List | Direct |
| Project S | Aerospace Technology Manufacturing | NP | NP | Incentive Analysis | Direct |
| Schmidt | Retail Distribution | NP | NP | Prospect Due Diligence | Direct |
| SCS 615 | PPE Manufacturing | \$405M | 1,256 | Working on RFI Response | GO |
| South | Food Manufacturing | NP | NP | Submitted RFI | GO |
| Steady Rain | Consumer Goods Manufacturing | NP | 1,000 | Submitted RFI | DRC |
| Tana | Gaming Hardware Manufacturing | \$250K | 30 | Submitted RFI | GO |
| Tate | Distribution Center | NP | 256 | Prospect Due Diligence | County |
| UHT-BM | Ultra-High Temperature Manufacturing | \$50M | 40 | On-Hold | GO |
| Value Holdings | Data Center | NP | NP | Submitted RFI | Direct |
| Ven Afuera | Lithium-Ion Battery Manufacturing Recycling | \$7M | 40 | Submitted RFI | GO |

Business Retention & Expansion

9 Retention Visits Q3 **17** YTD Visits **37** Business Contacts in Winter Storm Uri **3** YTD Expansion Grant Discussions

2021 Visit Goals

- 10-15 Startups (1-4 employees)
- 10-15 Small Biz (5-10 employees)
- 10-15 Medium Biz (11-50 employees)
- 10 Large Biz (50+ employees)
- Additional visits to focus on sectors significantly impacted by COVID-19

AccelerateHER Applications Open

The Center for Women Entrepreneurs and Stoke are once again partnering for AccelerateHER, an incubator program for women-owned startups. The program helps early-stage companies develop and test ideas, with a hands-on focus by the program manager, mentors, and partner networks. Applications for the second cohort are **OPEN NOW** and **DUE Aug. 13 by 5 p.m.**

Apply here: <https://stokedenton.com/accelerateher-incubator-program>

Any business can request a BRE visit by contacting us at economic.development@cityofdenton.com.

Key Takeaways From Q3 BRE Visits

- Most businesses reported a positive business climate, even with the ongoing COVID-19 pandemic.
- Some major employers reported a slow hiring pace which they felt was due to unemployment benefits.
- One small businesses noted plans to expand business and looking at adding more locations in different communities.

TWU Center for Women Entrepreneurs

Entrepreneurship was identified as a key focus area in the Economic Development Strategic Plan, and women entrepreneurs in Denton have a great resource in **TWU's Center for Women Entrepreneurs**. The Center serves as a great partner in our efforts to increase the resources and actions being taken to support business startup, growth, and development by providing tools to help women-owned businesses succeed. Through the Center, women-owned businesses have access to business advising, grants and funding, networking, and training.

Whether you are a current business owner looking to grow your business or are considering starting a business, take time to explore the many ways the Center for Women Entrepreneurs can assist you in achieving success.

Learn more: <https://twu.edu/center-women-entrepreneurs/>

Did you know?

Four of every 10 U.S. businesses are owned by women, and they generate \$3.1 trillion in revenue (Guidant Financial).

Workforce, Education & Training

Denton Community Job Fair

The City of Denton, in partnership with Workforce Solutions of North Central Texas, NCTC, United Way of Denton County, Denton ISD and the Denton Chamber of Commerce, will host the **Denton Community Job Fair on Thursday, Sept. 14, 10 a.m. to 2 p.m., at the Denton Civic Center.** Registration for employers will open July 7 and promotion to the public will begin on August 4. Several of Denton's top employers will be there and will feature a variety of basic, entry-level, student, seasonal, part-time & full-time, internship, and career positions.

This year's event will also include **professional development workshops** on topics such as resume writing, how to effectively use LinkedIn, how to prepare an "elevator pitch," how to dress for success, and more. Additionally, students from DISD's photography program will be in attendance to provide **free headshots for job seekers.**

Interested in participating in the Denton Community Job Fair?

Visit www.dentonjobfair.com.

FY 2020-2021 Goals

- Identify negative impacts and challenges to local small/large businesses, employees, and job seekers due to COVID-19.
- Connect employees and employers with local, state, and federal resources.
- Work with local partners to promote training and education opportunities.
- Use digital resources to assist job seekers and employers connect.

Denton County Works

In June, United Way of Denton County launched the new **Denton County Works** program. This new resource is designed to bridge the gap between job seekers and employers. According to the website, "Denton County Works acts as a resource for job seekers with local job listings within Denton County and the metroplex, plus useful tips for resume writing and interviewing." On the website, you will find information and additional guidance on such topics as how to dress for interviews, honing computer skills, getting a GED, and finding job fairs, transportation, and childcare.

The website also includes links to job postings, sorted into major industry areas to help jobseekers find what they are looking for.

If you're looking for a job, or know someone who is, make sure they check out this great resource!

EL CONDADO DE DENTON TRABAJA
Ayudando a unirse entre buscadores de empleo y empleadores.

Escanea el código QR para encontrar los siguientes servicios:

- Trabajos Locales Disponibles en el Condado de Denton
- Consejos para Mejorar tu Currículo, tus Entrevistas y Vestimenta Adecuada para el éxito
- Recursos de Transportación, Cuidado Infantil, Educación y Entrenamientos

Trabaja **UNIDO | VIVE UNIDO**
UnitedWayDenton.org/DentonCountyWorks

DENTON COUNTY WORKS
Helping People Thrive! (Job seekers & employers)

Scan the QR Code to Find Help with:

- Local Job Listings in Denton County
- Tips to Improve your Resume, Ace your Interview, and Dress for Success
- Resources for Childcare, Transportation, Education, and Training

Work **UNITED | LIVE UNITED**
UnitedWayDenton.org/DentonCountyWorks

www.unitedwaydenton.org/dentoncountyworks

Upcoming Events

North Texas SBDC

- July 14: [How to be a Good Teammate and a Good Person](#)
- July 21: [The Key to Success – Improving Relationships with People, All People](#)
- View future and past virtual workshops [HERE](#).

Denton Chamber of Commerce

- July 21: [HerStories – Tales of Resiliency](#)
- View additional events [HERE](#).

Stoke Denton

- July 13: [Coffee + Convo \(Patrick Peters\)](#)
- July 27: [Coffee + Convo \(Randi Skinner\)](#)
- Aug. 3: [Coffee + Convo \(Ndaba Mdhlongwa\)](#)
- View additional events [HERE](#).

Fort Worth SCORE

- July 27: [Hiring Employees in a Competitive Job Market](#)
- Aug. 3: [Making the Leap to Entrepreneurship – Is the Right Time Now?](#)
- Sept. 16: [NEXT Women's Business Forum](#)
- View additional events [HERE](#).

Other Events & Trainings

- View online SBA webinars and events [HERE](#).
- View TWU Center for Women Entrepreneurs events [HERE](#).

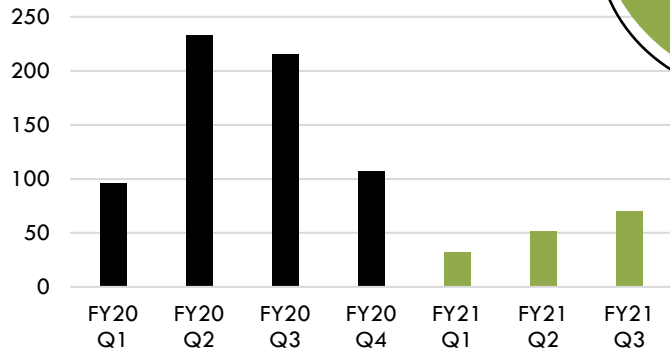
Key Activities

Business Assistance

153
YTD
Requests

70
Q3
Requests

Resolved Requests



Economic Development Catalyst Fund

Economic Development and Finance staff have been working to develop funding options to create and fund the Catalyst Fund proposed in the Economic Development Strategic Plan. Staff provided an update to City Council on June 7 with an additional update planned for July 20.

DynaGrid Construction Group

DynaGrid Construction Group, LLC, an industry leader in civil contracting services to renewable and conventional energy markets, submitted an economic development incentive application in late 2020. DynaGrid proposed to move their corporate headquarters to Denton by investing \$6 million in a new facility, relocating 191 jobs, and adding 82 new jobs. As a targeted sector (renewable energy), a business with high wages (avg. above \$75,000 annually), and significant projected net benefits, this project was a great fit for Denton.

After conducting a thorough analysis and working with the applicant, staff made a recommendation for a stratified, performance, job-based grant as well as nominating DynaGrid to the Texas Enterprise Zone (TEZ) program. After receiving a favorable recommendation by EDPB in May, City Council approved the incentive agreement and TEZ nomination on June 15.

Boards & Committees

| Board | YTD Items Presented |
|--------------|---------------------|
| City Council | 30 |
| EDPB | 28 |
| DEDC | 8 |
| TIRZ No. 1 | 18 |
| TIRZ No. 2 | 3 |
| Total | 87 |

YTD

9

Networking
Events

31

Trainings
Attended

15

Media
Requests

8

Community
Presentations

Congratulations to Business Development Administrator Kay Brown-Patrick for completing the National Forum for Black Public Administrators Mentor Program and to Erica Sullivan on her promotion to Economic Development Program Administrator! Kay and Erica provide great leadership to the team through their commitment to economic development in Denton and exemplify the City's core values.

City Council Priorities

The Denton City Council held their annual retreat on Feb. 12 and adopted their 2021 priorities on Feb. 23., with **implementation of the Economic Development Strategic Plan** at the top of the list. These priorities, in addition to being a key part of staff's work plan, are also being integrated as priorities in the City's upcoming FY 21-22 budget development process.

You can track progress of the City Council priorities at www.cityofdenton.com/councilpriorities.

Partnerships

Stoke Denton

A New Partnership

The end of June marked the end of the management agreement between Hickory & Rail Ventures (HRV) and the City of Denton for Stoke Denton. However, HRV and the City are starting a new era in their partnership. Starting July 1, 2021, HRV will assume full control of Stoke Denton, including taking over the lease of the existing co-working space at the Railyard. To continue working together, the City and HRV established a partnership agreement through which Stoke Denton will continue to provide support and programs to support entrepreneurship, small businesses, and emerging tech-related businesses. We're excited to start this new chapter!

Under Construction

Based on the increasing demand for office space, Stoke is adding 11 new private offices and an awning on the west side of the building. This will help leverage the Stoke space to better serve members.

FlintConf

Stoke hosted the 3rd annual FlintConf from April 29 to May 1. This 3-day virtual conference connected Denton's entrepreneurs, creatives, freelancers, side hustlers, and students and provided them with tools and resources to start and grow their business. The 50 attendees had access to interactive sessions with accomplished entrepreneurs and experts in lean startup, marketing, branding, finance, wellness, and more.

Learn more about Stoke at <https://stokedenton.com/>.

Denton Main Street Association



Photo courtesy of DMSA.

The past quarter has been a busy one for the DSMA. The Board held monthly meetings, which included presentations about Industrial Street Park and the Denton Plan 2040. Planning is under way for the **2021 Arts & Autos Extravaganza, scheduled for Sept. 11, 2021**. DMSA also hosted the Spring 2021 **Twilight Tunes** season, with 500 attendees enjoying various bands on the Courthouse lawn weekly. The annual **Spring Open House Weekend** was held April 10-11, with more than 20 restaurants and stores participating and promoting shopping local. The **Mimosa Hop** was held in June to raise funds for the **Arts Walk of Fame**, with more than 350 attendees sipping and strolling through Downtown Denton. Speaking of the Arts Walk of Fame, Julie Glover, a Denton Original Musician, was inducted to the Walk of Fame on June 21, as part of the **Make Music Day** events (an event that Julie initiated in Denton). Make Music Day also included a special Monday night City/DMSA Twilight Tunes event. On June 29, DMSA held its **first in-person mixer** since the COVID pandemic began, with more than 75 attendees getting a sneak peek at Downtown Denton's newest restaurant, H2Oak. DMSA also awarded the first **Downtown Beautiful Business Award** to the Law Offices of David S. Bouscher, II PC. Last, but definitely not least, Denton received notice that we are once again a **Nationally Accredited Main Street City** through the Main Street America City.

Learn about upcoming events and happenings in Downtown Denton at <https://dentonmainstreet.org/>.

Denton Chamber of Commerce

It has been a busy quarter for the Denton Chamber of Commerce! The Chamber welcomed **60 new members in three months**, and participated in **10 ribbon cutting Ceremonies**. On June 2, the Chamber hosted the **Elected Officials Reception** to bring together over 100 Chamber and Denton Black Chamber of Commerce members to mix and mingle with Representative Lynn Stucky, Senator Drew Springer, Judge Andy Eads, City Council members, Denton ISD School Board members, and many other newly-elected officials. The Chamber also hosted **Small Business Week** events in June, including a mayoral proclamation from Mayor Gerard Hudspeth, ribbon cuttings for three Chamber Members without storefronts, a mixer, **Shop Small Wednesday**, and the **Small Business Awards Luncheon**, where the Chamber, and 250 attendees, honored local businesses for their tremendous impact on the Denton community. The Chamber also partnered with Denton ISD to bring attention to legislative issues impacting schools in Texas. In partnership with **Raise Your Hand Texas**, the Chamber created a social media campaign to bring awareness to local businesses. And finally, the search for a new **Chamber President** concluded with the hiring of chamber veteran, Erin Carter, IOM, who joins the Chamber officially in July.

Learn more about the Denton Chamber and view upcoming events at www.denton-chamber.org.

Culture & Tourism

Television and Film

Denton was named a **Certified Film Friendly Texas Community** in 2018. Since then, Denton has seen numerous movies, documentaries, and television shows filmed around town. A goal of the Economic Development department is to increase our efforts in promoting Denton as a great filming location to independent filmmakers, studios, and location scouts.

A film permit is required to film in Denton, but getting the permit is easy! An online permit form is available on both the City and the Original Denton District websites.

Learn more at www.originaldentondistrict.com/film-friendly.



5 Film Permits in Q3

Music

Denton hosted **Make Music Day** on June 21. Economic Development, Parks & Rec, DMSA, and GDAC coordinated the daylong celebration with **10 events**, including an African drum circle, performance by the Senior Center choir, flower pot drums, musical story time, a Pre-K summer camp PBuzz performance, and a special Twilight Tunes concert. The rain might have moved some of the events indoors, but **more than 500 people** participated in events that day.

Staff also participated in a **music venue virtual forum** hosted by GDAC with a panel of Denton music venue owners to discuss the challenges of operating live music venues and possible ideas for improvements.

Staff has planned the first **Denton Music Round Table on June 21 at 2 p.m.** Venue owners, musicians, writers, and producers have been invited to participate.

Top States for

Visitors

- Texas
- Oklahoma
- Louisiana
- Arkansas
- Florida

Quarterly Discover Denton Stats

| | |
|--|---------|
| Attendees at Denton Convention Center Events | 33,632 |
| Hotel Occupancy | 73% |
| Hotel Revenues | \$14.7M |
| Unique Visitors to Denton | 256,088 |

Discover Denton

Discover Denton was the primary sponsor of the No. 44 Chevrolet Camaro driven by Tommy Joe Martins for Martins Motorsports in the NASCAR Xfinity Series Alco Uniforms 250 race at Texas Motor Speedway on June 12. This event also include a **meet and greet with Tommy Joe Martins** on the Downtown Square. Read more at: <https://www.discoverdenton.com/articles/post/discover-denton-sponsors-tommy-joe-martins/>.

This past quarter, there were a total of **33,632 attendees at the Denton Convention Center**. This includes conventions, meetings and social events from state associations, corporate, education, fraternal/sorority, religious, sports, and social groups. **Hotel occupancy hit 73%** last quarter. This is a huge accomplishment as the quarter outperformed Q3 2019, which was 71%. Hotel occupancy and revenues outperformed 2019, so hotels are back to pre-pandemic levels.

According to See Source, our tourism data intelligence platform, in Q3 we had the following: **256,088 unique visitors** with an average length of stay of 2 days. This included **132,619 in-state** and **123,548 out-of-state visitors**.

Learn more and see the events calendar at <https://www.discoverdenton.com/>.

Strategic Plan Implementation

Accelerate Recovery

- Continued meetings of Economic Development Work Group.
- Participated in discussions regarding American Rescue Plan funding.
- Continued implementation of 2021 BRE program through visits, surveys, and calls with a focus on sectors/businesses significantly impacted by COVID-19.
- Conducted regular outreach with regional organizations to learn about and promote recovery efforts and opportunities.
- Served as concierge to assist businesses in connecting with and participating in federal and state programs.
- Participated in DCWSLT with United Way, including working with the community navigator work group.
- Coordinated with representatives from underserved and minority communities to encourage inclusive recovery.

Foster Growth

- Began implementation of new BRE plan with renewed focus on increasing touchpoints, business visitation and data collection and evaluation.
 - Key takeaway: Businesses reporting positive business climate in general.
- Continued build out of new CRM system.
- Continued development of asset and land inventory to market to prospects.
- Improved quality of RFIs and tracking performance.
- Met with several regional and national brokers and developers with interest in Denton.
- Reviewed future development areas and participated in discussions with Denton Plan 2040.
- Continued review of Westpark TIRZ performance and development.
- Initiated creation of development districts manual.
- Continued to work on entrepreneur support plan.

Strengthen Community Inclusion

- Preparing for 2021 job fair with WSNCT, DISD, NCTC, and other partners with promotions to begin in Q4.
- Held regular meetings with Denton Black Chamber of Commerce and drafted MOU to outline responsibilities.
- Working with Procurement to further MWBE purchasing efforts.
- Discussing entrepreneurship curriculum with DISD.
- Continued connecting with Denton ISD and NCTC regarding training programs to focus on growing local talent and meeting needs of employers.

Looking Ahead



The goals over the next quarter include:

- Continue development of programs and policies to implement Strategic Plan.
- Initiate development of work plans for key strategies identify for implementation in Year 1 of Strategic Plan.
- Continue implementation of BRE plan.
- Continue to track COVID-19 recovery efforts.

Implementation Tracking

The Economic Development Team has developed a robust implementation and tracking matrix, with tasks broken down by strategic growth area. Each task has been assigned a project manager. The project managers are working through each task to identify stakeholders, develop work plans, and create timelines and checkpoints.



Team Denton



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Stoke Denton

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<https://stokedenton.com/>

Denton Chamber of Commerce

(940) 382-9693
<https://denton-chamber.org/>

Denton Black Chamber of Commerce

info@dentonblackchamberonline.org
<https://www.dentonblackchamberonline.org/>

North Texas SBDC

(940) 498-6470
<http://ntsbdc.org/>

Workforce Solutions of North Central Texas

(940) 382-6712
<https://www.dfwjobs.com/>

Subchapter 17 – Environmentally Sensitive Areas.

Sections:

- 35.17.1 Purpose.
- 35.17.2 Application.
- 35.17.3 Environmentally Sensitive Areas Review.
- 35.17.4 Environmentally Sensitive Area Classifications.
- 35.17.5 Official Maps.
- 35.17.6 Developed Floodplain Development Standards.
- 35.17.7 Undeveloped Floodplain Development Standards.
- 35.17.8 Riparian Buffer and Water Related Habitat Development Standards.
- 35.17.9 Upland Habitat Development Standards.
- 35.17.10 General Design and Improvement Standards.
- 35.17.11 Clustering Standards
- 35.17.12 Alternative Environmentally Sensitive Area Plans.

35.17.1 Purpose.

This Subchapter is adopted for the following purposes:

- A. Manage and protect environmentally sensitive areas within the City as well as detail such areas that have been previously identified in The Denton Plan.
- B. Protect the natural and ecological resources that are essential elements of the City’s health and community character and which provide irreplaceable plant and wildlife habitat;
- C. Establish a development framework for the City that is respectful of private property rights, while encouraging them to be used responsibly for the benefit of the entire community;
- D. Preserve and enhance the City’s distinctive community character and quality of life by ensuring that its natural and built environments are consistent with the community vision and values embodied in The Denton Plan.
- E. Establish regulations that conform to the requirements of the state and federal government regarding air quality, water quality and environmental protection.
- F. This Subchapter is adopted pursuant to authority vested under the City’s charter, and Tex. Loc. Gov’t Code, Chapters 211, 212, and 401.

35.17.2 Application.

- A. The standards of this Subchapter shall apply to all land and all development within the within the corporate limits of the City, except as otherwise specifically provided for in this Subchapter.
- B. The floodplain standards of this Subchapter shall apply to all land and all development within the extraterritorial jurisdiction of the City.
- C. The type of regulation applicable to the land depends upon the classification in which the land is placed, as provided in this Chapter. If those regulations conflict with other regulations of this Subchapter, the more stringent of the two regulations shall apply.

35.17.3 Environmentally Sensitive Areas Review.

A. Review Required.

Environmentally Sensitive Areas Review is required for all development except for the following. Application for an Environmentally Sensitive Area Review can be made in conjunction with a Site Review required under Subchapter 13.

1. Property that does not contain any environmentally sensitive areas as depicted on the City's Environmentally Sensitive Areas Map.
2. Grading, filling, cutting or other earth-moving activity on any lot involving less than fifty (50) cubic yards;
3. Activities such as ordinary maintenance and landscaping operations, individual home gardens, repairs, and additions or minor modifications of a single-family dwelling, except as required by the Development Code.
4. Development of single-family homes at a density of one home for 2 acres or more shall be permitted and shall be subject to the following restrictions:
 - a. The home shall not be located in the Environmentally Sensitive Areas.
 - b. Clustering is required where more than one home is permitted within a development in order to preserve the greatest extent of the Environmentally Sensitive Areas.
 - c. The dwelling shall be in compliance with all other development regulations.
 - d. Septic tanks, septic tank drain fields, and other forms of on-site wastewater treatment shall not be built within the Environmentally Sensitive Areas.
5. The applicant can demonstrate to the Director of Planning and Development's satisfaction that the subject property contains no Environmentally Sensitive Areas.

B. Completed Application Required.

A completed application for Environmentally Sensitive Areas Review shall contain the following:

1. A plan containing the following information:
 - a. Locations and extent of all Environmentally Sensitive Areas as defined in this Subchapter. Mapping of Environmentally Sensitive Areas shall be based on the Denton Environmentally Sensitive Areas Map and the text of this Subchapter, but may also be supplemented by gathering and reviewing documentation such as: field verification, Section 404 wetland permit delineation, aerial photography, FEMA reports that delineate and identify Environmentally Sensitive Areas.
 - b. A determination, by the U.S. Army Corps of Engineer or a qualified environmental scientist with a delineation certified by the Corps, of the presence or absence of jurisdictional wetlands and waters of the U.S., and an indication of the location of any jurisdictional wetlands.
 - c. Culverting or bridges and associated land disturbances in conformance with the Drainage Criteria Manual.
 - d. Building envelopes for new or redevelopment parcels that include concept plans for the buildable area.
2. Additional plans and studies as required in the applicable sections of this Subchapter.

C. Criteria for Approval.

The following criteria shall be used for the management and protection of Environmentally Sensitive Areas:

1. Environmentally Sensitive Area Standards. The Director of Planning and Development shall approve the proposed development when the Applicant demonstrates the land development activity is in

compliance with the requirements of this Subchapter for floodplains, Riparian Buffers, Water Related Habitat, and Upland Habitat and all other federal, state or local laws. The applicant shall meet the following requirements:

- a. The Environmentally Sensitive Areas have been properly identified and indicated on the required plan.
 - b. The land disturbing activity will not cause damage to Environmentally Sensitive Areas located on property adjacent to the areas of disturbance.
 - c. The land disturbing activity is in compliance with the requirements of this Subchapter and Subchapter 18.
 - d. If jurisdictional wetlands are determined to be present by the U.S. Army Corp of Engineers or a wetland delineator certified by them, a Section 404 Permit or Letter of Permission from the Corps shall be required before approval of the Environmental Review.
2. The specific delineation of the Environmentally Sensitive Area will be determined as part of the review by the Director of Planning and Development based on the best available data.

D. Expiration.

The Environmentally Sensitive Area Review approved by the Director shall expire one year after the date of approval unless the applicant has made application for a final plat for the development. The Environmentally Sensitive Area review shall expire when final plat approval expires.

E. Credit.

Any Environmentally Sensitive Area that is protected may be used towards meeting the Landscape and Tree Canopy requirements contained in Subchapter 13, the Parkland Dedication and drainage requirements.

35.17.4 Environmentally Sensitive Area Classifications.

The following are used to define the classifications of land areas, their constraints to building and land disturbing activity on them, and that comprise the Environmentally Sensitive Areas Map:

A. Developed Floodplain.

Any area defined as a floodplain within the FEMA 100-year floodplain. These areas have typically been channelized or the land within these areas has been graded, filled, or otherwise disturbed.

B. Undeveloped Floodplain.

Areas within the FEMA 100-year floodplain, or other floodplain that is undeveloped and in its natural state.

C. Riparian Buffers.

Areas identified as 100 feet from the stream centerline for streams draining a basin of greater than one square mile, and 50 feet from any streams that drain areas of one square mile or less. It also includes any areas identified as riparian through any Army Corps of Engineers Section 404 Permit Process.

D. Water Related Habitat.

Areas designated for wetland, tree and understory preservation and including significant stands of predominately native water related habitat. These areas include wetlands.

E. Upland Habitat.

Areas, a minimum of ten acres in size, that contain remnants of the eastern Cross Timbers Habitat.

35.17.5 Official Maps.

A. **Environmentally Sensitive Areas Map.**

The official map that identifies areas identified as Environmentally Sensitive Areas.

B. **Environmentally Sensitive Areas Map Amendments.**

Substantial amendments of the map shall follow the Zoning Amendment Procedure detailed in Subchapter 3. The map may be updated administratively when specific information for a parcel is available delineating the areas and field verified by the Director of Planning and Development.

C. **Map Applicability.**

For any application for an Environmentally Sensitive Areas Review, the delineation of those areas on the site map, as approved by the Director of Planning and Development, shall supercede the Denton Environmentally Sensitive Areas Map in determining what areas are subject to the requirements of this Chapter as applied to a proposed development.

D. **Text Applicability.**

The text of this Subchapter, including definitions, describes and regulates the protected areas shown on the City Environmentally Sensitive Areas Map as a reference.

E. **Field Boundary Delineation.**

The boundaries of all environmental areas shall be clearly marked in the field for the duration of the land disturbing activities on the property. The boundaries shall be marked as identified in the Site Design Criteria Manual.

35.17.6 Developed Floodplain Development Standards.

Development within the Developed Floodplains as identified on the Environmentally Sensitive Areas Map shall comply with Subchapter 35.19 Drainage. Gas well drilling and production within developed floodplains shall comply with Subchapter 35.22 (Gas Well Drilling and Production).

35.17.7 Undeveloped Floodplain Development Standards.

The following uses and activities are allowed in the Undeveloped Floodplain and are in addition to the restrictions for development of floodplains contained in this Subchapter. Site disturbance shall be delineated on the completed application for Environmentally Sensitive Areas review:

A. **Permitted Uses and Activities.**

The following permitted uses and activities are allowed if in compliance with the Drainage code:

1. The planting of any new trees or vegetation.
2. Restoration or enhancement of floodplains, riparian buffers, water related habitats, upland habitats, wetlands and streams as required by federal and state standards.
3. The placement of public or private utility facilities such as sewer, storm water, water, electricity, gas, or other utilities as long as installation will not have a negative impact on environmentally sensitive areas and when adequately flood proofed.
4. Measures to remove or abate nuisances, or any other violation of federal, state or local law.
5. Parking lots, subject to the limitations on fill and surface material and constructed of pervious materials.
6. Parks, open space, recreational uses, trails, walkways and bike paths.

7. New storm water pre-treatment facilities.
8. Routine repair and maintenance of existing structures, roadways, driveways, utilities, and accessory uses.
9. Agricultural activity permitted through NWP 40, Agricultural Activities or any other permit as required by FEMA or Section 404 pursuant to the Clean Water Act.
10. Any action taken by federal, state, or local officials in an emergency to mitigate an existing or potential hazard.
11. The construction of a private driveway.
12. Gas well drilling and production shall comply with Subchapter 35.22 Gas Well Drilling and Production.

B. Prohibited Uses and Activities.

The following prohibited uses and activities are not allowed in undeveloped floodplains:

1. Uncontained and contained areas of hazardous materials. Handling or processing areas for the receiving and storage of hazardous waste. Hazardous waste and solid waste landfills.
2. Land disturbing activity not authorized by a Corp Section 404 Permit or Letter of Permission and by the Director as part of the environmentally sensitive area review.
3. Any new structures or additions, including garages and carports, and storage sheds located within the area mapped as Undeveloped Floodplain.
4. Tree and understory vegetation removal, except as allowed by Subsection 35.22.5.A.8(c).

C. Standards for Fill in Undeveloped Floodplains.

The following are standards for fill in the undeveloped floodplain:

1. Filling of any floodplain of a stream that drains more than one square mile is prohibited unless the fill on any lot is less than 50 cubic yards or 300 cubic feet per acre, whichever is greater. Up to 15% of the floodplain valley storage may be filled if the stream drains less than one square mile in area pursuant to this Subchapter and federal law.
2. Excavation to balance fill shall be located on the same parcel as the fill unless it is not reasonable or practicable to do so. In such cases, the excavation shall be located in the same drainage basin and as close as possible to the fill site, so long as the proposed excavation and fill will not increase flood impacts for surrounding properties as determined through hydrologic and hydraulic analysis.
3. Fill and other material imported to the lot shall be limited to the following:
 - a. Poured concrete and other materials necessary to build permitted structures on the lot.
 - b. Aggregate base and paving materials.
 - c. Pervious materials as allowed in Subchapter 13, Site Design Standards.
 - d. Plants and other landscaping material.
4. If additional fill is necessary beyond the permitted amounts in (1) above for sites with streams that drain an area greater than one square mile, then fill materials must be obtained from cutting or excavation only to the extent allowed to create an elevated site for permitted land disturbing activity.
5. Adequate drainage shall be provided for the stability of the fill.
6. Fill to raise elevations for a building site shall be located no closer than permitted to the Environmentally Sensitive Areas in order to reduce the impact of that fill on the adjacent areas.

D. Culverts and Bridges.

Culverts or bridges of any waterway or creek identified on the official maps adopted pursuant to this Subchapter must be designed by an engineer. Stream crossings shall be designed to the standards of the Drainage Subchapter, or where no floodway has been identified, to pass a one-hundred (100) year flood without any increase in the upstream flood height elevation. The engineer shall consider in the design the probability that the culvert will be blocked by debris in a severe flood and accommodate expected overflow. Fill for culverts and bridges shall be kept to the minimum allowed, but is exempt from the limitations in section (A) above.

35.17.8 Riparian Buffer and Water Related Habitat Development Standards.

The following uses and activities are allowed in the Riparian Buffer and Water Related Habitats and are in addition to the restrictions for development in this Subchapter, Site Disturbance and shall be delineated on the completed application for Environmentally Sensitive Areas review:

A. Permitted Uses and Activities.

The following uses and activities are allowed in Riparian Buffer and Water Related Habitats and shall be delineated on the completed application for Environmentally Sensitive Areas review:

1. Up to 10% of the area may be disturbed for private yard structures including but not limited to: gardens, yards, trails, and clearings, but which are no closer than 25 feet from the stream bank or riparian buffer. No disturbance is permitted in delineated wetlands.
2. Repair, replacement or improvement of utility facilities where:
 - a. The disturbed portion of the Environmentally Sensitive Area is restored; and,
 - b. Non-native vegetation is removed from the Environmentally Sensitive Area and replaced with vegetation from the City Native Plant List.
3. Additions, alterations, rehabilitation, or replacement of existing structures that do not increase the existing structural footprint in the Riparian Area or Water Related Habitat Area where the disturbed portion of the area is restored using native vegetative cover.
4. Stream, wetland, riparian and upland enhancement or restoration projects;
5. Agricultural activity, including buildings and structures is permitted outside of the environmentally sensitive areas, unless otherwise permitted through NWP 40, Agricultural Activities or any other permit as required by FEMA or Section 404 or as allowed in this Subchapter.
6. Routine repair and maintenance of existing structures, roadways, driveways, utility facilities, accessory uses and other development.
7. Measures to remove or abate nuisances, or any other violation of State statute, administrative rule, or City Code of Ordinances.
8. Any action taken by the City in an emergency to mitigate an existing or potential hazard.
9. Gas well drilling and production within riparian buffers and water related habitats shall comply with Subchapter 35.22 Gas Well Drilling and Production.

B. Prohibited Uses and Activities.

The following uses and activities are not allowed in Riparian Buffers and Water Related Habitats:

1. Land disturbing activity not authorized by a Corp Section 404 Permit of Letter of Permission and by the Director as part of the ESA review.
2. Uncontained and contained areas of hazardous materials handling areas for the receiving and storage of hazardous waste.

3. Any structures, including storage sheds, garages and carports, located within the area mapped as Riparian Buffer and Water Related Habitats.

35.17.9 Upland Habitat Development Standards.

The following uses and activities are allowed in the Upland Habitat and are in addition to the restrictions for development within this Subchapter. Site disturbance shall be delineated on the completed application for Environmentally Sensitive Areas review:

A. Permitted Uses and Activities.

The following uses and activities are allowed in Upland Habitats and shall be delineated on the completed application for Environmentally Sensitive Areas Review:

1. Residential development shall be designed to retain a contiguous fifty percent (50%) tree canopy, which shall remain predominantly in its natural state. Non-residential development may remove any or all of the Upland Habitat.
2. Selective pruning by a qualified and licensed tree surgeon is allowed to remove up to one-quarter of the canopy for the purposes of a trees health.
3. Clustering of development in these areas shall be utilized to minimize impact to the natural environment. Clustering shall be designed to maintain a contiguous forested area.
4. Agricultural activity, including buildings and structures is permitted outside of the environmentally sensitive areas, unless otherwise permitted through NWP 40, Agricultural Activities or any other permit as required by FEMA or Section 404, or as allowed in this Subchapter.

35.17.10 General Design and Improvement Standards.

The design and improvement of environmentally sensitive areas shall be in accordance with the following standards:

- A. These areas shall be linked to existing or planned open space or conserved areas to provide an overall open space system.
- B. These developments shall be arranged in order to maximize access and utilization of the environmentally sensitive areas by residents of the development and the City.
- C. These developments shall comply with the open space plans and requirements of the City.
- D. The unbuildable site area shall be placed either in a lot or lots that incorporate a permanent conservation easement, restrictive covenants, or such other legal mechanism to allow for the long term conservation of said areas. Such legal mechanism shall limit any future land disturbing activity or construction within the environmentally sensitive areas and shall run with the land and be binding upon all successors and assigns of the current owner. The unbuildable site area may be incorporated into lots of over ½ acre in size.

35.17.11 Clustering Standards.

Residential units or non-residential floor area ratio of a site may be clustered within the buildable areas of that site provided the following standards are met:

- A. Clustered density or floor area intensity may be transferred to contiguous lots under common ownership. Clustering from one development site to another development site is prohibited.
 1. A general development plan shall be used to designate all areas of common ownership.
 2. A general development plan may be used to allocate the transfer of density between lots under common ownership prior to their being sold.

- B. The minimum two acre size requirement for clustering contained in Subchapter 5 is not applicable to properties impacted by an Environmentally Sensitive Area.

35.17.12 *Alternative Environmentally Sensitive Area Plans.*

The Alternative Environmentally Sensitive Area Plan provides the option to address the regulations through a flexible discretionary process utilizing the Zoning Amendment Procedure outlined in Subchapter 35.3.4. The Alternative Environmentally Sensitive Area Plan shall demonstrate that the developer's alternative proposal results in a high quality development meeting the intent of the standards in the Denton Development Code.

(Amended Ord. No. 2004-059, 03/02/2004)

(Amended Ord. No. 2005-366, 12/06/2005)

NOTE: Amended by Ordinance No 2000-179
NOTE: Repealed by Ordinance No. 2001-304

ORDINANCE NO. 2000-069

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, ESTABLISHING INTERIM STANDARDS FOR APPLYING POLICIES OF THE ADOPTED COMPREHENSIVE PLAN TO REQUESTS FOR ZONING AMENDMENTS AND CERTAIN SPECIFIED NONRESIDENTIAL DEVELOPMENT APPLICATIONS PENDING ADOPTION OF A REVISED DEVELOPMENT CODE; PROVIDING FOR ADMINISTRATION OF SUCH STANDARDS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR SEVERABILITY, PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SAVINGS CLAUSE

WHEREAS, the City of Denton has enacted by Ordinance No 99-439 a new Comprehensive Plan for the City of Denton on December 7, 1999, and superceding the Denton Development Plan, and

WHEREAS, the Comprehensive Plan contains policies, goals and strategies related to the location and intensity of retail and commercial land uses, and

WHEREAS, the City intends to comprehensively amend its Code of Ordinances, including *inter alia* its zoning and subdivision regulations, in order to implement such polices, goals and strategies, and

WHEREAS, it appears that substantial applications for approval of nonresidential developments are likely to occur in the intervening time period, and

WHEREAS, it further appears that approval of such development applications inconsistent with the new Comprehensive Plan is contrary to the intent and purposes of the plan, and

WHEREAS, the City of Denton has enacted Ordinance 99-474, Ordinance 2000-017, and Ordinance 2000-065, establishing, amending, and extending a moratorium pending the adoption of interim standards for applying the policies of the comprehensive plan for certain specified commercial development applications, and

WHEREAS, Chapter 219 of the Texas Local Government Code authorizes municipalities to enact regulations defining the consistency between comprehensive plan proposals and development regulations, and

WHEREAS, a joint public hearing between City Council and the Planning and Zoning Commission was held on February 8, 2000, and

WHEREAS, a joint public hearing between City Council and the Planning and Zoning Commission was held on March 2, 2000, and

WHEREAS, the Planning and Zoning Commission made a neutral recommendation of these interim standards by a vote of 3-3 on March 2, 2000, and

WHEREAS, the City is desirous of allowing property owners to proceed with development applications for nonresidential uses pending the adoption of permanent revisions to the Land Development Code, subject to interim standards that safeguard the health, safety and general welfare of the community, and

THE COUNCIL OF THE CITY OF DENTON, HEREBY ORDAINS.

Section I. Interim Development Regulations.

The following provisions hereby are incorporated as interim development standards pending the adoption of permanent revisions to the City's Code of Ordinances that implement the policies, goals and strategies contained in the adopted Comprehensive Plan concerning nonresidential land uses. Pending adoption of such permanent revisions, these interim development regulations shall supersede conflicting provisions of the City Code of Ordinances, including in particular and without limitation Chapter 34, Subdivisions, and Chapter 35, Zoning, and shall read as follows

SECTION A. GENERAL PROVISIONS

1 Intent and Purposes.

It is the intent and purpose of these regulations

- a to facilitate proper and detailed evaluation of nonresidential zoning and rezoning applications within city limits in order to render such applications consistent with the policies, goals and strategies concerning land use, land use intensity, and related growth management objectives set forth in the newly adopted Comprehensive Plan, pending adoption of revisions to Chapters 34 and 35 and other applicable provisions of the City's Code of Ordinances (which changes hereinafter collectively are referred to as the "Development Code") that implement such policies, goals and strategies,
- b to facilitate proper and detailed evaluation of nonresidential preliminary and final plat applications within city limits in order to render such applications, to the extent allowed by law, consistent with the policies, goals and strategies concerning land use, land use intensity, and related growth management objectives set forth in the newly adopted Comprehensive Plan, pending adoption of revisions to Chapters 34 and 35 and other applicable provisions of the City's Code of Ordinances (which changes hereinafter collectively are referred to as the "Development Code") that implement such policies, goals and strategies,
- c to permit property owners to submit applications for nonresidential development during such interim period, in order to receive preliminary or final approval from the City for such projects, subject to limitations herein set forth, and
- d to integrate the limitations and standards herein imposed with the City's existing development regulations governing retail and commercial land uses during the pendency of this ordinance

2 Applicability.

These interim regulations apply to the following types of nonresidential development applications. Requirements of this ordinance vary according to the type of application submitted for approval.

- a Standards for zoning plans and project plans apply to the following types of development applications and must be satisfied prior to approval of such applications. Standards for project plans may be satisfied at the same time or may be deferred, at the property owner's discretion, for satisfaction at a later time, but no later than prior to or contemporaneous with building permit approval.
 - (1) an application to amend the City's zoning map to a nonresidential zoning district classification provided for in the existing City Code of Ordinances, including a Planned Development District containing nonresidential land use classifications,
 - (2) an application to amend a Concept Plan or Development Plan containing nonresidential land use classifications in an existing Planned Development District,
 - (3) an application to amend a Detailed Plan for nonresidential land use classifications in an existing Planned Development District, where the proposed changes to the detailed plan involve land use, lot size, lot dimensions, lot coverage, or building size, unless the proposed changes are consistent with an approved Concept Plan, or
 - (4) an application to approve a zoning application proposing nonresidential land use classifications accompanying an annexation agreement,

- b Standards for project plans apply to the following types of development applications and must be satisfied prior to approval of such applications.
 - (1) an application to approve a Detailed Plan for nonresidential land use classifications in an existing Planned Development District, in which a Concept Plan or Development Plan was approved for the property and which does not propose changes to such Concept plan or Development plan,
 - (2) an application to amend a Detailed Plan for nonresidential land use classifications in an existing Planned Development District, in which a Concept Plan or Development Plan was approved for the property and which does not propose changes that involve land use, lot size, lot dimensions, lot coverage, or building size, or
 - (3) an application to approve development involving an existing nonresidential zoning district, or

(4) an application to replat land within an existing nonresidential zoning district, that increases the intensity of proposed land uses, through increases in building size, lot coverage, or traffic generation

- c All new and pending nonresidential Planned Development Detailed Plan, preliminary plat or final plat applications that are not required to submit a Zoning Plan as per Section A 2 a, shall be evaluated for Comprehensive Plan Consistency, subject to the standards and limitations as herein set forth
- d Any application to amend a Concept Plan, Development Plan or Detailed Plan in a Planned Development District(s) must include all contiguous, undeveloped land in unified ownership within such District(s), and all such land is subject to the requirements of this ordinance

3. Exemptions.

This ordinance does not apply to

- a any nonresidential development application accepted for filing prior to December 15, 1999 for which Concept Plan, Development Plan, or Detailed Plan approval occurred on or after April 7, 1998 but before the effective date of this ordinance, or
- b any property located within the Central Business District

4. Duration.

This ordinance shall remain in effect until such time as the City enacts its Development Code, as reflected in Section I 2 a, to implement the policies, goals and strategies concerning nonresidential land uses and related growth management objectives set forth in the newly adopted Comprehensive Plan

5. Effect on Other Regulations.

It is the intent of this ordinance that the standards set forth herein supercede any conflicting standards under existing development regulations that apply to the development application. It is the further intent of this ordinance that provisions of existing development regulations not in conflict with provisions of this ordinance remain in effect and that such provisions apply with full force and effect to the development authorized under this ordinance

SECTION B. DEFINITIONS.

For purposes of this ordinance, the following terms are defined to mean

Accepted for filing means the status of a development application following submission and acceptance as complete by the Director of all application materials and documents required by

the City Code of Ordinances. In addition, a development application shall not be considered accepted for filing if there is a condition precedent to the filing that has not been fulfilled.

City means the City of Denton, Texas.

Community Activity Center means the area defined and described in the City of Denton Comprehensive Plan.

Concept plan means a general concept plan as provided for in Chapter 35, Article IV of the Code of Ordinances of the City.

Detailed plan means a detailed plan as provided for in Chapter 35, Article IV of the Code of Ordinances of the City.

Development application means the application form and all accompanying documents and exhibits required of the applicant by the City for development review purposes and includes any of the following applications for nonresidential uses: zonings, rezonings, planned developments, concept plans, detailed plans, development plans, preliminary and final plats, and building permits.

Development plan means a development plan as provided for in Chapter 35, Article IV of the Code of Ordinances of the City.

Director means the Director of Planning and Development or his designate.

Downtown University Core District means the area defined and described in the City of Denton Comprehensive Plan.

DRC means the city's Development Review Committee.

Environmentally Sensitive Areas (ESAs) means an area that is shown on the City of Denton Environmentally Sensitive Areas Map. The ESA map includes floodway, floodplain fringe, riparian area, wetlands, ponds, lakes, rivers, and upland wooded habitat areas.

Final plat means a final plat as defined in Section 34-11 and as provided for in Section 34-15 of the Code of Ordinances of the City.

Floodplain means the area designated as subject to flooding from the base flood (one-hundred-year flood) on the flood insurance rate map. The floodplain includes the floodway.

Floodway means a river, channel or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Normally, the floodway will include the stream channel and that portion of the adjacent land areas required to pass the base flood (one-hundred-year flood) discharge without cumulatively increasing the water surface elevation any point more than one (1) foot above that of the pre-floodway condition, including those designated on the flood insurance rate map.

Floodway fringe means the area located within the floodplain and outside the floodway

Neighborhood Center means the area defined and described in the City of Denton Comprehensive Plan.

Nonresidential, nonresidential zoning district or nonresidential uses means any land use that is not a multi-family dwelling, two-family dwelling, one-family dwelling, attached, and one-family dwelling, detached uses. This definition includes all land uses listed in Section 35-77 of the City of Denton Code except all uses listed under "B Primary Residential Uses" and "J Agricultural Type Uses – Farm or Ranch."

Planned development means a planned development district as defined in Chapter 35, Article IV of the Code of Ordinances of the City

Preliminary plat means a preliminary plat as defined in Section 34-11 and as provided for in Section 34-18 of the Code of Ordinances of the City

Property owner means an all inclusive term denoting the person with primary responsibility toward the city to see that these development rules and regulations and the ordinances of the city are complied with. The term includes person, firm, corporation, partnership or agent, attorney-in-fact, manager or director, developer. Such term as used in this chapter always includes one (1) or more of the persons enumerated in this section who own all or any part of the land which is contemplated to be developed.

Qualified masonry product means brick, stone, stucco or masonry material that replicates brick, stone or stucco

Regional Activity Center means the area defined and described in the City of Denton Comprehensive Plan.

Rezoning means an application for amendment, supplement or change to zoning as provided for in Section 35-7 of the Code of Ordinances of the City and includes an application to amend or approve a concept plan, development plan or detailed plan

Street tree means a tree that is listed on the city's list of eligible street trees adjacent to a public right-of-way

Zoning means an application for the first zoning classification and land use conditions applicable to real property as provided for in Chapter 35 of the Code of Ordinances of the City the establishment of a planned development and approval of a concept plan, development plan or detailed plan

Zoning approval means the adoption of an ordinance approval zoning or rezoning and includes approval of a concept plan, development plan or detailed plan

Zoning map means zoning district map as defined in Section 35-3 of the Code of Ordinances of the City

SECTION C. ZONING PLANS

1 Zoning Plan Requirements.

Every nonresidential development application identified in Section A 2 a shall be accompanied by a zoning plan. The zoning plan shall be the basis for the City Council's decision whether to approve, approve with conditions or deny the nonresidential development application, based upon the standards set forth in this section, provided that all other standards applicable to the nonresidential development application have been met. If the development application already contains the information and documents set forth in this section, then such application may be treated as a zoning plan and shall be evaluated under the standards in this section. If the application is approved or approved with conditions, the zoning plan shall be incorporated as a part of the approval.

A zoning plan shall contain the following

- a Project name, vicinity map, scale, north arrow, and date
- b The location and acreage of proposed land uses for the property to be developed for nonresidential land use and any contiguous property in unified ownership. For each nonresidential land use that is proposed, the following information must be provided:
 - Proposed minimum lot size
 - Proposed minimum lot width and depth
 - Proposed building lines. Front, rear, and side
 - Proposed maximum Floor-to-Area Ratio (F A R)
- c Any reservations or dedications proposed
- d Location of all Environmentally Sensitive Areas, including any field inspection information that provides more detail for clarification purposes, and an indication of any planned mitigation to changes to natural features
- e All open space to be preserved consistent with standards set forth in this ordinance
- f An assessment of public facilities, demonstrating the adequacy of or provision for public facilities serving the proposed development
- g Proposed compatibility measures to be incorporated into the project design, including adjacent density, building materials, or buffering and screening from adjacent uses
- h Zoning designations adjacent to the proposed development
- i The proposed method, connection, provider, and location of:
 - (1) The proposed water system
 - (2) The proposed wastewater system
 - (3) The proposed method of drainage of the property
 - (4) The proposed method of erosion and sedimentation control
- j Location of drainage ways, environmentally sensitive areas, or public utility easements in and adjacent to the proposed development
- k Location and size of existing utilities along or within any easement
- l Limits of 100-year floodplain and floodway

- m A Traffic Impact Analysis shall be required for any proposed site development that can be reasonably expected to generate more than 1,000 vehicle trip ends during a single day and/or more than 100 vehicle trip ends during a single hour
- n Vehicular linkages, if any, to adjacent properties in accordance with access management principles
- o Drainage Study, to the extent needed to determine land areas subject to dedication or reservation for drainage purposes
- p Water and Wastewater Demand Calculations, to the extent needed to determine that adequate water and wastewater services are available to serve the property
- q Location of existing utilities
- r Any other information deemed necessary by the Director to analyze the project

2 Standards Applicable to Zoning Plans

a. Nature of Standards

The standards contained in this section governing zoning plans are minimum standards. These interim development regulations are not intended to limit the discretion of the City Council to deny a nonresidential development application that achieves the minimum standards contained in this section, or to condition the application based upon overall considerations of health, safety and general welfare.

b. Comprehensive Plan Consistency Standards.

(1) Land Use Plan and Land Use Intensity.

Zoning plans for nonresidential uses must demonstrate consistency with the standards set forth in the comprehensive plan, including the land use plan and district designations.

(2) Environmentally Sensitive Areas.

Environmentally Sensitive Areas (ESAs) shall be preserved to the fullest extent possible, and shall be integrated with the design of the project. The zoning plan shall identify all ESAs contained within the development and the methods undertaken to preserve the ESAs. For mixed use projects, the nonresidential areas shall be clearly differentiated from residential areas in addressing the method of preserving ESAs. In designing nonresidential projects to preserve ESAs, the following rules apply:

- (a) An ESA may be integrated with buffer yards and other open space features on the site and such areas may be included in calculating minimum landscaping requirements for the project,
- (b) The intensity of use for the nonresidential development may be increased on developable areas outside the ESA up to the estimated floor-to-area ratio achievable for the type of use.

proposed under the City's zoning regulations currently applicable to the property,

- (c) Areas within the flood fringe used to provide parking areas for the nonresidential development must provide pervious paving materials

(3) Compatibility Standards

Zoning plans must demonstrate that the proposed development is compatible with the existing and planned adjoining uses and the character of the area in which the project is located, as per the following standards

- (a) Masonry If 50% of the structures located within 200 feet of the boundary of the project have at least 50% of all elevations (excluding windows and doors) comprised of qualified masonry products, then all structures within the project should have elevations comprised of no less than 75% qualified masonry products
- (b) Landscaping and Screening Landscaping and screening shall be used to ensure compatibility with adjoining uses according to the following standards
 - (1) For existing single-family residential land uses adjacent to proposed nonresidential development
 - 1 Minimum bufferyard width of 20 feet
 - 11 Minimum number of canopy trees equal to 1 per 15 linear feet of bufferyard, and
 - 111 Minimum number of understory trees equal to 2 for each canopy tree
 - (2) For existing multi-family residential land uses adjacent to proposed nonresidential development
 - 1 Minimum bufferyard width of 15 feet
 - 11 Minimum number of canopy trees equal to 1 per 20 linear feet of bufferyard, and
 - 111 Minimum number of understory trees equal to 1½ for each canopy tree
 - (3) For existing nonresidential land uses considered to be lower in land use intensity adjacent to proposed nonresidential development considered to be higher in land use intensity
 - 1 Minimum bufferyard width of 10 feet
 - 11 Minimum number of canopy trees equal to 1 per 25 linear feet of bufferyard, and
 - 111 Minimum number of understory trees equal to 1 for each canopy tree

(4) Adequate Public Facilities

- (a) The land proposed for development must be served adequately by essential public facilities and services. No development application subject to these interim development regulations may be approved unless and until adequate public facilities exist or provision has been made for water facilities, wastewater facilities, drainage facilities and transportation facilities which are necessary to serve the development proposed, whether or not such facilities are to be located within the property being developed or offsite.
 - (1) Proposed public improvements shall conform to and be properly related to the City's subdivision regulations, applicable master plans and capital improvement plans
 - (2) The City may require the phasing of development or improvements in order to maintain current levels of service for existing public services and facilities or for other reasons based upon maintaining the health, safety and general welfare

SECTION D. PROJECT PLANS

1 Project Plan Requirements

Every nonresidential development application identified in Section A 2 b and which is not exempt under Section A 3 shall be accompanied by a project plan. In addition, every development application identified in Section A 2 a which deferred satisfaction of project plan requirements at the time of approval of the zoning plan must receive project plan approval prior to or contemporaneous with building permit approval. The project plan shall be the basis for the City Council's decision whether to approve, approve with conditions or deny the nonresidential development application, based upon the standards set forth in this section, provided that all other standards applicable to the nonresidential development application have been met. If the development application already contains the information and documents set forth in this section, then such application may be treated as a project plan and shall be evaluated under the standards in this section. If a Zoning Plan contains several parcels that the property owner intends to develop in a similar manner with similar design characteristics, Council shall review and approve the first Project Plan, and may specify the conditions under which subsequent Project Plan approvals may be approved by the Director of Planning & Development. If the application is approved or approved with conditions, the project plan shall be incorporated as a part of the approval. Any Project Plan shall be valid for twenty-four (24) months from the date of its approval. If no construction begins pursuant to a building permit within the twenty-four (24) months, the Project Plan shall automatically expire and no longer be valid.

A project plan shall contain the following

- a All of the information contained in a zoning plan, which will be for informational purposes only
- b Street names and locations of all existing and proposed streets within or on the boundary of the proposed development, right-of-way, pavement widths, sidewalks, and bikeways
- c Lot layout with dimensions for all lot lines and lot area
- d Location and use of all proposed and existing buildings, driveways, fences and structures within the proposed development. Indicate which buildings are to remain and which are to be removed
- e Area calculations
 - (1) The total area in the development
 - (2) The gross floor area of all existing and proposed structures
 - (3) Area and percentage of the total project area coverage by
 - i Structures
 - ii Streets, roads, and alleys
 - iii Sidewalks
 - iv Recreation areas
 - v Landscaping
 - vi The total area covered by tree canopy at maturity of the trees
 - vii Parking areas
- f Location and size of all existing and proposed public utilities in and adjacent to the proposed development with the locations shown of
 - (1) Water lines and diameters
 - (2) Sewers, manholes and cleanouts
 - (3) Storm drains and catch basins
 - (4) Fire hydrants
 - (5) Access, location, and screening of all dumpsters
 - (6) Location and size of all public utility easements
- g Location, size, and use of contemplated and existing public areas within the proposed development
- h A topographic map of the site at a two-foot contour interval
- i Location of all parking areas and all parking spaces, ingress and egress on the site, and on-site circulation
- j Use designations for all areas not covered by buildings, parking, or landscaping
- k All information necessary to demonstrate compliance with the terms and/or conditions of Zoning Plan approval in relation to Environmentally Sensitive Areas
- l A landscape plan showing in detail the location, type, and size of the proposed landscaping and plantings, and all calculations necessary to indicate compliance with Chapter 31 of the Code of Ordinances
- m The elevations, surface area in sq ft, illumination type, height, and construction (material and style), and locations of all proposed signs for the development
- n Architectural information as required by this section for all structures proposed within the Project Plan area. All Project Plans shall indicate the material, windows, doors, and other design features of proposed structures, including all visible mechanical equipment, such as for heating and cooling. Elevation drawings may be provided, and shall be submitted drawn to scale of one (1) inch

equals ten (10) feet or greater Text descriptions shall include performance standards that will apply to Project Plan structures as necessary to indicate compliance with the Project Plan standards

- o Any other information deemed necessary to analyze the project

2. **Project Plan Standards.**

a. **Minimum Project Plan Standards**

The following minimum standards of project design shall be addressed in the project plan

- (1) **Underground Utilities** – All developments must provide for underground utility installation, excepting electrical main sub-station feeders
- (2) **Interconnected streets** – Where applicable, all streets must connect to other streets at both ends, or provide for the future connection when adjacent to undeveloped property
- (3) **Architecture** – The nonresidential project shall employ an architectural design that is compatible with the physical dimensions and features of the subject property and with adjacent land uses, based on the following factors
 - (a) All buildings and structures comprising the project should have an integrated design,
 - (b) Buildings generally shall be oriented toward the street, and major entranceways should face the street,
 - (c) Building scale, including the height and bulk of structures, should be internally consistent and should be similar to the scale of adjacent nonresidential structures, if any,
 - (d) Mechanical equipment and storage areas shall be screened from the street and from adjacent residential land,
 - (e) Facades should incorporate windows, jogs, offsets or similar features to provide visual diversity,
 - (f) Roofs, alcoves, porticos or awnings should be used where feasible to protect pedestrians from the effects of climate, and
 - (g) Building materials should be internally consistent and compatible with the character of the area in which the project is located
- (4) **Garage door orientation and setbacks** - Garage doors should not face any adjacent street frontages, except alleys Where site limitations preclude the opportunity to orient garage doors away from the street, other design measures should be employed to screen or minimize visibility from public rights-of-way
- (5) **Access management principles** should be employed to minimize traffic flow disruptions on collector and arterial streets
- (6) **Street trees** - One (1) street tree per 50 linear feet of lot boundary adjacent to a street
- (7) **Pedestrian Circulation and Linkages** – The Project Plan should provide safe and convenient pedestrian circulation appropriate to the proposed

- land use Pedestrian linkages to adjacent properties should be facilitated in appropriate locations
- (8) **Parking Visibility** – Parking areas should be screened from public rights-of-way to the extent possible When visible from public rights-of-way, parking areas should be organized in smaller sub-lots to avoid large, uninterrupted expanses of pavement
 - (9) **Lighting** – Lighting shall be designed in a manner that will not shine upward, minimizing the diffusion of light into the atmosphere, and shall not shine on adjacent properties
 - (10) **Traffic calming devices** - Approved traffic calming devices should be incorporated into the street patterns where appropriate
 - (11) **Fences** - Fencing should be treated as a design element, and be visually appropriate for its proposed location Attention should be paid to details such as use of qualified masonry products and design features as accent columns, articulation, or caps If used along an arterial and collector streets, consideration should be given to openings in fences to provide visual entry into the project area The use of berms is encouraged
 - (12) **Landscaped area or art** - Landscaped features such as fountains, gardens, or other features that enhance the project are encouraged Art such as monuments or other sculptural objects that enhance the project may also be considered Such elements should be visible and/or accessible to the public
 - (13) **Transit facilities** - the provision of bus turn-outs and covered seating areas for bus riders should be considered, depending on site location, levels of activity, and type of site visitation

SECTION E COMPREHENSIVE PLAN CONSISTENCY

1. Requirements.

Every nonresidential development application identified in Section A 2 b or Section A 2 c, which does not require the submittal of a Zoning Plan pursuant to Section C, and which is not exempt under Section A 3, shall be subject to a separate evaluation of **Comprehensive Plan Consistency** No such development application shall be accepted for filing until the requirements of this Section E have been satisfied Such development applications shall be considered incomplete until such requirements are satisfied

a. New Applications

Prior to filing a nonresidential development application consisting of a Planned Development Detailed Plan, preliminary plat, or final plat that is not subject to Section C – Zoning Plan requirements, a petition shall be submitted to the Director of Planning and Development requesting an evaluation of Comprehensive Plan Consistency

Upon making a finding of consistency, the Director shall in writing notify the petitioner that the development application shall be reviewed in accordance with regularly scheduled procedures Upon making a finding of inconsistency, the

Director shall place the application on the next available City Council agenda, whereupon the City Council shall determine if a rezoning petition, for a use more consistent with the comprehensive plan, will be initiated on behalf of the City. If a rezoning petition is not initiated, the petitioner shall be notified in writing that the development application review process will be resumed in accordance with regularly scheduled procedures. In such case the development application will be accepted for filing.

b. Pending Applications

Pending Planned Development Detailed Plans, preliminary plats, or final plats that have been filed before the effective date of this ordinance, and are not subject to Section C – Zoning Plan requirements, must be evaluated for Comprehensive Plan Consistency before any further processing of the application is allowed. The Director of Planning and Development shall prepare an evaluation of Comprehensive Plan Consistency for each individual application within thirty (30) days of the effective date of this ordinance.

Upon making a finding of consistency, the Director shall in writing notify the petitioner that the development application shall be reviewed in accordance with regularly scheduled procedures. Upon making a finding of inconsistency, the Director shall place the application on the next available City Council agenda. The City Attorney shall prepare a determination and advise the City Council of the status of vested rights with respect to the application. The City Council shall then determine if a rezoning petition, for a use more consistent with the comprehensive plan, will be initiated on behalf of the City. If a rezoning petition is not initiated, the petitioner shall be notified in writing that the development application review process will be resumed in accordance with regularly scheduled procedures.

SECTION F. PROCEDURES

1 Application requirements.

No development application subject to these interim development regulations shall be approved without submission and approval of a zoning plan or a project plan, as provided herein, consistent with the standards in this ordinance. If the application is approved, the approved zoning plan or project plan shall be incorporated as an element of the approval.

2 Processing of and decision on plans.

(a) Zoning Plans

Zoning plans shall be processed and decided by the City Council in accordance with the same procedures designated in existing development regulations for processing and decision set forth in Section 35-7 of the City Code of Ordinances.

(b) Project Plans

Project plan applications may be submitted, reviewed, and decided by City Council.

concurrently with Zoning plan applications or as independently reviewed development applications. Review and decision on Project plan applications shall be made by City Council, upon notice to residents of property located within 500 feet of the Project plan property, in accordance with established Courtesy Notice procedures.

(c) Comprehensive Plan Consistency

Comprehensive Plan Consistency evaluations shall be conducted by the Planning and Development Department, and the Director of Planning and Development shall make an administrative determination of consistency in accordance with Section E. Should the Director make a determination that requires referral to City Council for further consideration due to Comprehensive Plan inconsistency, the City Council shall decide by simple majority whether to allow the development application to be accepted for filing and/or continue the review process as regularly scheduled, or whether to initiate a rezoning of the subject property determined to be inconsistent.

3 Decision on application.

The City Council shall determine whether to approve, approve conditionally or deny the development application based upon its decision on the zoning plan or project plan in accordance with the standards in these interim development regulations and pursuant to the discretion vested in it by state law and city charter.

4. Project timing

- a The property owner may elect to reserve portions of the property for future nonresidential development for development approval after the adoption of the City's Development Code. Such tracts shall be clearly indicated on the zoning plan.
- b The City Council may modify or condition zoning plan approval on the reservation of portions of the proposed development until the City has adopted the Development Code that implements the policies, goals and strategies concerning residential land use, and related growth management, housing and open space objectives set forth in the newly adopted Comprehensive Plan.

5 Relief requests

- a The applicant may petition the City Council for relief from these interim development regulations by requesting such relief in writing. The request for relief shall be considered by the City Council in conjunction with action on the project plan and development application.
- b The City Council shall not relieve the applicant from the requirements of this ordinance, unless the applicant first presents credible evidence from which the City Council can reasonably conclude that the imposition of the nonresidential development standards deprives the applicant of a vested property right or deprives the applicant of the economically viable use of his land.

- c In deciding whether to grant relief to the applicant, the City Council shall take into consideration the following
 - (1) whether granting relief from the nonresidential standards contained in these interim development regulations, in the absence of permanent revisions to the City's Land Development Code that implement the provisions of the comprehensive plan jeopardizes the City's best interests in preventing such effects,
 - (2) the suitability of the proposed nonresidential uses in light of land uses allowed in the zoning districts on property adjacent to the proposed site,
 - (3) the impact of the proposed nonresidential use on the transportation and other public facilities systems affected by the development,
 - (4) the measures proposed to be taken by the applicant to prevent negative impacts of the proposed use on the surrounding properties,
 - (5) the likelihood that sufficient relief will be provided to the applicant following adoption of the City's Development Code,
 - (6) the total expenditures made in connection with the proposed nonresidential development in reliance on prior regulations, including the costs of installing infrastructure to serve the project,
 - (7) any fees reasonably paid in connection with the proposed use, and
 - (8) any representations made by the City concerning the project and reasonably relied upon to the detriment of the applicant

- d The City Council may take the following actions
 - (1) deny the relief request,
 - (2) grant the relief request, or
 - (3) grant the relief request subject to conditions consistent with the criteria set forth in this section

6. **Minimum relief.**

Any relief granted by the City Council shall be the minimum deviation from ordinance requirements necessary to prevent deprivation of a vested property right

Section II. Environmentally Sensitive Areas Map.

The Environmentally Sensitive Areas Map, attached hereto to Exhibit A, is hereby incorporated into this ordinance, and shall be used to evaluate development applications as stipulated in all references to Environmentally Sensitive Areas

Section III. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of other provisions or applications, and to this end the provisions of this ordinance are severable

Section IV. Rescission of Moratorium

Ordinance 99-474, adopted by the City Council on December 14, 1999, Ordinance 2000- 017, adopted by City Council on January 4, 2000, and Ordinance 2000-065, adopted by City Council on February 15, 2000, shall be rescinded and repealed on the effective date of this ordinance

Section V. Effective Date.

This ordinance shall become effective upon the date of its passage and approval

Section VI. Savings Clause.

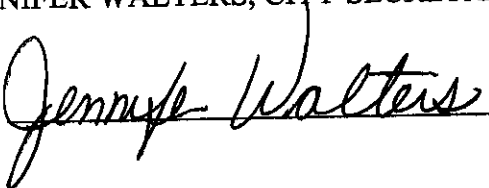
Save and except provisions hereby amended or superseded, all remaining sections, sentences and paragraphs of the Code of Ordinances of the City of Denton shall remain in full force and effect

PASSED AND APPROVED this the 2nd day of March, 2000

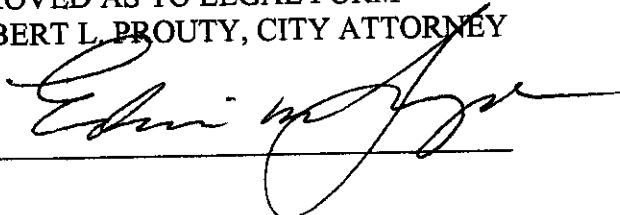


JACK MILLER, MAYOR

ATTEST
JENNIFER WALTERS, CITY SECRETARY

By 

APPROVED AS TO LEGAL FORM
HERBERT L. BROUTY, CITY ATTORNEY

By 

ORDINANCE NO 2000-179

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, AMENDING ORDINANCE NO 2000-069 COMMONLY CALLED THE "NONRESIDENTIAL INTERIM REGULATIONS" TO PROVIDE FOR REVISIONS TO TO SAID REGULATIONS, PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE, AND PROVIDING A SAVINGS CLAUSE.

WHEREAS, the City of Denton has enacted Ordinance No 2000-069 (the "Nonresidential Interim Regulations") to implement portions of the new Comprehensive Plan on an interim basis until such time as the City comprehensively amends its Code of Ordinances to implement the new Comprehensive Plan's polices, goals and strategies, and

WHEREAS, the City Council finds that it is in the public interest to make certain amendments to the Nonresidential Interim Regulations, and

THE COUNCIL OF THE CITY OF DENTON, HEREBY ORDAINS

SECTION 1 Section B of Ordinance No 2000-069 as it pertains to a definition of "Development Application" is hereby amended to read as follows

Development application means the application form and all accompanying documents and exhibits required of the applicant by the City for development review purposes and includes any of the following applications for nonresidential uses zonings, rezonings, planned developments, concept plans, detailed plans, development plans, preliminary plats and final plats

SECTION 2 Subsection A 3 *Exemptions* of Ordinance No 2000-69 is hereby amended to add the following exemption

This Ordinance does not apply to

- c any building expansions and/or additions to an existing building or structure of less than 10%, or 1000 square feet, which ever is less

SECTION 2 All other provisions of Ordinance No 2000-069 shall remain in full force and effect

SECTION 3 If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of other provisions or applications, and to this end the provisions of this ordinance are severable

SECTION 4 This ordinance shall become effective upon the date of its passage and approval

PASSED AND APPROVED this the 16th day of May, 2000

Euline Brock
EULINE BROCK, MAYOR

ATTEST
JENNIFER WALTERS, CITY SECRETARY

By Jennifer Walters

APPROVED AS TO LEGAL FORM
HERBERT L. PROUTY, CITY ATTORNEY

By Herbert L. Prouty

ORDINANCE NO 2001-304

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REPEALING ORDINANCE NOS 2000-069 AND 2000-179 COMMONLY CALLED THE "NONRESIDENTIAL INTERIM REGULATIONS"; PROVIDING FOR SURVIVAL OF THE NONRESIDENTIAL INTERIM REGULATIONS FOR DEVELOPMENTS PREVIOUSLY APPROVED UNDER THEM, PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE, AND PROVIDING A SAVINGS CLAUSE.

WHEREAS, the City of Denton has enacted Ordinance No 2000-069 which was later amended by Ordinance No 2000-179 (the "Nonresidential Interim Regulations") to implement portions of the new Comprehensive Plan on an interim basis until such time as the City comprehensively amends its Code of Ordinances to implement the new Comprehensive Plan's polices, goals and strategies, and

WHEREAS, the City Council finds that it is in the public interest to repeal the Nonresidential Interim Regulations, and

THE COUNCIL OF THE CITY OF DENTON, HEREBY ORDAINS

SECTION 1 Ordinance No 2000-069 and Ordinance No 2000-179 are hereby repealed in their entirety, except they will remain in full force and effect for those properties that have received any prior approvals under such ordinances

SECTION 2 If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of other provisions or applications, and to this end the provisions of this ordinance are severable

SECTION 3 This ordinance shall become effective upon the date of its passage and approval

PASSED AND APPROVED this the 21st day of August, 2001

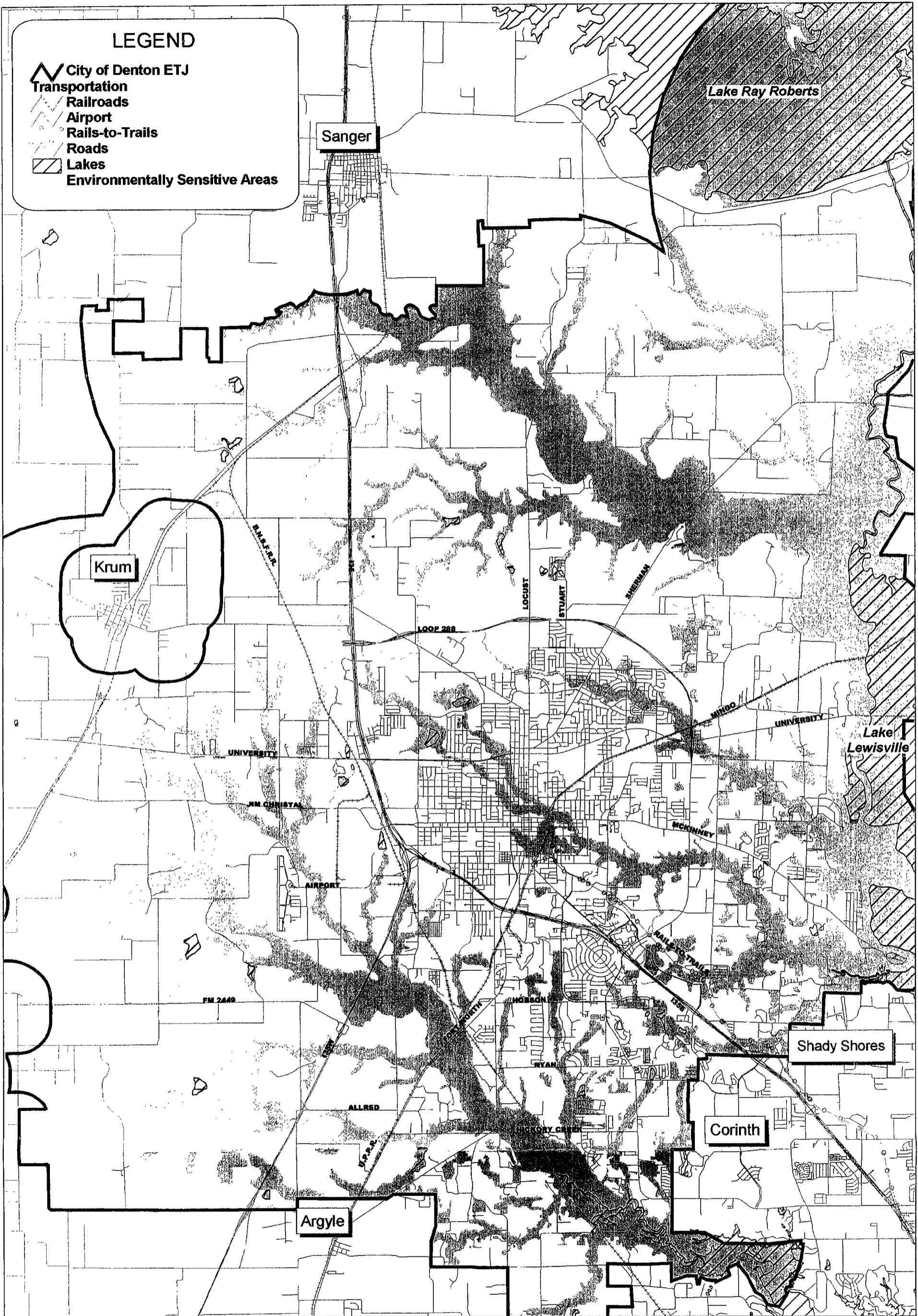
Euline Brock
EULINE BROCK, MAYOR

ATTEST
JENNIFER WALTERS, CITY SECRETARY

By Jennifer Walters

APPROVED AS TO LEGAL FORM
HERBERT L. PROUTY, CITY ATTORNEY

By [Signature]



**CITY OF DENTON - INTERIM MAP
 ENVIRONMENTALLY SENSITIVE AREAS
 WETLANDS, STREAM BUFFERS, FLOODPLAIN, & TREE CANOPY**

City of Denton
 215 E. McKinney
 Denton, Texas 76201
 (940) 349-8230



JANUARY - 2000



ATTACHMENT 3

ORDINANCE NO. DCA17-0011d

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, AMENDING THE DENTON DEVELOPMENT CODE, SPECIFICALLY BY REPEALING AND REPLACING SUBCHAPTER 35.17 ENVIRONMENTALLY SENSITIVE AREAS, AND AMENDING SUBCHAPTER 35.3 AND SUBCHAPTER 35.23 OF THE DENTON DEVELOPMENT CODE BY ADDING APPEAL PROCEDURES, AND ADDING NEW AND REPLACING DEFINITIONS RELATED TO ENVIRONMENTALLY SENSITIVE AREAS ; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE, SAVINGS CLAUSE, AND AN EFFECTIVE DATE. (DCA17-0011)

WHEREAS, pursuant to Ordinance No. 2002-040, the City Council of the City of Denton, Texas adopted the Denton Development Code (the “DDC”); and

WHEREAS, the City desires to repeal and replace Subchapter 35.17 *Environmentally Sensitive Areas*, and amend Subchapter 35.3 Procedures and Subchapter 35.23 *Definitions* of the DDC in order to protect, and clarify procedures and definitions, for a variety of environmentally sensitive areas that exist in the City; and

WHEREAS, on February 21, 2018, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, have given the requisite notices by publication, and have held due hearings and have recommended approval [4-2] of the amendments to the Denton Development Code; and

WHEREAS, on March 20, 2018 the City Council likewise conducted a public hearing in accordance with local and state law and the City Council hereby finds that the subject amendments to Subchapter 35.3, Subchapter 17, and Subchapter 35.23 of the DDC are consistent with the City’s comprehensive plan, and federal, state, and local law are in best interests of the citizens of the City of Denton; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference and found to be true.

SECTION 2. The amendments to Subchapter 35.3, Procedures of the DDC, as presented in Exhibit A, are hereby adopted as shown.

SECTION 3. The amendments to Subchapter 35.17, Environmentally Sensitive Areas of the DDC, as presented in Exhibit B, are hereby adopted as shown.

SECTION 4. The amendments to Subchapter 35.23, Definitions of the DDC, as presented in Exhibit C, are hereby adopted as shown.

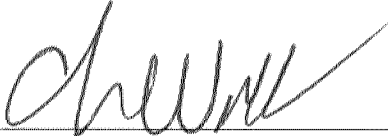
SECTION 5. Any person, firm, partnership or corporation violating any provision of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by fine in a sum not exceeding \$2,000.00 for each offense. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 6. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 7. That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Denton Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

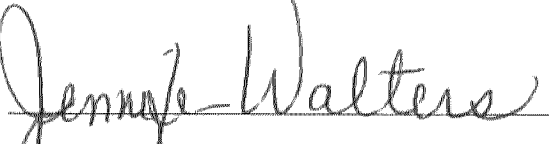
SECTION 8. In compliance with Section 2.09(c) of the Denton Charter, this ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record-Chronicle, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

PASSED AND APPROVED this the 3rd day of April, 2018.



CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: 

APPROVED AS TO LEGAL FORM:
AARON LEAL, CITY ATTORNEY

BY: 

EXHIBIT A

Subchapter 3 - Procedures

35.3.4 Zoning Amendment Procedure.

A. The followings actions shall follow the Zoning Amendment Procedure:

1. Consider an amendment to the Denton Development Code.
2. Consider an application for a zoning change that conforms to the Future Land Use element of the Denton Plan,
3. Consider an application for a Specific Use Permit.
4. Consider an application to expand a Special Exception.
5. Consider an application for an Alternative Environmentally Sensitive Area Plan.
6. Consider an amendment to the Development Criteria Manuals if the protest or requests for review cannot be resolved within the 30-day review period as described in Subsection 35.3.13.B.2.d.
7. Consider an application for an appeal to an Environmentally Sensitive Area field assessment determination.

EXHIBIT B

Subchapter 17 – Environmentally Sensitive Areas (ESAs)

Sections:

- 35.17.1 Purpose
- 35.17.2 Application
- 35.17.3 Environmentally Sensitive Areas Criteria Manual
- 35.17.4 Environmentally Sensitive Area Compliance Review.
- 35.17.5 Definitions
- 35.17.6 Official Map
- 35.17.7 Floodplain Development Standards
- 35.17.8 Riparian Buffer and Water Related Habitat Development Standards
- 35.17.9 Upland Habitat Development Standards
- 35.17.10 Clustering Standards
- 35.17.11 Alternative Environmentally Sensitive Area Plans

35.17.1 Purpose

This Subchapter is adopted for the following purposes:

- A. Manage and protect environmentally sensitive areas within the City.
- B. Protect the natural and ecological resources that are essential elements of the City's health and community character and which provide irreplaceable plant and wildlife habitat;
- C. Establish a development framework for the City that is respectful of private property rights, while encouraging them to be used responsibly for the benefit of the entire community;
- D. Preserve and enhance the City's distinctive community character and quality of life by ensuring that its natural and built environments are consistent with the community vision and values embodied in The Denton Plan.
- E. Establish regulations that conform to the requirements of the state and federal government regarding air quality, water quality and environmental protection.
- F. This Subchapter is adopted pursuant to authority vested under the City's charter, and Texas Local Government Code, Chapters 211, 212, and 551.

35.17.2 Application

- A. The standards of this Subchapter shall apply to all land and all development within the corporate limits of the City, except as otherwise specifically provided for in this Subchapter.
- B. The floodplain standards of this Subchapter shall apply to all land and all development within the extraterritorial jurisdiction (ETJ) of the City.
- C. The type of regulation applicable to the land depends upon the classification in which the land is placed, as provided in this Chapter. If those regulations conflict with other regulations of this Subchapter, the more stringent of the two regulations shall apply.

35.17.3 Environmentally Sensitive Areas Criteria Manual

In addition to meeting the requirements expressly established in this Subchapter, all environmentally sensitive areas shall comply with the Environmentally Sensitive Areas Criteria Manual. Where there is conflict between a provision set forth in this Subchapter and a provision of the Environmentally Sensitive Areas Criteria Manual, the provisions of this Subchapter shall apply.

35.17.4 Environmentally Sensitive Areas Compliance Review

A. Review Required

Environmentally Sensitive Area compliance review for residential and non-residential development must be performed as part of a final plat applications and site plan applications, respectively. Protective fencing shall clearly mark and delineate all ESAs to be protected and preserved for the duration of the land disturbing activities on the property. An Environmentally Sensitive Area review is required for all development except for the following:

1. Property that does not contain any Environmentally Sensitive Areas as depicted on the City's Environmentally Sensitive Areas Map.
2. Grading, filling, cutting or other earth-moving activity on any lot involving less than 25 cubic yards for residential projects or 50 cubic yards for non-residential projects;
3. Activities such as ordinary maintenance and landscaping operations, individual home gardens, repairs, and additions or minor modifications of a single-family dwelling, except as prohibited by the Development Code.
4. The applicant can demonstrate through an Environmentally Sensitive Area field assessment application the subject property contains no Environmentally Sensitive Areas or their location is not as depicted on the ESA map.

B. Information Required

Information as required on the final plat and site plan checklists must be provided. Additional information deemed appropriate and necessary to process the application may also be required.

C. Criteria for Approval

The requirements of an Environmentally Sensitive Areas review shall be deemed met when the Applicant demonstrates:

1. The land development activity complies with the requirements of this Subchapter for floodplains, Riparian Buffers, Water Related Habitat, and Upland Habitat and all other federal, state or local laws as part of the final plat or site plan.
2. The land disturbing activity will not cause damage to Environmentally Sensitive Areas adjacent to the areas to be disturbed.
3. The land disturbing activity complies with the requirements of Subchapter 18.
4. A wetland delineation by a trained scientist has been performed if encroachments into jurisdictional wetlands are proposed, and a Section 404 Nationwide Permit or a Letter of Permission from the U.S. Army Corps of Engineers has been obtained.
5. An alternative Environmentally Sensitive Area plan has been approved for the subject development.

D. Expiration

The Environmentally Sensitive Area review shall expire when the final plat for residential development approval expires, or when the site plan approval for a non-residential development expires.

E. Credit

Any Environmentally Sensitive Area that is preserved may be used towards meeting:

1. Landscape and Tree Canopy requirements contained in Subchapter 13
 - a. One square foot of tree canopy will be given for every square foot of preserved ESA tree canopy (1:1).
 - b. Two square feet of landscape credits will be given for every square foot of preserved ESA tree canopy (2:1).
 - c. One square foot of landscape credits will be given for every square foot of non-wooded preserved ESA (1:1)
2. Parkland dedication in accordance with the Parkland Dedication Ordinance
3. Drainage standards in accordance with Subchapter 19.

35.17.5 Definitions

The following are used to define the classifications of Environmentally Sensitive Areas comprising the Environmentally Sensitive Areas Map and other related terms used throughout this Subchapter:

A. Developed Floodplain

Area within the FEMA 1% Annual Chance Floodplain (a.k.a. 100-year floodplain) for which the natural stream has been redesigned and no longer exhibits characteristics of a natural channel and/or its floodplain has been significantly modified, graded, filled, or otherwise disturbed.

B. Nuisance

Physical or environmental conditions resulting in regular and/or continuous problems affecting the health, safety, and quality of life of citizens.

C. Riparian Buffer

Areas within 100 feet, measured from both sides of the stream centerline, with drainage areas greater than one square mile, and 50 feet from both sides of any streams centerline that drain areas of one square mile or less. This also applies to the outer edges of surface water bodies.

D. Stream

Linear geographic feature that conveys flowing waters. Headwater streams are the uppermost, low-order streams of a watershed and comprise the majority of streams in the United States, both in terms of number and length. Streams can be perennial, intermittent or ephemeral.

E. Surface Water Body

Term to include streams, ponds, lakes, and freshwater wetlands.

F. Undeveloped Floodplain

Areas within the FEMA 1% Annual Chance Floodplain (a.k.a. 100-year floodplain), that are undeveloped and in their natural state.

G. Upland Habitat

Contiguous areas ten acres or larger of Cross Timbers habitat.

H. Valley Storage

Water storage capacity of a stream and is a volume that is measured below the base flood elevation.

I. Water Related Habitat

Areas designated as wetlands, and trees and understory vegetation containing 50 percent or more of predominately native bottomland hardwood. Bottomland hardwoods occur on the first terrace of floodplains and flats along channels. Periodic inundation prevents establishment of upland species and maintains the functioning of this type of vegetation.

J. Wetland

Area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Includes adjacent and isolated wetlands.

35.17.6 Official Map

A. Environmentally Sensitive Areas Map

The official map that identifies areas designated as Environmentally Sensitive Areas (ESAs).

B. Environmentally Sensitive Areas Map Amendments

1. The map may be updated administratively when an ESA field assessment is conducted for a property and approved by the Director of Development Services.
2. Revisions and amendments to FEMA 1% Annual Chance Floodplain maps shall cause the boundaries of Floodplain ESAs to be readjusted accordingly.
3. Substantial amendments of the map shall follow the Zoning Amendment Procedure detailed in Subchapter 3. Substantial amendment is defined as changes impacting the whole city, excepting changes caused by the publication of new flood insurance rate maps (FIRMs) by FEMA.

C. Environmentally Sensitive Areas Field Assessments.

Field assessments are required prior to platting of property when there is reasonable evidence that Environmentally Sensitive Areas, as depicted on the official ESA Map, may not be accurate. ESA field assessments, as approved by the Director of Development Services, shall supersede the official ESA Map in determining what areas are subject to the requirements of this Subchapter as applied to a proposed development.

1. Information Required;

Information as required on the Environmentally Sensitive Area Assessment application and checklist must be provided. Additional information deemed appropriate and necessary to process the application may be required.

2. Expiration;

An Environmentally Sensitive Areas field assessment shall expire after two years of its approval, or if the natural conditions of the ESA have been significantly altered.

3. Appeals;

Appeals to staff determinations shall follow the Zoning Amendment Procedure detailed in Section 35.3.4.

D. Text Applicability

The text of this Subchapter, including definitions, describes and regulates the protected ESAs shown on the City's Environmentally Sensitive Areas Map as a reference.

35.17.7 Floodplain Development Standards

Upon field verification areas designated as FEMA 1% Annual Chance Floodplain would be classified according to the existing conditions as Developed or Undeveloped floodplains.

A. Developed Floodplain

1. Development within the Developed Floodplains shall comply with Subchapter 35.19 Drainage Standards.
2. Section 35.17.8 applies when Riparian buffers and Water-related habitats are nested, partially or wholly, inside Developed floodplain ESAs.
3. Gas well drilling and production within developed floodplains shall comply with Subchapter 35.22 (Gas Well Drilling and Production).

B. Undeveloped Floodplain

The following uses and activities are regulated in the Undeveloped Floodplain.

1. Permitted Uses and Activities

The following permitted uses and activities are allowed if in compliance with the Subchapter 19 Drainage Standards and Chapter 30 of the Code of Ordinances:

- a. The planting of any new trees or vegetation.
- b. Restoration or enhancement of floodplains, riparian buffers, water related habitats, upland habitats, wetlands and streams as required by federal and state standards.
- c. The placement of public or private utility facilities such as sewer, storm water, water, electricity, gas, or other utilities as long as the disturbed area is restored to minimized erosion and promote the recovery of the Environmentally Sensitive Areas, and when adequately flood proofed.
- d. Measures to remove or abate nuisances, the removal of invasive plant species, or any other violation of federal, state or local law, with the approval of the Director of Environmental Services.
- e. Parking lots, subject to the limitations on fill as specified in Section 35.17.7.B.3 and constructed of pervious materials.
- f. Parks, open space, recreational uses, trails, walkways and bike paths.
- g. Storm water quality controls.
- h. Construction of roadways identified on the Mobility Plan as long as the disturbed areas are restored to minimize erosion and promote the recovery of the Environmentally Sensitive Area subject to the Director of Environmental Services approval.
- i. Routine repair and maintenance of existing structures, roadways, driveways, utilities, and accessory uses.
- j. Agricultural activity permitted through Nationwide Permit 40 (NWP 40), Agricultural Activities pursuant Section 404 of the Clean Water Act or any other federal permits.
- k. Any action taken by federal, state, or local officials in an emergency to mitigate an existing or potential hazard.
 1. The construction of a private driveway, as long as the disturbed areas are restored to minimize erosion and promote the recovery of the Environmentally Sensitive Area subject to the Director of Environmental Services approval.
- m. Gas well drilling and production shall comply with Subchapter 35.22 Gas Well Drilling and Production.
- n. Fill activities subject to limitations as outlined in Section 35.17.7.B.3.
- o. Culverts and bridges as long as the disturbed areas are restored to minimize erosion and promote the recovery of the Environmentally Sensitive Area subject to the Director of Environmental Services approval. Culverts and bridges are exempt from the limitations in fill set in Section 35.17.7.B.3.

2. Prohibited Uses and Activities

The following prohibited uses and activities are not allowed in Undeveloped Floodplains:

- a. Placement, handling, processing areas, and/or storage of hazardous waste. Hazardous waste and solid waste landfills.

- b. Land disturbing activity not authorized by a U.S. Army Corps of Engineers Section 404 Permit or Letter of Permission.
- c. Any new structures or additions, including garages and carports, and storage sheds located within the area mapped as Undeveloped Floodplain.
- d. Tree and understory vegetation removal, except as allowed by Subsection 35.22.9 and 35.19.4.E.2.
- e. Septic tanks, septic tank drain fields, and other forms of on-site wastewater treatment.

3. Standards for Fill in Undeveloped Floodplains

The following are standards for fill in the Undeveloped floodplain:

- a. Filling of any floodplain of a stream that drains more than one square mile is prohibited unless the fill on any lot is less than 50 cubic yards or 300 cubic feet per acre, whichever is greater.
- b. Up to 15% of the floodplain valley storage may be filled if the stream drains less than one square mile.
- c. In addition to meeting the requirement for fill set above, all fill activities in the Undeveloped floodplain shall comply with the Environmental Sensitive Area Criteria Manual, Subchapter 19 Drainage Standards, and federal law.

35.17.8 Riparian Buffer and Water Related Habitat Development Standards

The following uses and activities are regulated in the Riparian Buffers and Water Related Habitats and are in addition to the regulations for development in this Subchapter,

A. Permitted Uses and Activities

- 1. Placement of private residential yard amenities, including but not limited to: gardens, yards, trails, and clearings, that would result in disturbing up to 10% of the area, but in no instance shall the protective buffer width be decreased below 25 feet measured each direction from the centerline of the existing channel or the outer edge of surface water bodies. No disturbance is permitted in delineated wetlands.
- 2. Riparian buffers nested, partially or wholly, inside Developed floodplains may be disturbed up to 10% of the area but in no instance shall the protective buffer width be decreased below 25 feet measured each direction from the centerline of the existing channel or the outer edge of surface water bodies. No disturbance is permitted in delineated wetlands.
- 3. Repair, replacement or improvement of public utility facilities where the disturbed portion of the Environmentally Sensitive Area is restored, and vegetation listed as invasive is removed and replaced with vegetation from the City Native Plant List.
- 4. Additions, alterations, rehabilitation, or replacement of existing structures that do not increase the existing structural footprint in the Riparian Buffer or Water Related Habitat. Any disturbed areas must be restored using native vegetative cover.
- 5. Stream, wetland, riparian and upland enhancement or restoration projects;
- 6. Agricultural activity, including buildings and structures is permitted outside of the Environmentally Sensitive Areas, unless otherwise permitted through Nationwide Permit 40 (NWP 40), Agricultural Activities pursuant Section 404 of the Clean Water Act or any other federal permit.
- 7. Routine repair and maintenance of existing structures, roadways, driveways, utility facilities, accessory uses and other development.
- 8. Construction of roadways identified on the city Mobility Plan as long as the disturbed areas are restored to minimize erosion and promote the recovery of the Environmentally Sensitive Area and subject to the Director of Environmental Services approval, and as outlined in Section 35.17.7.B.4.
- 9. Measures to remove or abate nuisances, or any other violation of State statute, administrative rule, or City Code of Ordinances.
- 10. Any action taken by the City in an emergency to mitigate an existing or potential hazard.
- 11. Gas well drilling and production within riparian buffers and water related habitats shall comply with Subchapter 35.22 Gas Well Drilling and Production.

B. Prohibited Uses and Activities

The following uses and activities are not allowed in Riparian Buffers and Water Related Habitats:

- 1. Land disturbing activity not authorized by a US Army Corps of Engineers Section 404 Permit Letter of Permission.
- 2. Tree and understory vegetation removal, except as allowed by Subsection 35.19.4.E.2.

3. Placement, handling, processing, or storage of hazardous waste.
4. Any structures, including storage sheds, garages and carports.
5. Septic tanks, septic tank drain fields, and other forms of on-site wastewater treatment.

35.17.9 Upland Habitat Development Standards

The following uses and activities are regulated in the Upland Habitat and are in addition to the restrictions for development within this Subchapter.

A. Permitted Uses and Activities

1. Residential development shall be designed to retain a contiguous fifty percent (50%) tree canopy, which shall remain predominantly in its natural state. Preservation of upland habitat contiguous to forested areas on adjacent properties or parcels is strongly encouraged.
2. Non-residential development shall be designed to retain thirty percent (30%) tree canopy which shall remain predominantly in its natural state. Preservation of upland habitat contiguous to forested areas on adjacent properties or parcels is strongly encouraged.
3. Selective pruning conducted by or under the supervision of an International Society of Arboriculture (ISA) certified arborist is allowed to remove up to one-quarter of the canopy for the purposes of a trees health.
4. Enhancement or restoration projects as approved by the Director of Environmental Services.

B. Prohibited Uses and Activities

1. Septic tanks, septic tank drain fields, and other forms of on-site wastewater treatment are prohibited in areas set aside for required preservation.

35.17.10 Clustering Design Standards

Clustering of development shall be utilized to minimize impact to the natural environment. Clustering shall be designed to maintain a contiguous forested area.

35.17.11 Alternative Environmentally Sensitive Area Plans

A. Approval Process

The Alternative Environmentally Sensitive Area Plan provides the option to address the regulations through a flexible discretionary process utilizing the Zoning Amendment Procedure outlined in Subchapter 35.3.4.

B. Criteria for Approval

City Council may approve the alternative plan with conditions necessary to mitigate the impacts of the proposed development upon considering the factors and goals noted in this section.

1. Mitigation goals are obtained by creating, expanding, and/or improving environmentally sensitive areas.
2. Mitigation goals are obtained by preserving environmentally sensitive areas above the minimum requirements, exchanges between different types of ESAs, installing pollution prevention controls, and/or implementing best management practices or any other approaches that result in the improvement of the environment being impacted.
3. Areas offered as mitigation are linked to existing or planned open space or conserved areas to provide an overall open space system.
4. Development is arranged for maximizing access and utilization of the environmentally sensitive areas by citizens.
5. Areas offered as mitigation are placed either in a lot or lots that incorporate a permanent conservation easement, restrictive covenants, or such other legal mechanism to allow for the long term conservation of said areas. Such legal mechanism shall limit any future land disturbing activity or construction within the environmentally sensitive areas and shall run with the land and be binding upon all successors and assigns of the current owner.
6. The Alternative Environmentally Sensitive Area Plan shall demonstrate that the developer's alternative proposal results in a high quality development meeting the intent of the standards in the Denton Development Code.

C. Information Required

Information as required on the alternative environmentally sensitive areas plan checklist must be provided. Additional information deemed appropriate and necessary to process the application may also be required.

(Amended Ord. No. 2004-059, 03/02/2004)

(Amended Ord. No. 2005-366, 12/06/2005)

(Amended Ord. No. 2018-XXX, XX/XX/2018)

EXHIBIT C

Subchapter 23 – Definitions

35.23.2 Definitions and Terms.

~~**Developed Floodplains:** Any area defined as a floodplain within the FEMA 100-year floodplain. These areas have typically been channelized or the land within these areas has been graded, filled, or otherwise disturbed.~~

Developed Floodplains: Areas within the FEMA 1% Annual Chance Floodplain (a.k.a. 100-year floodplain) for which the natural streams have been redesigned and no longer exhibit characteristics of a natural channel and/or their floodplains have been significantly modified, graded, filled, or otherwise disturbed.

Nuisance: Physical or environmental conditions resulting in regular and/or continuous problems affecting the health, safety, and quality of life of citizens.

~~**Riparian Buffers:** Areas identified as 100 feet from the stream centerline for streams draining a basin of greater than one square mile, and 50 feet from any streams that drain areas of one square mile or less. It also includes any areas identified as riparian through any Army Corps of Engineers Section 404 Permit Process.~~

Riparian Buffers: Areas within 100 feet, measured from both sides of the stream centerline, with drainage areas greater than one square mile, and 50 feet from both sides of any streams centerline that drain areas of one square mile or less. This also applies to the outer edges of surface water bodies.

Streams: Linear geographic features that convey flowing waters. Headwater streams are the uppermost, low-order streams of a watershed and comprise the majority of streams in the United States, both in terms of number and length. Streams can be perennial, intermittent or ephemeral.

Surface Water Body: Term to include streams, ponds, lakes, and freshwater wetlands.

~~**Undeveloped Floodplains:** Areas within the FEMA 100-year floodplain, or other floodplain that is undeveloped and in its natural state.~~

Undeveloped Floodplains: Areas within the FEMA 1% Annual Chance Floodplain (a.k.a. 100-year floodplain), that are undeveloped and in their natural state.

~~**Upland Habitat:** Areas, a minimum of ten acres in size, that contain remnants of the eastern Cross Timbers Habitat.~~

Upland Habitats: Contiguous areas ten acres or larger of Cross Timbers habitat.

Valley Storage: Water storage capacity of a stream and is a volume that is measured below the base flood elevation.

~~**Water Related Habitats:** Areas designated for wetland, tree and understory preservation and including significant stands of predominately native water related habitat. These areas include wetlands.~~

Water Related Habitats: Areas designated as wetlands, and trees and understory vegetation containing 50 percent or more of predominately native bottomland hardwood. Bottomland hardwoods occur on the first terrace of floodplains and flats along channels. Periodic inundation prevents establishment of upland species and maintains the functioning of this type of vegetation.

~~**Wetlands:** Jurisdictional wetlands as defined by the Federal Clean Water Act and the standards and guidelines in use by the United States Army Corps of Engineer, including the Federal Manual for Identifying and Delineating Jurisdictional Wetlands. Those areas that are inundated or saturated by surface or ground water (hydrology) at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation, and are (hydrophytes) typically adapted for life in saturated soil conditions (hydric soils). Wetlands generally include swamps, marshes, bogs, and similar areas.~~

Wetlands: Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Includes adjacent and isolated wetlands.

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MUNICIPAL SOLID WASTE - HIGH LEVEL

July 2021

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See a Glossary of Terms used. (In PDF. Help with PDF.)

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| CITY OF DENTON, CN600358980 | PERMIT - MAJ AMEND | 1590B | DENTON | 07/09/2021 |
| MCMULLEN COUNTY, CN600900955 | PERMIT - MAJ AMEND | 571A | MCMULLEN | 07/09/2021 |
| REPUBLIC WASTE SERVICES OF TEXAS LTD, CN600132534 | PERMIT - NOTICE MOD | 2158 | ECTOR | 07/09/2021 |
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Roadmap to Improving Grid Reliability



July 13, 2021

Dear Governor Abbott, Texas Legislators and Public Utility Commission of Texas Commissioners:

On behalf of the Electric Reliability Council of Texas (ERCOT), I present this “Roadmap to Improving Grid Reliability,” which details a variety of improvements to enhance the reliability and adequacy of the power grid.

In creating this Roadmap, recent legislation, such as Senate Bill 2 and Senate Bill 3, have provided us direction. We are working with the Public Utility Commission to implement Governor Abbott’s directives¹ to ensure the continued reliability of the Texas electric grid. We also gathered ideas from many Texans including customers, city leaders, state leaders, current and former regulators, environmental advocates and market participants to help us identify important improvements.

The employees of ERCOT are committed to using this as a foundation – adding and adjusting as necessary to keep up with regulatory requirements and the needs of a fast-changing electric grid.

Our promise to you and the people of Texas:




- Cooperate and communicate thoughtfully and purposefully through multiple channels.
- Ensure reliability and restore trust and confidence in ERCOT.
- Evaluate technical processes within ERCOT and then innovate through dialog.

On behalf of all the employees at ERCOT, we want you to know we are putting more emphasis on listening and engaging with you, ERCOT customers and market partners. We will successfully implement this Roadmap and do our part to ensure that we continue to provide reliable electric service for all Texans.




Sincerely,

Brad Jones
Interim President & Chief Executive Officer
ERCOT




¹ Letter from Governor Abbott to Public Utility of Texas Commissioners, July 6, 2021.
https://gov.texas.gov/uploads/files/press/SCAN_20210706130409.pdf
Letter from Brad Jones to Governor Abbott, July 8, 2021
http://www.ercot.com/content/wcm/lists/219694/Gov_Abbott_LTR_070821Final.pdf









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| Limited Progress | On Track | Complete |




| | Progress | Action |
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| 1 |  | <p>Work with the Public Utility Commission of Texas (PUC) to implement new laws passed in the 87th Legislative Session. These laws reform the governance of ERCOT and reorganize how the power grid is managed.</p> |
| 2 |  | <p>Complete the analysis of generation outages in February. This will inform future discussions with the PUC and lawmakers. A preliminary analysis is available at www.ercot.com/content/wcm/lists/226521/ERCOT_Winter_Storm_Generator_Outages_By_Cause_Updated_Report_4.27.21.pdf</p> |
| 3 |  | <p>Propose a new market rule requiring generators to report all forced outages and automatically release outage information if there is a grid event. This will allow ERCOT to more quickly communicate about grid conditions.</p> |
| 4 |  | <p>Propose a new market rule for generators to provide operational updates more frequently. This will improve situational awareness for grid operators.</p> |
| 5 |  | <p>Require all market participants who own or operate generation resources and/or transmission/distribution power lines to submit a letter signed by their CEO twice a year attesting that their companies have completed their weatherization preparations to protect the electric grid for the summer and winter respectively.</p> |
| 6 |  | <p>Adopt a more aggressive approach to operating the grid. This will impact outage approval, commitment of resources, conservation alerts and the communication of system risks as well as wholesale prices. ERCOT will work with the PUC to account for reliability impacts and make necessary adjustments to ensure proper price formation.</p> |
| 7 |  | <p>Revise market processes to continuously run planning assessments needed to bring resources back online in anticipation of tight grid conditions. This will allow grid operators to better coordinate generation outages.</p> |
| 8 |  | <p>Perform 30+ on-site power plant spot-checks to ensure they are following their weatherization plan in preparation for the hot Texas summer. We previously only performed these types of checks in advance of the winter season. ERCOT does not own or operate any power plants.</p> |

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| 9 |  | Improve the assessment and communication of extreme low-probability, high-impact weather scenarios, including temperatures, durations, precipitation, humidity, and wind. Propose updated methodologies for the Seasonal Assessment of Resource Adequacy (SARA) for the ERCOT Region and other resource adequacy studies. This will improve public awareness about the potential high impacts of low-probability severe situations. |
| 10 |  | Assign a senior staff member to staff the State Operations Center as needed. This will improve the working relationship with state agencies during major events. |
| 11 |  | Review energy delivery procedures for controlled outages in the event an energy emergency occurs. This will improve coordination and emergency response. |
| 12 |  | Improve government agency alignment through responsiveness to the PUC and a partnership with the Texas Division of Emergency Management, Railroad Commission of Texas Energy Reliability Council, and others, including exchange of ideas, improved communications, and training. |
| 13 |  | Create a Texas Municipal Officers ERCOT Advisory Board that will increase dialogue and create communications channels with counties, cities and other political subdivisions such as water districts, for the benefit of Texas residents. |
| 14 |  | Revise market protocols so that firm load shed (when utilities reduce power on the electric system) is accounted for in market scarcity pricing signals. This will align pricing with operational conditions. |
| 15 |  | Revise market protocols to limit ancillary services prices to the System-Wide Offer Cap. This makes the ERCOT market more predictable and stable for market participants, creating a better market for customers. |
| 16 |  | Improve and expand toolsets to manage short-supply situations. This includes facilitating additional voluntary load reductions and procuring additional ancillary or reliability services from resources with unique capabilities to operate during extreme weather conditions. |









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| 17 |  | <p>Establish a new Vice President of Corporate Strategy and PUC Relations role. This will ensure a strong working relationship with the PUC as we vigorously participate in their processes to improve ERCOT.</p> |
| 18 |  | <p>Initiate a process, both at ERCOT and the PUC, to address the Lower Rio Grande Valley transmission limitations, up to and including the construction of new transmission capacity. This will provide increased market access for resources in the Valley, improving reliability for customers during both normal conditions and high-risk winter events.</p> |
| 19 |  | <p>Eliminate barriers to distributed generation, energy storage, and demand response/ flexibility to allow more resources to participate in the ERCOT market while also maintaining adequate reliability.</p> |
| 20 |  | <p>Expand the Transmission Process to include items such as transmission over longer distances with low inertia, a technical term to describe complex transmission challenges.</p> |
| 21 |  | <p>Add short-term solar forecasts into existing models as solar power expands in Texas. This will improve reliability and help lower costs.</p> |
| 22 |  | <p>Launch an initiative to identify when ERCOT forecasts have high variability and consider whether additional reserves need to be procured during that period. This will help limit operational risks.</p> |
| 23 |  | <p>Integrate the majority of Lubbock Power & Light customers into the Texas grid – the largest single transfer of customers in ERCOT’s history. The new substations and transmission lines enabling this change also increase the available transmission capacity for generation resources in the Panhandle region.</p> |
| 24 |  | <p>Test large industrial customers who are paid to reduce their power during an emergency. These resources help preserve system reliability and it is important to test them to ensure performance.</p> |

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| 25 |  | Create new financial trend dashboards to more effectively monitor and report on items including collateral total potential exposure and excess collateral. |
| 26 |  | Perform unannounced testing to validate maximum sustained energy production from generators. This verifies information that generation owners have provided. |
| 27 |  | Review reliability of current and projected resource mix and evaluate market changes to incentivize sufficient dispatchable resources. |
| 28 |  | Biannually test end-to-end grid and market communications to verify energy emergency communications status flows from the control room to the public. This helps ensure the public will immediately know if an energy emergency occurs. |
| 29 |  | Host virtual pre-summer communications meeting with PUC and market participants and distribute summer 2021 communications manual. This will help market participant communicators prepare for the hot summer months. Repeat process in advance of winter. |
| 30 |  | Develop a long-term remote work policy focused on flexibility and employee choice for jobs that are not required to be onsite. |
| 31 |  | Continue active participation in Real Time Operations Subcommittee (NERC) meeting with other grid operators. This helps ensure best practices are used. |
| 32 |  | Conduct a study of credit best practices to reduce the risk of future under collateralization while avoiding uneconomic barriers to entry. |
| 33 |  | Educate public and news media about energy emergencies and operational notices. Review and update existing communication practices around “conservation alerts” to minimize false alarms and public fatigue. This will help ensure familiarity with grid operations. |

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| 34 |  | Identify preferred channels of communication for each of ERCOT’s audiences including government, market participants, and customers – including Spanish language communications. Re-write external communications materials to eliminate industry jargon. This will make ERCOT communications easier to understand and reach a broader audience. |
| 35 |  | Initiate a Listening & Education Tour to hear the perspectives of various communities and provide information about how the grid operates. |
| 36 |  | Ensure the Technical Advisory Committee is comprised of senior-level members from each member organization to promote timely decision-making. |
| 37 |  | Promote and endorse PUC actions to begin work on Black Start Plan improvements. While all the work of this plan is designed to prevent the need for a Black Start process, it is incumbent on responsible grid managers to invest appropriately to minimize the length of the process if it is ever needed. This will protect Texans and the Texas economy in the case of the one-in-a-million event. |
| 38 |  | Review and improve the employee retention plan. |
| 39 |  | Establish a procedure for DOE exemption requests, similar to the Texas Commission on Environmental Quality to avoid delay/uncertainty. |
| 40 |  | Meet with market participants to understand their objectives and priorities; develop an understanding of their pain points and areas for improvement from ERCOT that they believe will help alleviate those challenges. |
| 41 |  | Conduct technology platform reviews and best practices, both inside and outside the grid operations industry. ERCOT is refreshing technology and platforms for the majority of services for 2022-2027. This will improve reliability and operations. |
| 42 |  | Conduct regular review of cyber security plans and defenses to ensure continued electric reliability. |

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| 43 |  | Evaluate ERCOT, Inc. finances and priorities. <ul style="list-style-type: none"> – Address financial ratings agencies’ concerns. – Secure Board / PUC approval of 2022-2023 biennial budget. |
| 44 |  | Identify and implement new processes to keep market participant communicators informed during a grid event. This will ensure timely and accurate information. |
| 45 |  | Work with Transmission and Distribution Service Providers and customers to expand AMS meter implementation to improve timeliness of accurate meter data for settlements, credit calculations, and load management. |
| 46 |  | Evaluate embedding Transmission and Distribution representatives at ERCOT if multi-day emergencies occur. |
| 47 |  | Review weatherization and emergency operation plans for generation resources. Provide information, technical expertise and analysis to the PUC in support of rulemaking and implementation. |
| 48 |  | Conduct a study to understand key future business drivers such as the integration of battery storage and distributed generation resources. |
| 49 |  | Conduct a comprehensive review of ERCOT communications practices and policies, as well as an in-depth review of crisis communications performance during February 2021 event. |
| 50 |  | Conduct a study to gauge the impact of varying levels of wind and solar penetration, including the impact of energy storage and dispatchable energy, as well as revenue adequacy for each of these levels. |
| 51 |  | Evaluate the adequacy of ancillary services products and quantities to be procured. This helps ensure reliability. |

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| 52 | <div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="margin-right: 10px;"></div> <div>Assess and develop a plan to improve the accuracy of generation reporting to ERCOT. Determine whether resource adequacy trips resulted from low frequency require changes to market operations. Review load resource programs and evaluate effectiveness.</div> </div> |
| 53 | <div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="margin-right: 10px;"></div> <div>Improve system planning, including localized and regional significant growth patterns. This will improve the range of conditions considered in planning studies.</div> </div> |
| 54 | <div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="margin-right: 10px;"></div> <div>Improve load forecasts in emergency conditions and evaluate accuracy of past predictions. This will help improve reliability.</div> </div> |
| 55 | <div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="margin-right: 10px;"></div> <div>Deploy new website dashboards and processes to streamline media responses to improve ERCOT communications to the public.</div> </div> |
| 56 | <div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="margin-right: 10px;"></div> <div>Evaluate market incentives to improve fuel security.</div> </div> |
| 57 | <div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="margin-right: 10px;"></div> <div>Consider on-site fuel supply including contracts with remote secured supplies.</div> </div> |
| 58 | <div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="margin-right: 10px;"></div> <div>Evaluate requiring inverter-based resources – such as wind and solar generators – to provide additional reliability attributes such as grid-forming capability to protect Texans in the most dangerous grid conditions.</div> </div> |
| 59 | <div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="margin-right: 10px;"></div> <div>Assess the potential costs and benefits of increased transmission both internal and external to ERCOT and increase coordination with other power regions.</div> </div> |
| 60 | <div style="display: flex; align-items: center; margin-bottom: 10px;"> <div style="margin-right: 10px;"></div> <div>Fill the vacant executive leadership position in Corporate Communications. This will help improve ERCOT communications.</div> </div> |



GOVERNOR GREG ABBOTT

July 6, 2021

Chairman Peter Lake
Commissioner Will McAdams
Commissioner Lori Cobos
Public Utility Commission of Texas
P.O. Box 13326
Austin, Texas 78711-3326

Dear Commissioners:

Maintaining the reliability of the Texas electric grid is essential for all Texans and must remain your top priority as members of the Public Utility Commission. During the recently completed 2021 legislative session, the Texas legislature passed multiple bills that improve electric reliability. Those laws substantially reform the Electric Reliability Council of Texas (ERCOT); mandate weatherizing our electric system; bolster the power grid integrity; and impose greater mandates for the Public Utility Commission, among other items.

While these laws significantly reform Texas' energy and electric power market, more can be done to increase power generation capacity and to ensure the reliability of the Texas power grid. To achieve those goals, I am directing the Public Utility Commission of Texas (PUC) to immediately take the following actions:

- **Streamline incentives within the ERCOT market to foster the development and maintenance of adequate and reliable sources of power, like natural gas, coal, and nuclear power.** The PUC has the ability to redesign segments of the market to incentivize and maintain the reliable electric generating plants our state needs. Those incentives must be directed toward the types of electric generators we need for reliability purposes. The goal of this strategy is to ensure that Texas has additional and more reliable power generation capacity.
- **Allocate reliability costs to generation resources that cannot guarantee their own availability, such as wind or solar power.** Electric generators are expected to provide enough power to meet the needs of all Texans. When they fail to do so, those generators should shoulder the costs of that failure. Failing to do so creates an uneven playing field between non-renewable and renewable energy generators and creates uncertainty of

Chairman Peter Lake
Commissioner Will McAdams
Commissioner Lori Cobos
July 6, 2021
Page 2

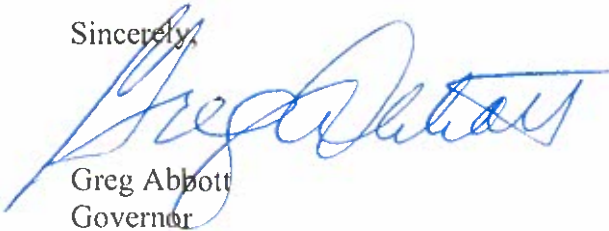
available generation in ERCOT. To maintain sufficient power generation—especially during times of high demand—we must ensure that all power generators can provide a minimum amount of power at any given time.

- **Instruct ERCOT to establish a maintenance schedule for natural gas, coal, nuclear, and other non-renewable electricity generators to ensure that there is always an adequate supply of power on the grid to maintain reliable electric service for all Texans.** Regular maintenance of our natural gas, coal, and nuclear plants must be strategically scheduled to prevent too many generation plants from being offline at the same time. This will help prevent an artificial shortage of power.
- **Order ERCOT to accelerate the development of transmission projects that increase connectivity between existing or new dispatchable generation plants and areas of need.** Dispatchable generation, such as natural gas, coal, and nuclear power plants, are essential for the reliability and stability of the electric grid because they can be scheduled to provide power to the grid at any time. We must ensure that, at any point in time, ERCOT is utilizing non-renewable electricity in sufficient amounts to maintain reliable power throughout our state.

The objective of these directives is to ensure that all Texans have access to reliable, safe, and affordable power, and that this task is achieved in the quickest possible way. Taking the actions outlined above will help achieve that goal as well as ensure that there is sufficient electric generation to meet the needs of the state's growing population and booming economy. These immediate actions are in addition to any proposed changes resulting from the 87th regular legislative session, your workgroups, and the forthcoming Texas Energy Reliability Council.

Through clear communication, transparency, and implementation of these critical changes, the PUC and ERCOT can regain the public's trust, restore ERCOT's status as a leader in innovation and reliability, and ensure Texans have the reliable electric power they expect and deserve.

Sincerely,



Greg Abbott
Governor

GA:gpk

ERCOT unveils Roadmap to Improving Grid Reliability

 ercot.com/news/releases/show/235111

July 13, 2021

Comprehensive operations changes already underway

AUSTIN, TX, July 13, 2021 – The Electric Reliability Council of Texas (ERCOT) has delivered the "Roadmap to Improving Grid Reliability" to Governor Greg Abbott, members of the Texas Legislature and the Public Utility Commission (PUC). The Roadmap is a comprehensive plan that addresses operational improvements to the Texas power grid, including important legislative changes, objectives outlined in the Governor's letter issued July 6 and other reforms.

"Change is required for ERCOT to continue to reliably serve the millions of customers and businesses that depend on us," said ERCOT Interim President and CEO Brad Jones. "We have extensively reviewed our processes to better serve Texans and will continue to work very closely with the PUC to ensure we're aligned in these efforts. These changes will benefit all Texans and support continued economic growth for the state of Texas."

The [60-item Roadmap is available on ERCOT.com](#) and will be updated regularly through the end of the year.

"ERCOT's Roadmap puts a clear focus on protecting customers while also ensuring that Texas maintains free market incentives to bring new generation to the state," said PUC Chairman and ERCOT Board Member Peter Lake. "Texans deserve a more reliable grid, and we're aggressively moving to make that a reality."

The roadmap includes both existing and new initiatives, including:

- **Taking a more aggressive operating approach.** ERCOT is bringing more generation online sooner if it is needed to balance supply and demand. The grid operator is also purchasing more reserve power, especially on days when the weather forecast is uncertain.
- **Requiring CEO certifications.** After a rule change, all market participants who own or operate generation resources and/or transmission/distribution power lines will be required to submit a letter signed by their CEO twice a year certifying their companies have completed their weatherization preparations to protect the electric grid for the summer and winter seasons.
- **Adding new requirements for generation owners.** ERCOT is proposing a new market rule that requires generators to provide operational updates more frequently.
- **Assessing on-site fuel supplies.** ERCOT is reviewing the need for on-site fuel supplies for some generators.

- **Performing unannounced testing of generation resources.** This testing helps verify that generators have provided accurate information about their availability.
- **Addressing transmission constraints in Rio Grande Valley.** ERCOT and the PUC are initiating a process to address RGV transmission limitations and provide increased market access for resources in the Valley. This will improve reliability for customers during normal conditions and high-risk weather events.

In developing the Roadmap, Jones and the ERCOT team worked with the PUC, customers, former regulators, retired industry executives, environmental advocates and market participants to ensure all areas for improvement were considered and included.

-end-

The Electric Reliability Council of Texas (ERCOT) manages the flow of electric power to more than 26 million Texas customers -- representing about 90 percent of the state's electric load. As the independent system operator for the region, ERCOT schedules power on an electric grid that connects more than 46,500 miles of transmission lines and 710+ generation units. It also performs financial settlement for the competitive wholesale bulk-power market and administers retail switching for nearly 8 million premises in competitive choice areas.

ERCOT is a membership-based 501(c)(4) nonprofit corporation, governed by a board of directors and subject to oversight by the Public Utility Commission of Texas and the Texas Legislature. Its members include consumers, cooperatives, generators, power marketers, retail electric providers, investor-owned electric utilities, transmission and distribution providers and municipally owned electric utilities.

Contact

media@ercot.com

512-275-7432

Active Construction Contracts Managed by the Capital Projects/Engineering Department

| Project Name | Vendor | Contract Amount | Project Manager | Contract Days | Construction Notice to Proceed Date | Projected Completion (Quarter/Calendar Year) | Schedule |
|--|---|------------------------|------------------------|----------------------|--|---|-------------------|
| 2019 Street Bundle | QUALITY EXCAVATION LTD | \$ 11,902,878.28 | Dusty Draper | 864 days | 3/16/2020 | Q2/2022 | Ahead of Schedule |
| Hickory Creek Phase 1 (East) Project | MCMAHON CONTRACTING | \$ 1,514,708.29 | Dusty Draper | 365 days | 9/1/2020 | Q3/2021 | Ahead of Schedule |
| 2019 Intersection Improvements Project | QUALITY EXCAVATION LTD | \$ 1,809,570.63 | Dusty Draper | 141 days | 4/1/2021 | Q3/2021 | On Schedule |
| 2020 Street Bundle - Sector 2 | JAGOE PUBLIC COMPANY | \$ 4,804,458.00 | Kyle Pedigo | 365 days | 7/26/2021 | Q3/2022 | On Schedule |
| Allred and John Paine Rd Water Main | WILSON CONTRACTOR SERVICES LLC | \$ 5,275,366.64 | Tracy Beck | 300 Days | 9/12/2017 | Q3/18 | On Schedule |
| Bonnie Brae Phase 2 - Vintage | PAVECON PUBLIC WORKS | \$ 12,449,958.25 | Seth Garcia | 596 days | 1/6/2020 | Q4/2021 | On Schedule |
| Development Service Center Parking Lot | MSB CONSTRUCTORS INC | \$ 992,830.09 | Trevor Crain | 235 days | 12/7/2020 | Completed Q3/21 | On Schedule |
| Downtown Storm Sewer | QUALITY EXCAVATION LTD | \$ 1,160,224.00 | Kyle Pedigo | 288 days | 12/14/2020 | Q3/2021 | On Schedule |
| Hickory Creek Interceptor Phase I & II Project | MOUNTAIN CASCADE OF TEXAS LLC | \$ 7,175,985.00 | Tracy Beck | 365 Days | 8/2/2021 | Q3/22 | On Schedule |
| Hickory Creek West Road Widening | JAGOE PUBLIC CO | \$ 5,320,870.00 | Dusty Draper | 720 days | 1/9/2020 | Q1/2022 | On Schedule |
| IH-35 Water Lines (US 380 and Scripture) | JOHN BURNS CONSTRUCTION CO OF TEXAS INC | \$ 1,942,870.13 | Tracy Beck | 180 Days | 3/31/2021 | Q1/22 | On Schedule |
| Mayhill Road Widening | ZACHRY CONSTRUCTION CORPORATION | \$ 37,436,131.77 | Tracy Beck | 930 Days | 9/5/2017 | Q2/20 | On Schedule |
| McKinney Street Phase II | JAGOE PUBLIC CO | \$ 10,854,202.23 | Dusty Draper | 1139 days | 12/9/2019 | Q1/2022 | On Schedule |
| McKinney Street-Mayhill Intersection | JAGOE PUBLIC CO | \$ 4,391,631.04 | Dusty Draper | 365 days | 10/12/2020 | Q4/2021 | On Schedule |
| NS Water Main Construction - Phase II | THALLE CONSTRUCTION CO INC | \$ 7,944,136.98 | Robin Davis | 526 Days | 4/1/2019 | Completed Q2/2022 | On Schedule |
| PEC 4 Phases 1 & 2 | JAGOE PUBLIC CO | \$ 11,301,923.44 | Seth Garcia | 770 days | 7/1/2019 | Q4/2021 | On Schedule |
| Street Reconstruction Bond Residential Streets Phase 1 | SEMA CONSTRUCTION INC | \$ 1,796,641.50 | Kyle Pedigo | 180 days | 6/14/2021 | Q4/2021 | On Schedule |
| Street Reconstruction Bond Residential Streets Phase 2 | SEMA CONSTRUCTION INC | \$ 1,548,247.25 | Kyle Pedigo | 180 days | 7/5/2021 | Q4/2021 | On Schedule |
| Street Rehabilitation Bundle | RELIABLE PAVING INC | \$ 10,933,808.55 | Dusty Draper | 600 days | 5/10/2021 | Q4/2022 | On Schedule |
| Tender Agreement for North-South Water Main Phase 3 | MOUNTAIN CASCADE OF TEXAS LLC | \$ 3,963,902.04 | Robin Davis | 260 Days | 7/12/2021 | Q2/2022 | On Schedule |
| West Hickory Improvements | 2L CONSTRUCTION LLC | \$ 1,862,393.50 | Kyle Pedigo | 334 days | 10/5/2020 | Q3/2021 | On Schedule |
| Bonnie Brae Phase 1 | RAGLE INC | \$ 12,642,959.34 | Seth Garcia | 730 days | 7/12/2017 | Q1/2021 | Behind Schedule |

ORDINANCE NO. DCA18-0009u

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, APPROVING A CITY-WIDE REZONING, TO COINCIDE WITH ZONING REGULATIONS ADOPTED UNDER THE NEWLY REVISED DENTON DEVELOPMENT CODE; ESTABLISHING A PENALTY IN THE MAXIMUM AMOUNT OF \$2000.00 FOR VIOLATIONS THEREOF; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE. (DCA18-0009)

WHEREAS, pursuant to Ordinance No. 2002-040, the City Council of the City of Denton, Texas adopted the Denton Development Code, which coincided with a city-wide rezoning consistent with its new regulations; and

WHEREAS, the newly revised Denton Development Code, approved by Ordinance No. DCA18-0009q, established new zoning districts, thereby necessitating the modification of all existing zoning districts within the Denton city limits, as well as the initial assignment of zoning for previously unzoned property lying within the Denton city limits on the Official Zoning Map of the City, consistent with the revised Denton Development Code; and

WHEREAS, on April 10, 2019, the Planning and Zoning Commission, held a public hearing and recommended approval 7-0 of a draft Zoning Map and Zoning District Transition Chart, specifying the initial zoning assignments and changes herein considered; and

WHEREAS, on April 23, 2019, the City Council opened and continued a public hearing in accordance with local and state law, heard testimony, and unanimously voted to continue the public hearing to August 6, 2019; and,

WHEREAS, on August 6, 2019, the City Council continued the public hearing for the draft Zoning Map to September 17, 2019; and

WHEREAS, the City Council of the City of Denton finds that the change in the zoning districts and use classification is consistent with the Denton Plan, the 2019 Denton Development Code, and federal, state, and local law and is in the best interests of the health, safety, morals, and general welfare of the City of Denton and its citizens; and

WHEREAS, the City Council of the City of Denton finds that the change in the zoning districts and classifications should be granted as set forth herein; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this Ordinance are incorporated herein by reference and found to be true.

SECTION 2. Effective October 1, 2019, and subject to the enumerated exceptions listed below, the zoning districts and use classifications of properties within the city limits of Denton, Texas are hereby amended to reflect the changes and initial zonings specified in the Amended Zoning District Transition Chart, attached hereto, and fully incorporated herein by reference as Exhibit A.

1. Those properties previously rezoned to 2019 zoning districts through City-initiated rezoning on June 11, 2019 and July 23, 2019 will retain the zoning classifications therein determined, and their zoning is not altered by this Ordinance or the Amended Zoning District Transition Chart in Exhibit A.

2. Those properties previously designated under prior development codes as Master Planned Communities (MPCs), including Cole Ranch, Hunter Ranch, and Hills of Denton MPCs, shall retain the zoning and development regulations established by their respective MPC ordinances, specifically including those regulations incorporated (or excepted) from prior development codes or ordinances as they existed on the date of approval for each MPC approval ordinance and amendment.

3. Those properties previously zoned under prior zoning and development codes as Planned Development Districts (PDs), including PD-2, PD-111, PD-115, PD-120, PD-132, PD-138, PD-139, PD-142, PD-170, PD-172, PD-173, PD-174, PD-176, PD-187, and PD-191, shall retain the currently valid zoning and development regulations established by their respective PD ordinances, specifically including those regulations incorporated (or excepted) from prior development codes or ordinances as they existed on the date of approval for each PD approval ordinance and amendment. Notwithstanding this exception for existing regulations, it is the intent that all future amendments to areas currently defined as PD districts shall follow the procedures and amendatory regulations in existence at the time of such future amendments, to the extent authorized by law.

4. The Rayzor Ranch Overlay District (RROD) shall retain the zoning and development regulations established by its respective approval and amendatory ordinances, specifically including those regulations incorporated (or excepted) from prior development codes or ordinances as they existed on the date of each approval ordinance and amendment. Notwithstanding this exception for existing regulations, it is the intent that all future amendments to the RROD shall follow the procedures and amendatory regulations in existence at the time of such future amendments, to the extent authorized by law.

SECTION 3. Effective October 1, 2019, the City's Official Zoning Map shall be amended to reflect the changes and initial assignments of zoning districts and use classifications herein established.

SECTION 4. Any person, firm, partnership or corporation violating any provision of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by fine in a sum not exceeding \$2,000.00 for each offense. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 5. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

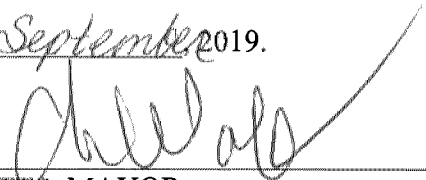
SECTION 6. That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Denton Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 7. In compliance with Section 2.09(c) of the Denton Charter, this Ordinance shall take effect on October 1, 2019, which is a date fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record-Chronicle, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

The motion to approve this ordinance was made by JOHN RYAN and seconded by JESSE DAVIS; the ordinance was passed and approved by the following vote [7 - 0]:

| | Aye | Nay | Abstain | Absent |
|---------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Mayor Chris Watts: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Gerard Hudspeth, District 1: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Keely G. Briggs, District 2: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jesse Davis, District 3: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| John Ryan, District 4: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Deb Armintor, At Large Place 5: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Paul Meltzer, At Large Place 6: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

PASSED AND APPROVED this, the 17th day of September 2019.



 CHRIS WATTS, MAYOR

ATTEST:
 ROSA RIOS, CITY SECRETARY

BY: 

APPROVED AS TO LEGAL FORM:
 AARON LEAL, CITY ATTORNEY



BY: /s/Jerry E. Drake, Jr.

EXHIBIT A

Amended Zoning District Transition Chart

| Future Land Use Designations | Current Zoning Districts | Proposed Zoning Districts |
|---|---|---|
| Rural Areas | A, RD-5, RC, (including previously un-zoned parcels designated for reference as RD-5X) | RR |
| Residential - Low Density (up to 4 dwelling units per acre) | NR-1 | R1 |
| | NR-2 | R2 |
| | NR-3 | R3 |
| Residential – Moderate Density (4 – 12 dwelling units per acre) | NR-4 | R4 |
| | NR-6 | R6 |
| Downtown Compatibility Area | DR-1, NRMU-12, MF-1 | R7 |
| Downtown Denton | DC-N, DC-G | MD – within DTIP MN – outside DTIP |
| Regional Mixed Use | RCC-N, RCC-D | MR |
| Community Mixed Use | Various | Various |
| Neighborhood Mixed Use | DR-2, RCR-1, RCR-2, NRMU | MN |
| Business Innovation | EC-C | GO |
| | EC-I, IC-E | LI |
| Neighborhood/University Compatibility Area | Various | Various |
| Commercial | CM-G, CM-E | SC – along arterials HC – along I-35 |
| | | |
| Government/Institutional | Publicly Owned Properties (e.g., City of Denton, TWU, UNT, DISD, state, and federal properties) | PF |
| Industrial Commerce | IC-G | HI |
| Various | PD | PD |
| Various | Properties zoned or rezoned with conditions | PD, with the underlying regulations and standards governed by the 2019 Development Code |
| Various | MPC | MPC |
| Various | Municipal Airport Overlay, Fry Street Overlay, and Unicorn Lake Overlay | Overlay Districts, with the underlying regulations and standards governed by the 2019 Development Code |

DENTON CODE 2030 – ZONING MAP

Denton Code 2030 is the City’s ongoing effort to update, revise, and rewrite the Denton Development Code (DDC). The DDC sets the requirements for what, where, and how much can be built in Denton. With the recent adoption of the City’s comprehensive plan, Denton Plan 2030, now is the perfect time to work to align our development regulations with the vision, goals, and policies approved by the City Council. The update to the DDC will address a variety of issues raised in Denton Plan 2030, including updated design standards that address the layout, look, and feel of both new development and redevelopment.



The primary objectives are:

- Improve the efficiency of the development review process
- Remove unnecessary barriers to infill and redevelopment
- Enhance the user experience by reorganizing and reformatting the DDC
- Protect historic and established neighborhoods
- Create a more predictable code and processes for developers and stakeholders

A new lineup of **zoning districts** is also being proposed, which consolidates, renames, eliminates, and creates new districts. An updated **zoning map** reflecting these districts will be proposed with the revised DDC. While you may find yourself in a new zoning district, the current policies affecting single-family neighborhoods will not substantially change.

WE WANT TO HEAR FROM YOU!

We invite you to join us at one or more of our public open house events where you can learn more about the DDC and proposed zoning map, speak with City staff, and provide invaluable feedback.

MONDAY, APRIL 23
6 to 8 p.m.
Fred Moore High School
815 Cross Timber St.

THURSDAY, APRIL 26
6 to 8 p.m.
LaGrone Advanced Technology Complex
1504 Long Rd.

WEDNESDAY, MAY 2
8 a.m. to 5 p.m.
Development Services Center
215 W. Hickory St.

THURSDAY, MAY 3
8 a.m. to 5 p.m.
Development Services Center
215 W. Hickory St.

MONDAY, MAY 7
6 to 8 p.m.
Embassy Suites by Hilton
Denton Convention Center
3100 Town Center Trl.

THURSDAY, MAY 10
6 to 8 p.m.
Sam Houston Elementary
3100 Teasley Ln.

SATURDAY, MAY 12
9 a.m. to noon
Denton Civic Center
321 E. McKinney St.

Visit www.dentoncode2030.com
to learn more about the
DDC update, including
the proposed
zoning districts.



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To learn more about the DDC update, including the proposed zoning districts, visit www.dentoncode2030.com.

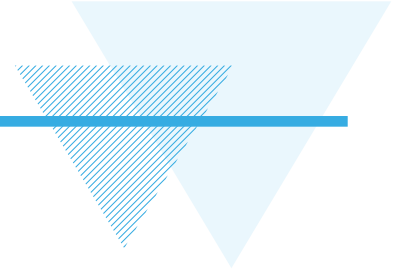


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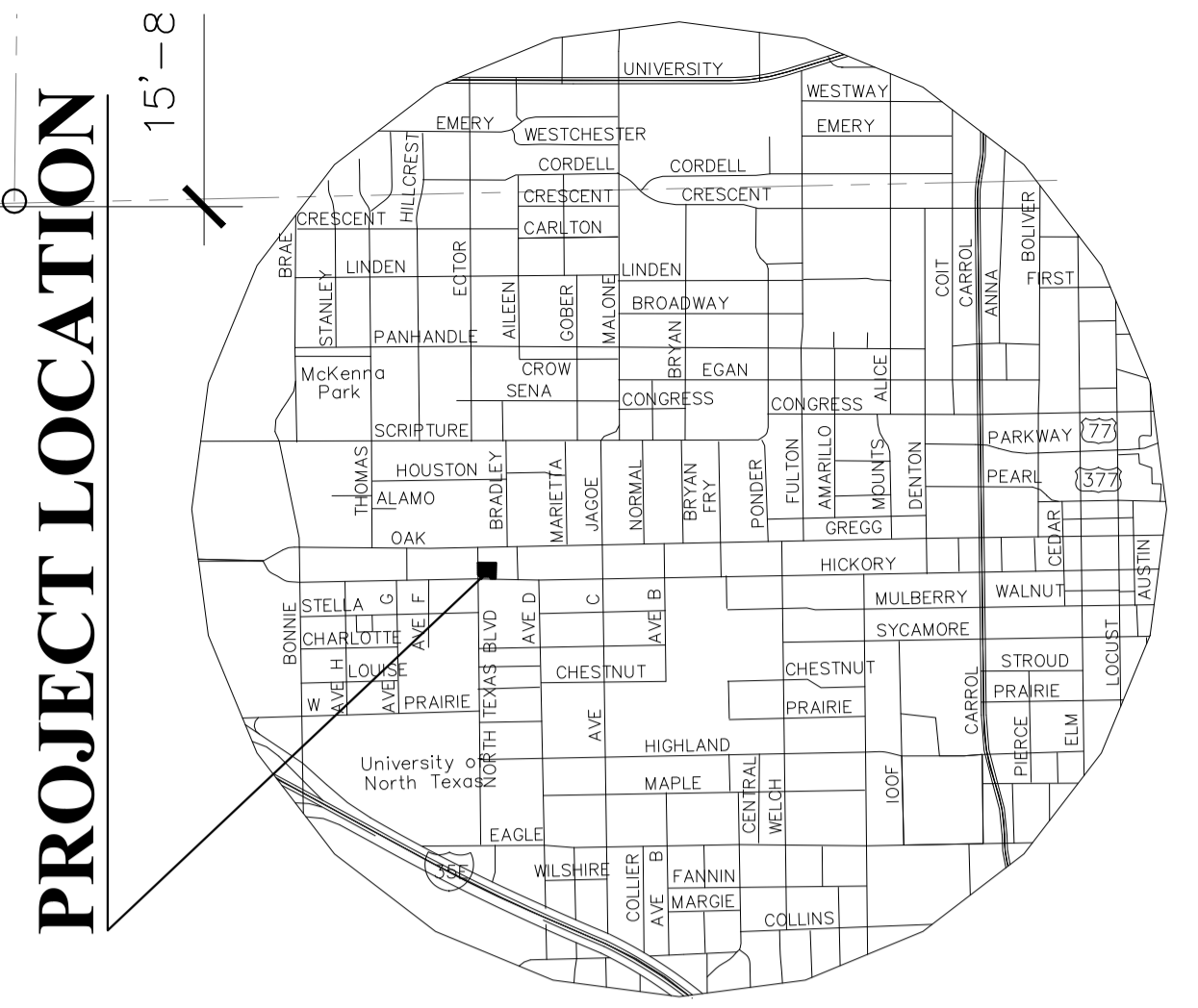
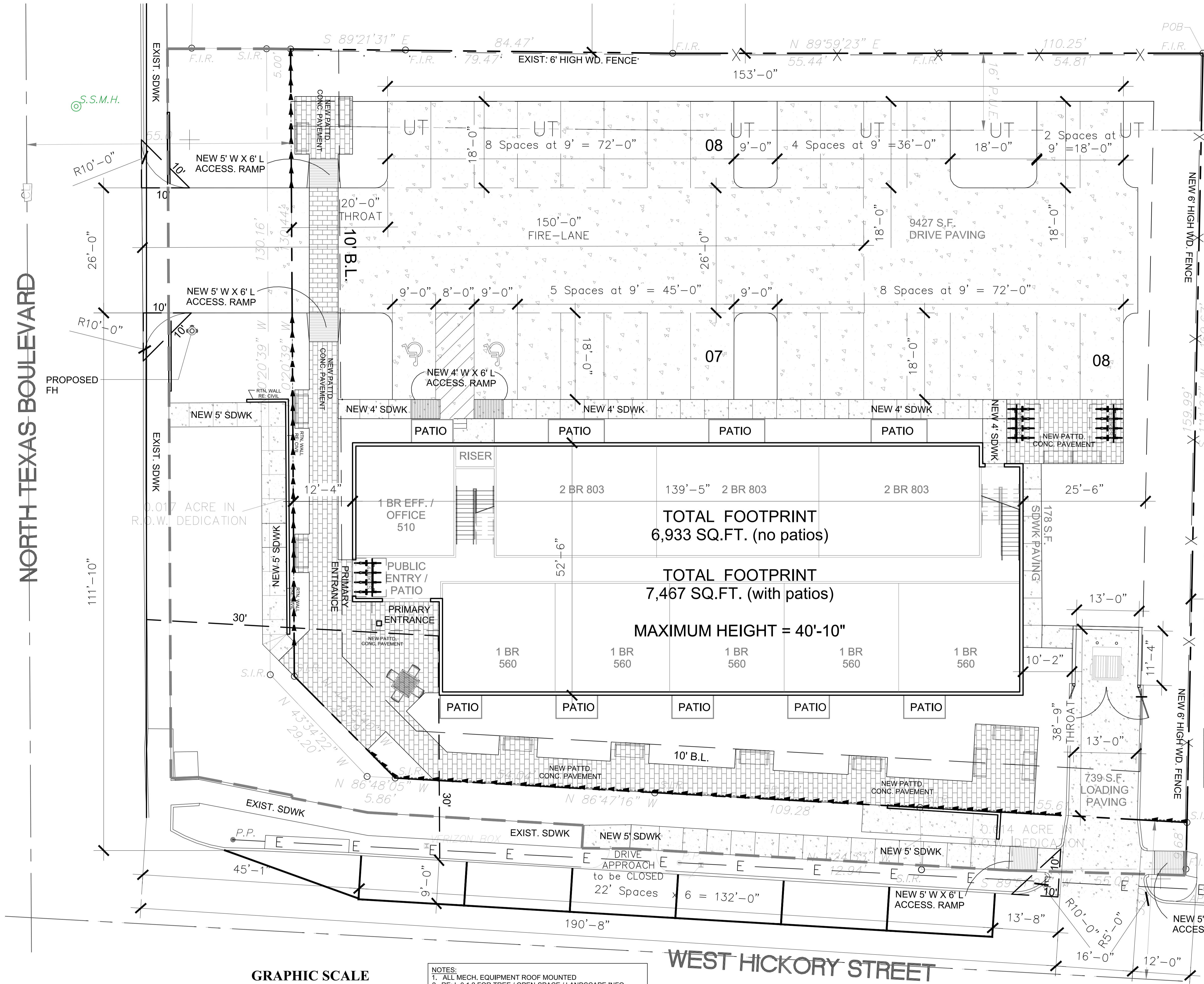
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Visit www.dentoncode2030.com
to get information about the
different components of the DDC
and how they are changing.



Development Services Center
215 W. Hickory St.
Denton, Texas 76201

NORTH TEXAS BOULEVARD



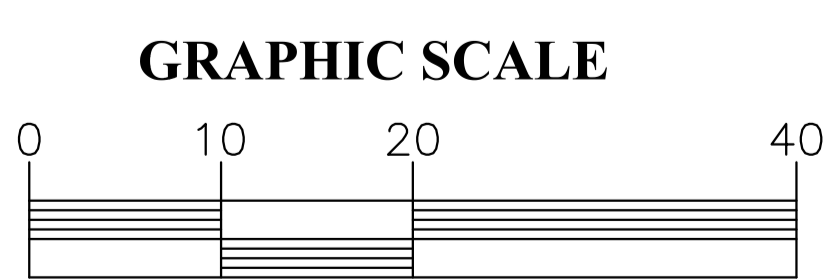
VICINITY MAP
SCALE 1" = 2000'

KARENE RUSSELL NEIL
TO
KERN + 3, LLC.
DOC #2011-16895
R.P.R.D.C.T.

| Item | Required | Provided |
|--|--|-----------------------------------|
| General Site Data | | |
| Lot Area (square feet & acres) | 2,500 | 0.064 AC / 20.23 sq. ft. |
| Building Footprint Area (square feet) | NA | 7,467 (includes Patios) |
| Total Building Area (square feet) | NA | 22,247 (includes Patios) |
| Total Height (feet - distance to tallest building element and number of stories) | 65 max | 3 stories, < 41' |
| Building Coverage (percent - x.xx%) | 76% Max | 72.06% |
| Development Impact Area (square feet) | NA | 84,927 |
| Multifamily Units | | |
| # of efficiency or 1 bedroom/Minimum unit size | Min. 500 sq ft. Allowed | 19 (810 sq ft. is permitted) |
| # of 2 bedrooms/Minimum unit size | NA | 9 (803 sq ft. is permitted) |
| # of 3 bedrooms/Minimum unit size | NA | 0 |
| # of 4 bedrooms/Minimum unit size | NA | 0 |
| Total Unit Count | NA | 27 Apartments / 27 Dwelling Units |
| Parking | | |
| Parking Ratio (from Denton Development Code) | 1.25 Per 1 BR, 2 Per 2 BR | *See Alternative Notes below |
| Provided Parking (# spaces) | 49 Required / 50 w Reduction | 50* |
| Accessible Parking Provided (# spaces) | 2 | 2 |
| Bicycle Spaces Provided (# spaces) | 2 | 12* |
| Parking in Excess of 125% of required parking (# spaces) | NA | NA |
| Landscape Area | | |
| Open Space (square feet and x.xx%) | 6% 2,418 sq. ft. | 0.4% 2,044 sq. ft. |
| Landscape Area (square feet and x.xx%) | 20% 6,085 sq. ft. | 33.0% 11,225 sq. ft. |
| Tree Canopy (square feet and x.xx%) | 47% 13,271 sq. ft. | 41.8% 14,584 sq. ft. |
| Permeable Area | | |
| Permeable Pavement (square feet) | Note: Permeable pavers not used. "Open Space" calculation does not overlap Landscape calculation | NA |
| Other Permeable Area within the lot not including landscaping | | NA |
| Impervious Area | | |
| Building Footprint Area (square feet) | | 7,467 (includes Patios) |
| Area of Sidewalks, Pavement & other Impervious Flatwork (square feet) | | 11,936 |
| Total Impervious Area | | 22,247 |

| DDC SECTION | PARKING ALTERNATIVES |
|-------------|--|
| 7.3.5.0 | Proximity to Public Transit - Max Reduction allowed 10% = 45 x 10 = 4.5 = 5 spaces allowed for reduction |
| 7.3.5.4 | 80sq ft = Max Reduction allowed 5% = 45 x 20 = 2.25 = 2 bike spaces are required above the minimum requirement stated in 7.3.8. |
| 7.3.4.4.4.5 | Tree Preservation Reduction: 1 Parking Space reduced for every 12 dbh preserved, 30.1 / 12 = 3.09 = 3 spaces allowed for reduction |
| | Total = 10 Total spaces allowed for reduction |

| LEGEND | |
|--|---|
| D.I.A. LIMIT | NEW CONC. PAVEMENT AT SIDEWALK / DRIVES / PARKING |
| (UTILITY) SAN. SEWER EASEMENT | NEW PATTERNED CONC. PAVEMENT AT OPEN SPACE |
| 10' BLDG. / LANDSCAPE SETBACK | BARRIER FREE RAMPS |
| PROPERTY LINE | |
| ELECTRIC LINE ABOVE | |
| EXISTING 6" WOOD FENCE (NORTH) | |
| NEW 6" WOOD FENCE (EAST) | |
| 4" HIGH WROUGHT IRON FENCE WITH BOSTON IVY VINES EVERY 10' | |



NOTES:
 1. ALL MECH. EQUIPMENT ROOF MOUNTED
 2. RE: L-0.1.2 FOR TREE / OPEN-SPACE / LANDSCAPE INFO.
 3. RE: CIVIL DRAWINGS FOR ADDITIONAL INFO
 4. RE: A0.2 FOR FIRE-ACCESS INFO.
 5. RE: A0.1 FOR ADDITIONAL SITE INFO.
 6. Total dbh of protected trees to be preserved per 7.3.4.E.7. is 37 dbh.
 7. ANY FUTURE UNAUTHORIZED LAND DISTURBING ACTIVITY OR CONSTRUCTION THAT WOULD IMPACT OR DAMAGE PRESERVED TREES MUST BE LIMITED.

WEST HICKORY STREET

Site Plan
01

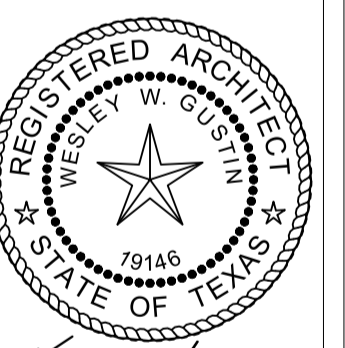
1" = 10'

PLAN NORTH

Reviewed for Code Compliance
09/22/20
Carrie Frazier

GUSTIN-HERRON ARCHITECTURE PLLC
6829 Fortune Rd. Fort Worth, TX 76117
972-363-6155

"Hickory & North Texas Multi-Family"
NEC of N.Texas Blvd. & Hickory St., Denton, TX

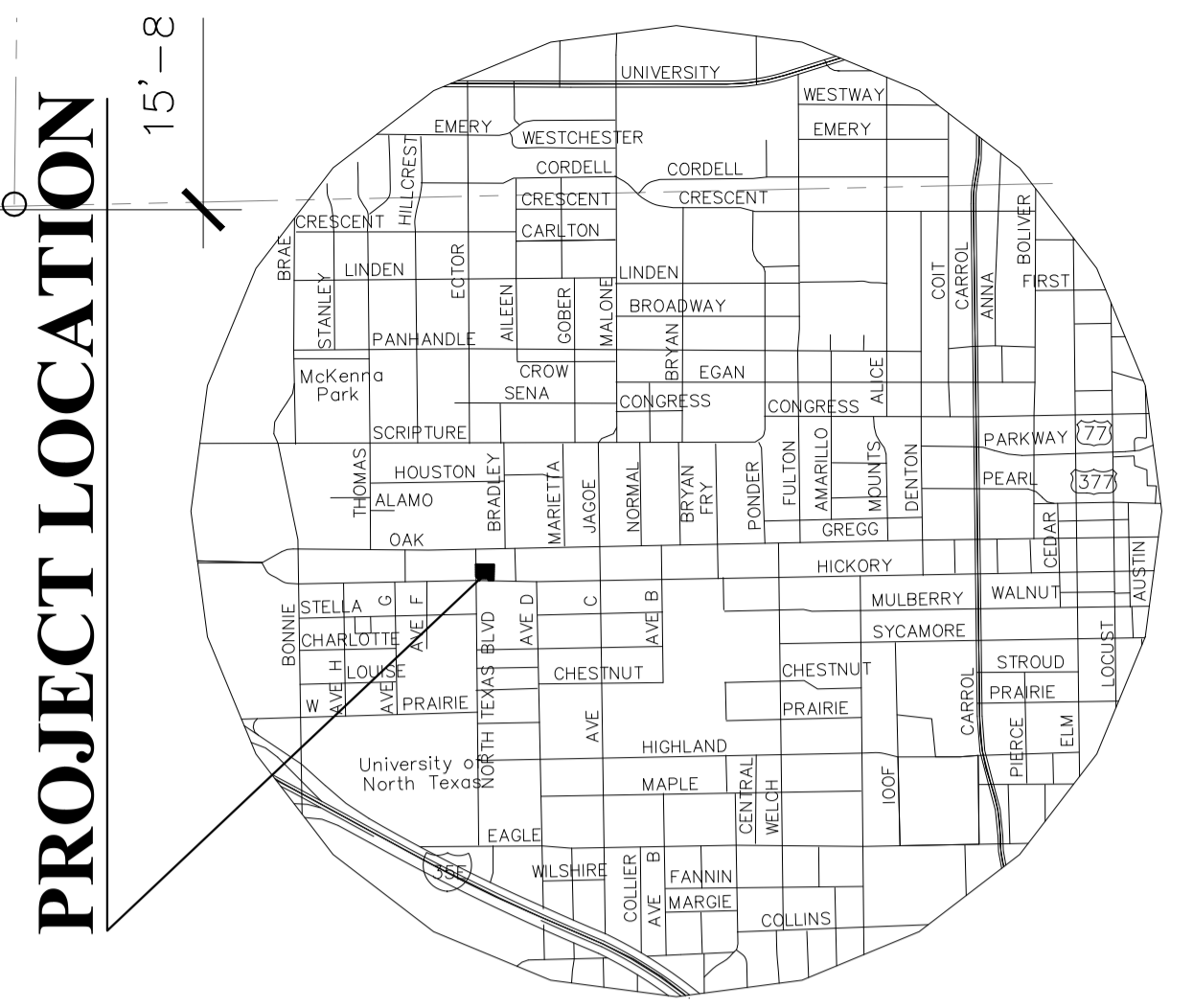
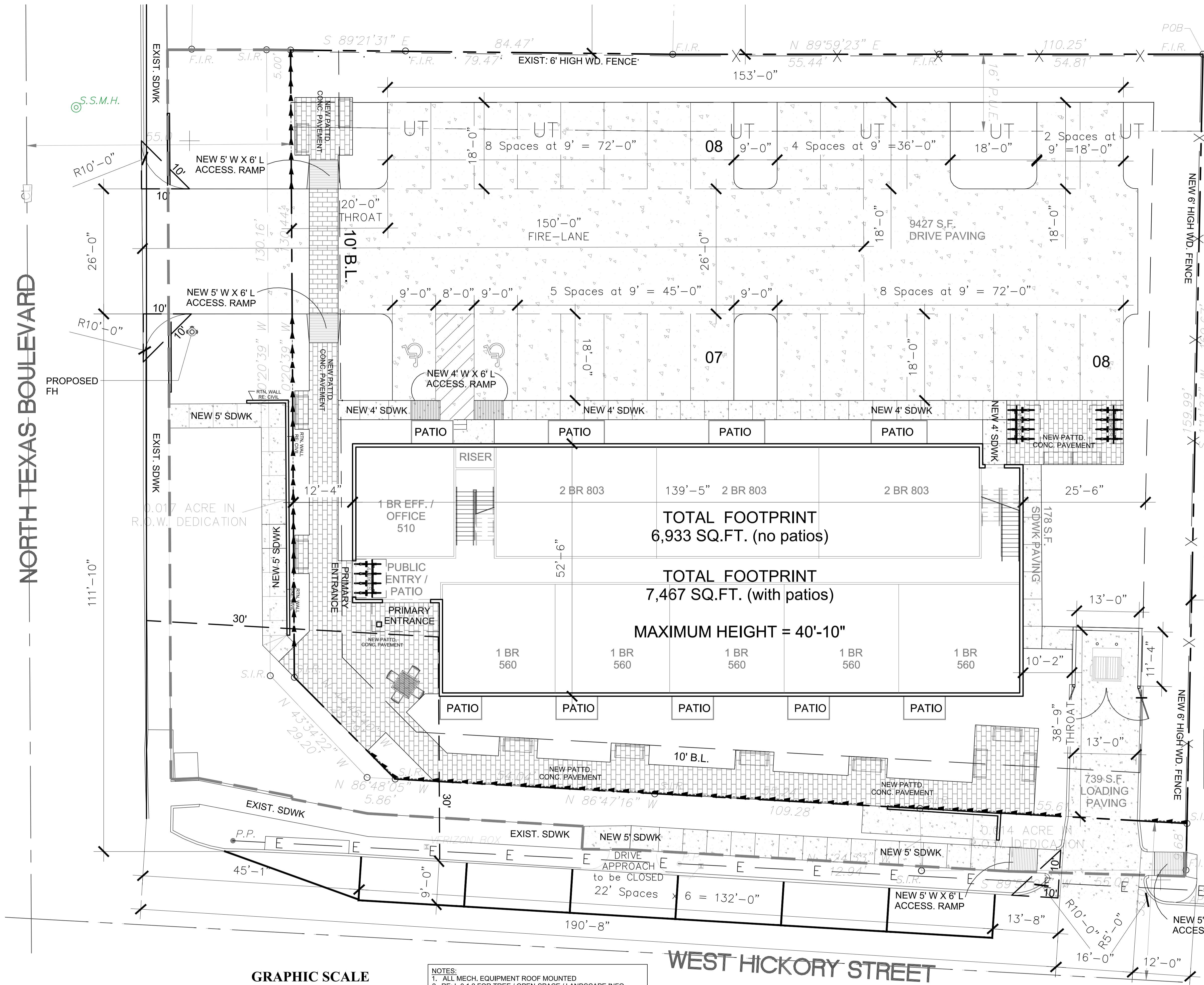


08-07-20

REVISIONS
 SITE SUBMITTAL DATE: 04-14-20
 SITE SUBMITTAL DATE: 05-25-20
 SITE SUBMITTAL DATE: 06-16-20

A0.1
Site Plan
JOB NUMBER
GHA-HICKORY1

NORTH TEXAS BOULEVARD



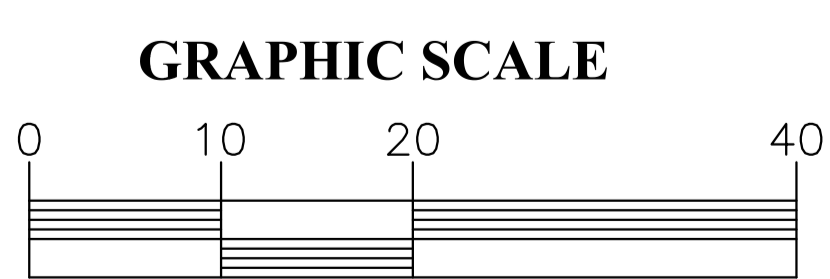
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| Total Building Area (square feet) | NA | 22,247 (includes Patios) |
| Total Height (feet - distance to tallest building element and number of stories) | 65 max | 3 stories, < 41' |
| Building Coverage (percent - x.xx%) | 76% Max | 72.06% |
| Development Impact Area (square feet) | NA | 84,927 |
| Multifamily Units | | |
| # of efficiency or 1 bedroom/Minimum unit size | Min. 500 sq ft. Allowed | 19 (810 sq ft. is permitted) |
| # of 2 bedrooms/Minimum unit size | NA | 0 (803 is permitted) |
| # of 3 bedrooms/Minimum unit size | NA | 0 |
| # of 4 bedrooms/Minimum unit size | NA | 0 |
| Total Unit Count | NA | 27 Apartments / 27 Dwelling Units |
| Parking | | |
| Parking Ratio (from Denton Development Code) | 1.25 Per 1 BR, 2 Per 2 BR | *See Alternative Notes below |
| Provided Parking (# spaces) | 49 Required / 50 w/ Reduction | 50* |
| Accessible Parking Provided (# spaces) | 2 | 2 |
| Bicycle Spaces Provided (# spaces) | 2 | 12* |
| Parking in Excess of 125% of required parking (# spaces) | NA | NA |
| Landscape Area | | |
| Open Space (square feet and x.xx%) | 6% 2,418 sq ft. | 0.4% 2,044 sq ft. |
| Landscape Area (square feet and x.xx%) | 20% 6,085 sq ft. | 33.0% 11,225 sq ft. |
| Tree Canopy (square feet and x.xx%) | 47% 13,971 sq ft. | 41.8% 14,584 sq ft. |
| Permeable Area | | |
| Permeable Pavement (square feet) | Note: Permeable pavers not used. "Open Space" calculation does not overlap Landscape calculation | NA |
| Other Permeable Area within the lot not including landscaping | | NA |
| Impervious Area | | |
| Building Footprint Area (square feet) | | 7,467 (includes Patios) |
| Area of Sidewalks, Pavement & other Impervious Flatwork (square feet) | | 11,936 |
| Total Impervious Area | | 22,247 |

| DDC SECTION | PARKING ALTERNATIVES |
|-------------|--|
| 7.3.5.0 | Proximity to Public Transit = Max Reduction allowed 10% = 45 x 10 = 4.5 = 5 spaces allowed for reduction |
| 7.3.5.4 | 80sq ft = Max Reduction allowed 5% = 45 x 20 = 2.25 = 2 bike spaces are required above the minimum requirement stated in 7.3.8. |
| 7.3.4A-45 | Tree Preservation Reduction: 1 Parking Space reduced for every 12 dbh preserved, 37.1 / 12 = 3.09 = 3 spaces allowed for reduction |
| | Total = 10 Total spaces allowed for reduction |

| LEGEND | |
|--|---|
| D.I.A. LIMIT | NEW CONC. PAVEMENT AT SIDEWALK / DRIVES / PARKING |
| (UTILITY) SAN. SEWER EASEMENT | NEW PATTERNED CONC. PAVEMENT AT OPEN SPACE |
| 10' BLDG. / LANDSCAPE SETBACK | BARRIER FREE RAMPS |
| PROPERTY LINE | |
| ELECTRIC LINE ABOVE | |
| EXISTING 6" WOOD FENCE (NORTH) | |
| NEW 6" WOOD FENCE (EAST) | |
| 4" HIGH WROUGHT IRON FENCE WITH BOSTON IVY VINES EVERY 10' | |



NOTES:

- ALL MECH. EQUIPMENT ROOF MOUNTED
- RE: L-0.1.2 FOR TREE / OPEN-SPACE / LANDSCAPE INFO.
- RE: CIVIL DRAWINGS FOR ADDITIONAL INFO
- RE: A0.2 FOR FIRE-ACCESS INFO.
- RE: A0.1 FOR ADDITIONAL SITE INFO.
- Total dbh of protected trees to be preserved per 7.3.4.E.7. is 37 dbh.
- ANY FUTURE UNAUTHORIZED LAND DISTURBING ACTIVITY OR CONSTRUCTION THAT WOULD IMPACT OR DAMAGE PRESERVED TREES MUST BE LIMITED.

Site Plan
01

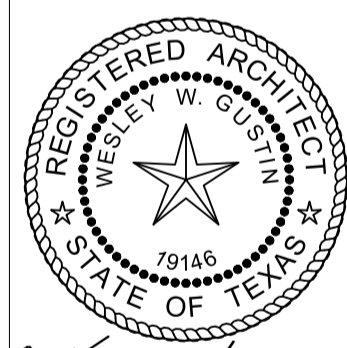
1" = 10'

PLAN NORTH

Reviewed for Code Compliance
09/22/20
Carrie Frazier

GUSTIN-HERRON ARCHITECTURE PLLC
6829 Fortune Rd. Fort Worth, TX 76117
972-363-6155

"Hickory & North Texas Multi-Family"
NEC of N.Texas Blvd. & Hickory St., Denton, TX



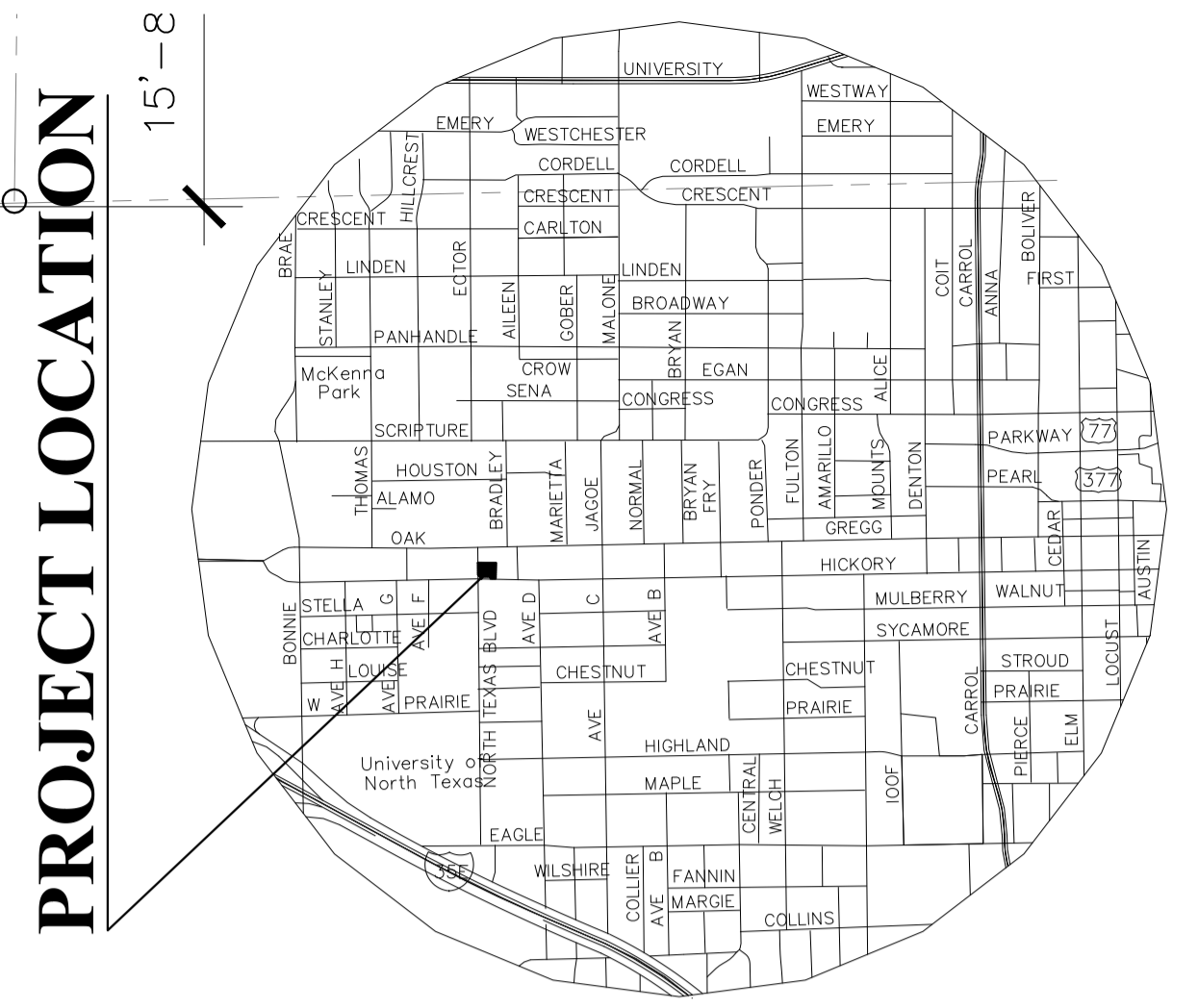
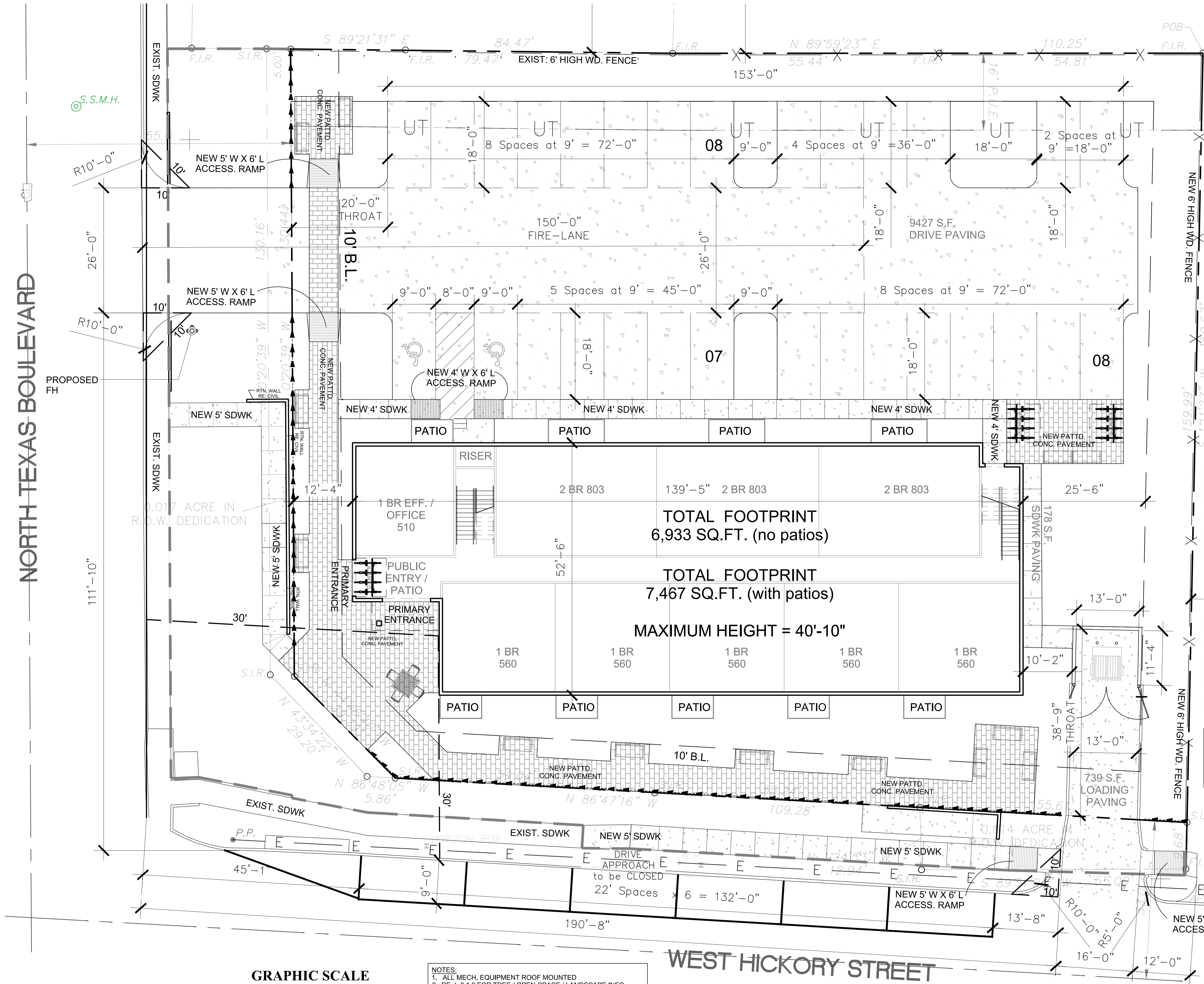
08-07-20

REVISIONS

| | |
|----------------------|----------|
| SITE SUBMITTAL DATE: | 04-14-20 |
| SITE SUBMITTAL DATE: | 05-25-20 |
| SITE SUBMITTAL DATE: | 06-16-20 |

A0.1
Site Plan
JOB NUMBER
GHA-HICKORY1

NORTH TEXAS BOULEVARD



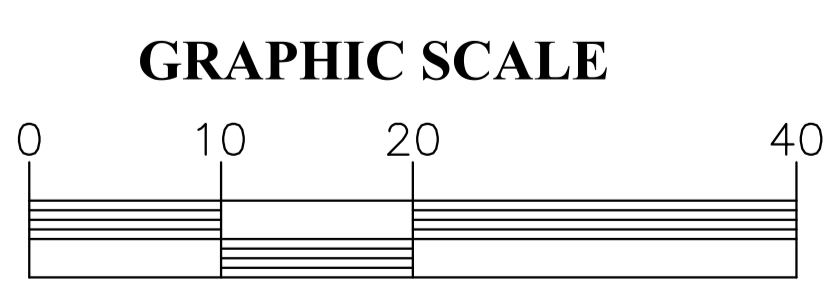
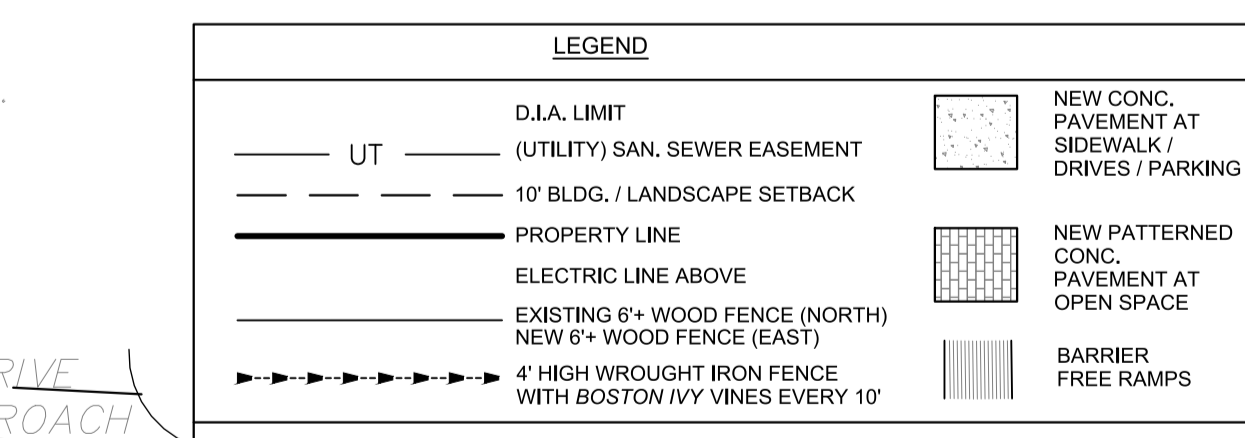
PROJECT LOCATION
 15'-8"

VICINITY MAP
 SCALE 1" = 2000'

KARENE RUSSELL NEIL
 TO
 KERN + 3, LLC.
 DDC #2011-16895
 R.P.R.D.C.T.

| Item | Required | Provided |
|--|--|-----------------------------------|
| General Site Data | | |
| Lot Area (square feet & acres) | 2,500 | 0.064 AC / 20.23 sq. ft. |
| Building Footprint Area (square feet) | NA | 7,467 (includes Patios) |
| Total Building Area (square feet) | NA | 22,247 (includes Patios) |
| Total Height (feet - distance to tallest building element and number of stories) | 65 max | 3 stories, < 41' |
| Building Coverage (percent - x.xx%) | 76% Max | 72.06% |
| Development Impact Area (square feet) | NA | 84,927 |
| Multifamily Units | | |
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| # of 2 bedrooms/Minimum unit size | NA | 0 (803 is permitted) |
| # of 3 bedrooms/Minimum unit size | NA | 0 |
| # of 4 bedrooms/Minimum unit size | NA | 0 |
| Total Unit Count | NA | 27 Apartments / 27 Dwelling Units |
| Parking | | |
| Parking Ratio (from Denton Development Code) | 1.25 Per 1 BR, 2 Per 2 BR | *See Alternative Notes below |
| Provided Parking (# spaces) | 49 Required / 50 w/ Reduction | 50* |
| Accessible Parking Provided (# spaces) | 2 | 2 |
| Bicycle Spaces Provided (# spaces) | 2 | 12* |
| Parking in Excess of 125% of required parking (# spaces) | NA | NA |
| Landscape Area | | |
| Open Space (square feet and x.xx%) | 0% | 2,418 sq. ft. |
| Landscape Area (square feet and x.xx%) | 20% | 6,385 sq. ft. |
| Tree Canopy (square feet and x.xx%) | 47% | 13,271 sq. ft. |
| Permeable Area | | |
| Permeable Pavement (square feet) | Note: Permeable pavers not used. "Open Space" calculation does not overlap Landscape calculation | NA |
| Other Permeable Area within the lot not including landscaping | | NA |
| Impervious Area | | |
| Building Footprint Area (square feet) | | 7,467 (includes Patios) |
| Area of Sidewalks, Pavement & other Impervious Flatwork (square feet) | | 11,936 |
| Total Impervious Area | | 22,247 |

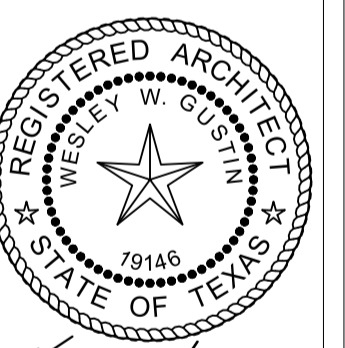
| DDC SECTION | PARKING ALTERNATIVES |
|-------------|--|
| 7.3.5.0 | Proximity to Public Transit = Max Reduction allowed 10% = 45 x 10 = 4.5 = 5 spaces allowed for reduction |
| 7.3.5.4 | 80sq ft = Max Reduction allowed 5% = 45 x 20 = 2.25 = 2 bike spaces are required above the minimum requirement stated in 7.3.8. |
| 7.3.4A-45 | Tree Preservation Reduction: 1 Parking Space reduced for every 12 dbh preserved, 37.1 / 12 = 3.09 = 3 spaces allowed for reduction |
| | Total = 10 Total spaces allowed for reduction |



NOTES:
 1. ALL MECH. EQUIPMENT ROOF MOUNTED
 2. RE: L-0.1.2 FOR TREE / OPEN-SPACE / LANDSCAPE INFO.
 3. RE: CIVIL DRAWINGS FOR ADDITIONAL INFO
 4. RE: A0.2 FOR FIRE-ACCESS INFO.
 5. RE: A0.1 FOR ADDITIONAL SITE INFO.
 6. Total dbh of protected trees to be preserved per 7.3.4.E.7. is 37 dbh.
 7. ANY FUTURE UNAUTHORIZED LAND DISTURBING ACTIVITY OR CONSTRUCTION THAT WOULD IMPACT OR DAMAGE PRESERVED TREES MUST BE LIMITED.

GUSTIN-HERRON ARCHITECTURE PLLC
 6829 Fortune Rd. Fort Worth, TX 76117
 972-363-6155

"Hickory & North Texas Multi-Family"
 NEC of N. Texas Blvd. & Hickory St., Denton, TX



08-07-20

REVISIONS

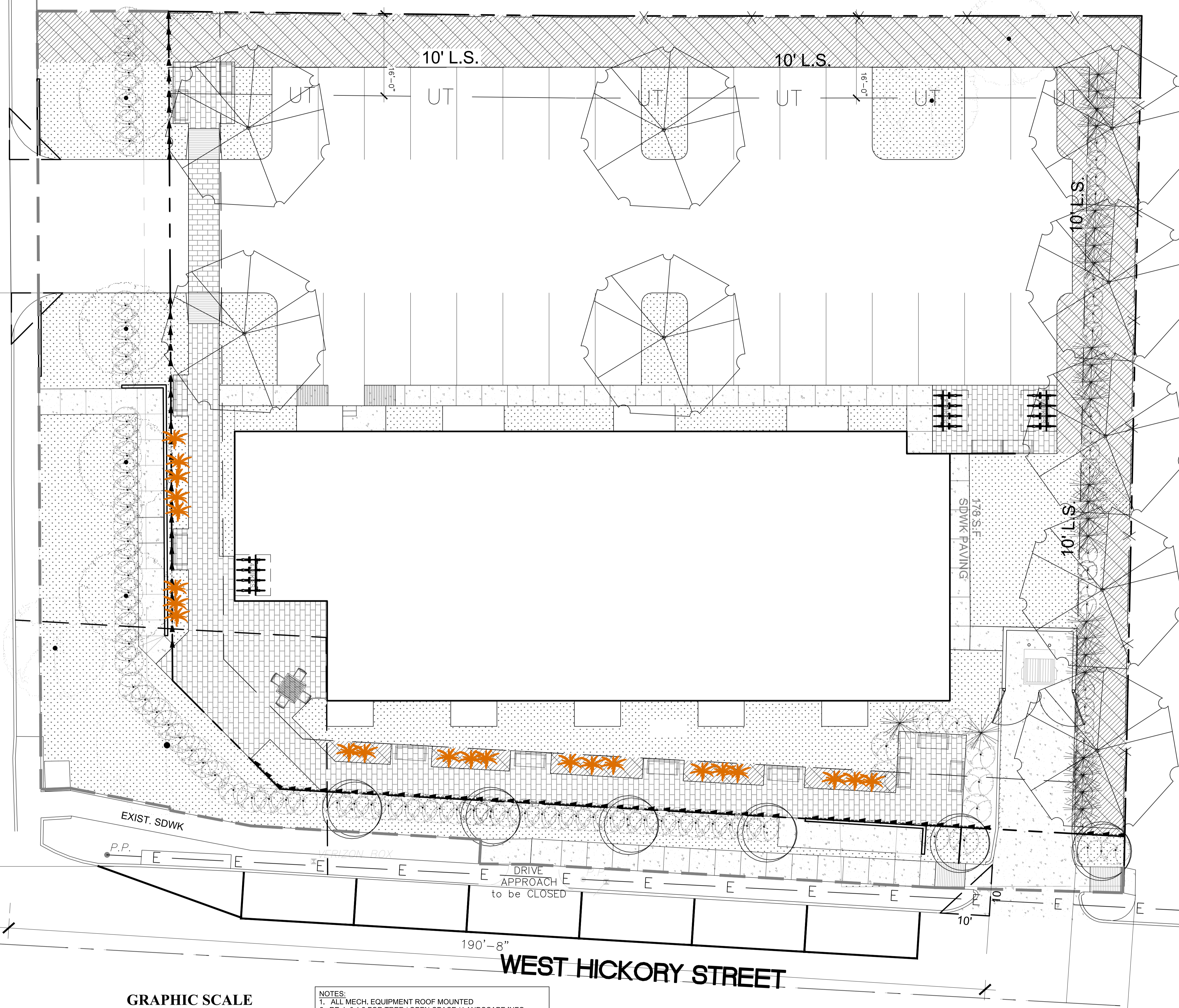
| | |
|----------------------|----------|
| SITE SUBMITTAL DATE: | 04-14-20 |
| SITE SUBMITTAL DATE: | 05-25-20 |
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A0.1
 Site Plan
 JOB NUMBER
 GHA-HICKORY1

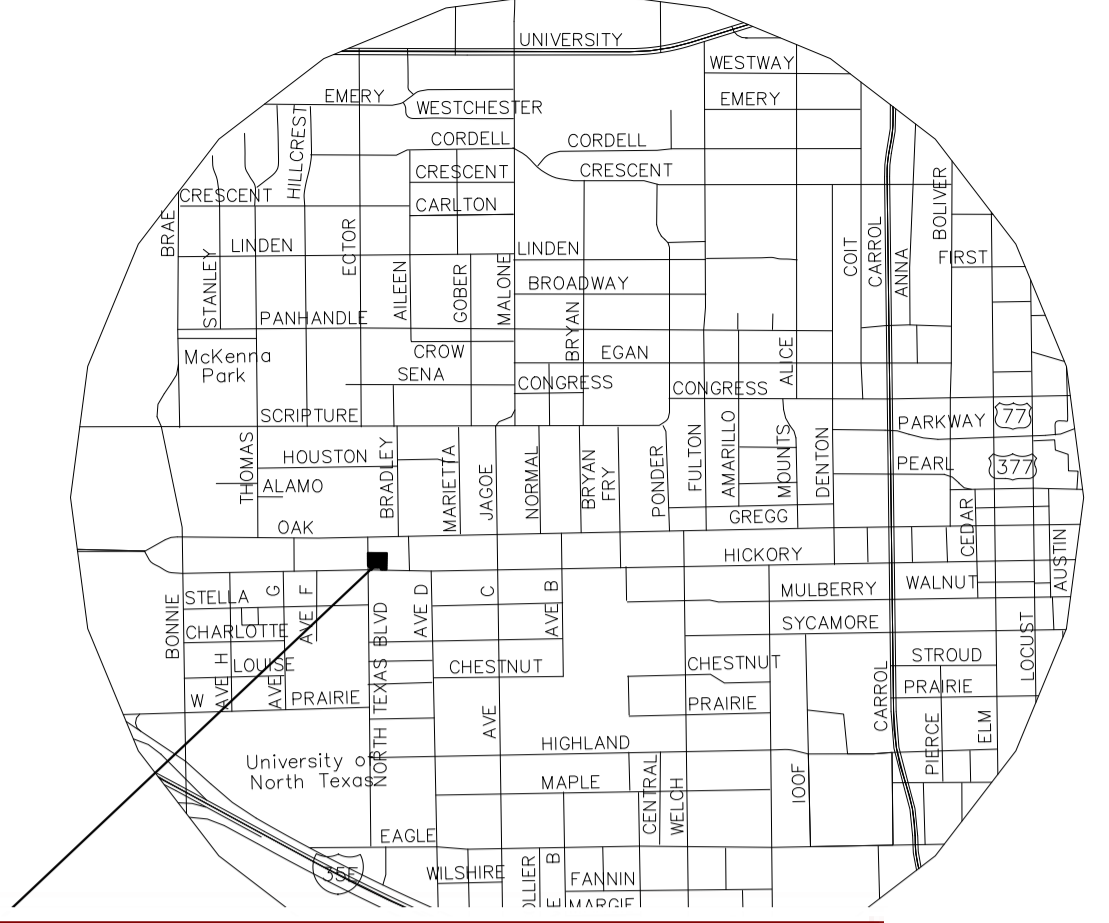
Reviewed for Code Compliance
 09/22/20
 Carrie Frazier

NORTH TEXAS BOULEVARD
111'-10"

.S.M.H.



PROJECT LOCATION



VICINITY MAP
SCALE 1" = 2000'

LEGEND

- D.I.A. LIMIT
- (UTILITY) SAN, SEWER EASEMENT
- 10' BLDG. / LANDSCAPE SETBACK
- PROPERTY LINE
- ELECTRIC LINE ABOVE
- EXISTING 6" WOOD FENCE (NORTH)
- NEW 6" WOOD FENCE (EAST)
- 4' HIGH WROUGHT IRON FENCE WITH BOSTON IVY VINES EVERY 10'
- NEW CONC. SIDEWALK DRIVES / PARKING
- NEW PAT. CONC. PAVEMENT AT OPEN SPACE
- BARRIER FREE PARKING

PRESERVED TREE (x4)
REFER TO TREE SURV FOR SPECIES / CANOPY / DBH, ETC.

LARGE CANOPY TREE
POST OAK (x9)
MIN 4" CALIPER SIZE AT PLANTING

DWARF YAUPOIN HOLLY:
MIN. 3' HIGH (ROW PLANTINGS)
Note: Provide these shrubs for 50% of the total EAST boundary required shrubs

DWARF BURNING BUSH:
MIN. 3' HIGH (ROW PLANTINGS)
Note: Provide these shrubs for 50% of the total EAST boundary required shrubs

"WEST HICKORY" STREET TREE:
WAX MYRTLE (x6)
CANOPY SIZE = 79 SQ. FT.
MATURE HEIGHT = APPROX. 15'
MIN 4" CALIPER SIZE AT PLANTING

"NORTH TEXAS BLVD." STREET TREE:
MEXICAN REDBUD (x4)
CANOPY SIZE = 314 SQ. FT.
MIN 4" CALIPER SIZE AT PLANTING

COMMON BERMUDA GRASS LANDSC. AREA

MONDO GRASS LANDSC. AREA

BIKE PARKING:
4-JOINT BIKE RACK
(PROVIDE MIN. 2' PER BIKE PLUS MIN 7" DEEP SPACE) SEC. 7.9.8.

CANDY LILYS

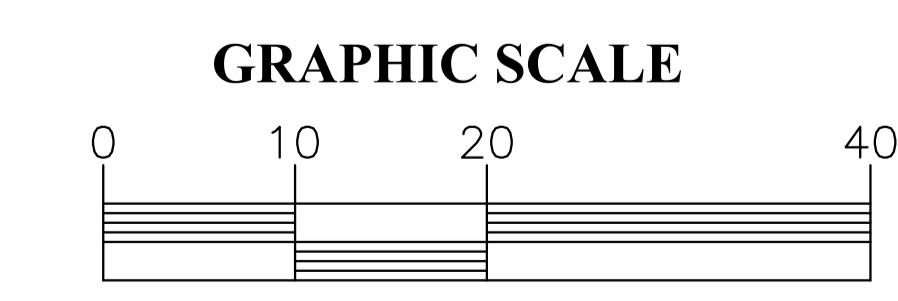
OPEN SPACE LEGEND

TOTAL "OPEN SPACE" = 2,844 SQ. FT.
2,844 SQ. FT. / 30,231 sq.ft. = 9.4%

OPEN SPACE
STAMPED CONC.
PAVER PATTERN

OPEN SPACE
PARK BENCH

OPEN SPACE
NON-FIXED TABLES AND
CHAIRS FOR REFERENCE
ONLY.



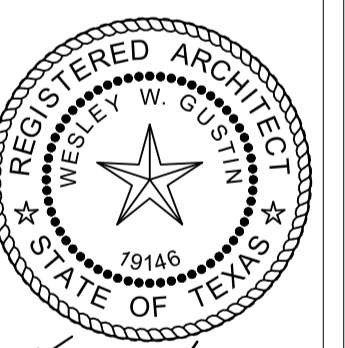
NOTES:

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- RE: CIVIL DRAWINGS FOR ADDITIONAL INFO
- RE: A0.2 FOR FIRE-ACCESS INFO.
- RE: A0.1 FOR ADDITIONAL SITE INFO.
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Landscape Plan
01
1" = 10'
PLAN NORTH

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"Hickory & North Texas Multi-Family"
NEC of N. Texas Blvd. & Hickory St., Denton, TX



08-07-20

REVISIONS

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|----------------------|----------|
| SITE SUBMITTAL DATE: | 04-14-20 |
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L-1
Landscape Plan
JOB NUMBER
GHA-HICKORY1

Reviewed for Code Compliance
09/22/20
Carrie Frazier

MIXED-USE ZONING DISTRICTS

MN – MIXED-USE NEIGHBORHOOD

The MN district is provided to support compatibility between higher-intensity mixed-use areas and adjacent residential and commercial areas. This district contributes to a vibrant environment for pedestrians and bicycles and includes varying densities of residential, neighborhood-serving retail, restaurants, commercial, and office uses that are sensitive to the surrounding built and natural context in scale and form.

MD – MIXED-USE DOWNTOWN CORE

The MD district is provided to allow for a variety of uses contributing to the economic viability of Downtown Denton. This district allows for moderate- and high-density residential, commercial, office, entertainment, and other uses tailored to encourage a greater level of activity while protecting the scale and strengthening the character of Downtown and Denton’s historic core. This district contributes to a vibrant environment for pedestrians, bicycles, and other modes of travel.

MR – MIXED-USE REGIONAL

The MR district is intended to provide a walkable urban center to augment the regional draw and image of Denton. Development may include national retailers, employment, restaurants, entertainment venues, and housing at the highest levels of scale and density within the City. This district ensures that development will complement and embrace existing viable uses, and raise the standard of design to increase regional draw, accommodate greater connectivity and mobility options, and create a sense of place. The MR district shall be established in areas with the greatest regional access and is sensitive to the adjacent built and natural context.

| Mixed-Use Zoning Districts Dimensional Standards | | | | |
|--|---|------------------|------------------|-------------------------------|
| Dimensional Standards | MN | MD | MR | Additional Standards |
| LOT DIMENSIONS (MINIMUM) | | | | |
| Lot area | 2,500 sq ft | None | None | 3.7.2A Minimum Lot Dimensions |
| Lot width | 20 feet | None | None | |
| Lot depth | 50 feet | None | None | |
| SETBACKS (MINIMUM) | | | | |
| Front yard | 10 feet | None | None | 3.7.3: Setbacks |
| Side yard | None [1] | None [1] | None [1] | |
| Rear yard | None [1] | None [1] | None [1] | |
| OTHER STANDARDS³⁶¹ | | | | |
| Building height (maximum) | 65 feet [1] [2] | 100 feet [1] [3] | 100 feet [1] [4] | 3.7.5: Building Height |
| Building coverage (maximum) | 80 percent | 100 percent | 90 percent | 3.7.6: Building Coverage |
| Single-family detached dwelling, townhome, or duplex | If approved prior to October 1, 2019, see Section 1.5.2I: <i>Applicability of this Code to Existing Residential Uses and Structures</i> | | | |

Notes:

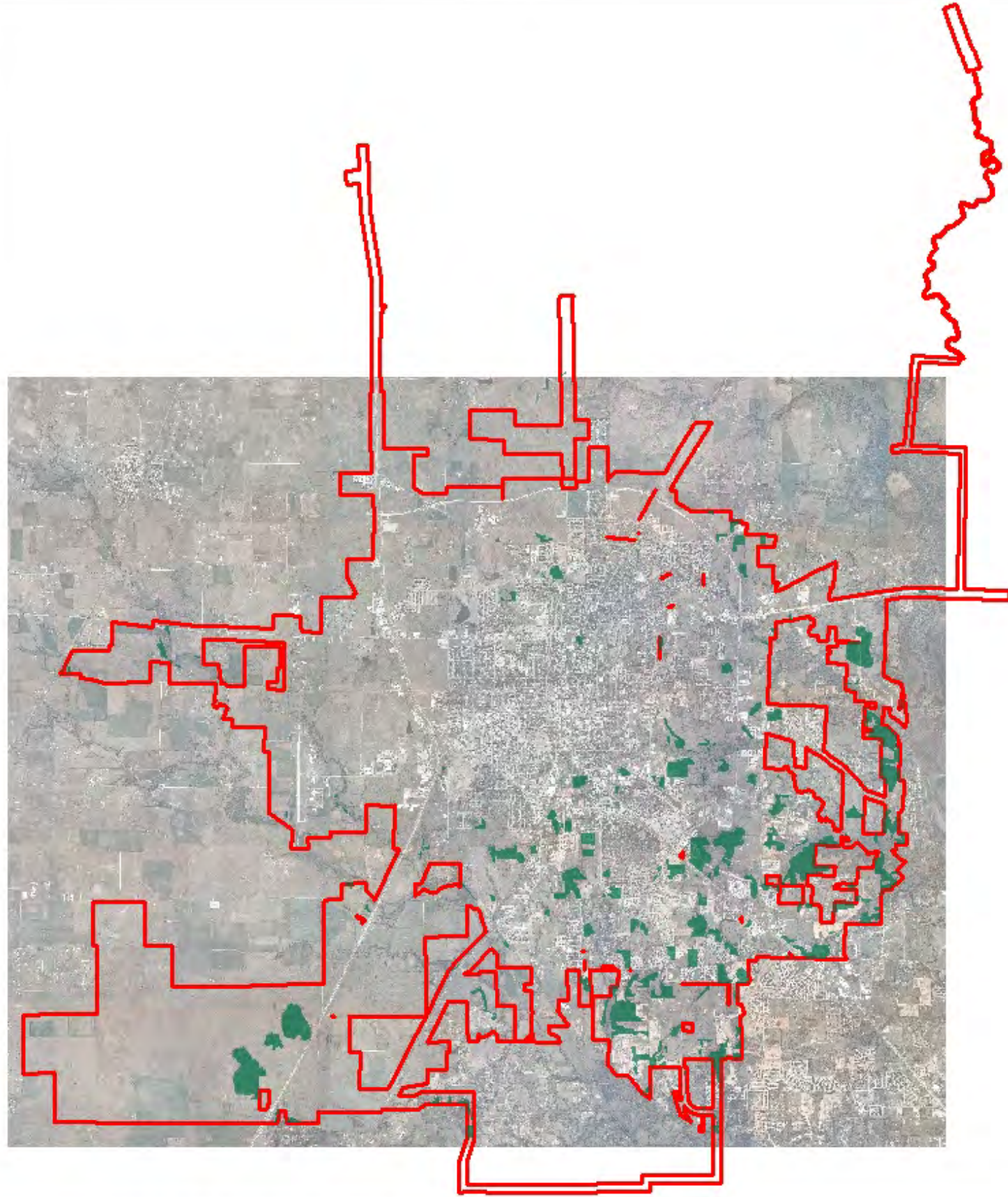
1. Buildings adjacent to a Residential zoning district shall comply with the standards in Subsection 7.10.6: Building Height in Transition Areas
2. Buildings between 41 and 65 feet shall require a specific use permit pursuant to Subsection 2.5.2: Specific Use Permit (SUP).
3. Additional height may be allowed with a specific use permit pursuant to Subsection 2.5.2: Specific Use Permit (SUP), and a viewshed study, if such study clearly demonstrates that any views of the Historic Courthouse are not blocked by the new structure(s) additional height.
4. Additional height may be allowed with a specific use permit pursuant to Subsection 2.5.2: Specific Use Permit (SUP).

Table 5.2-A: Table of Allowed Uses - Draft

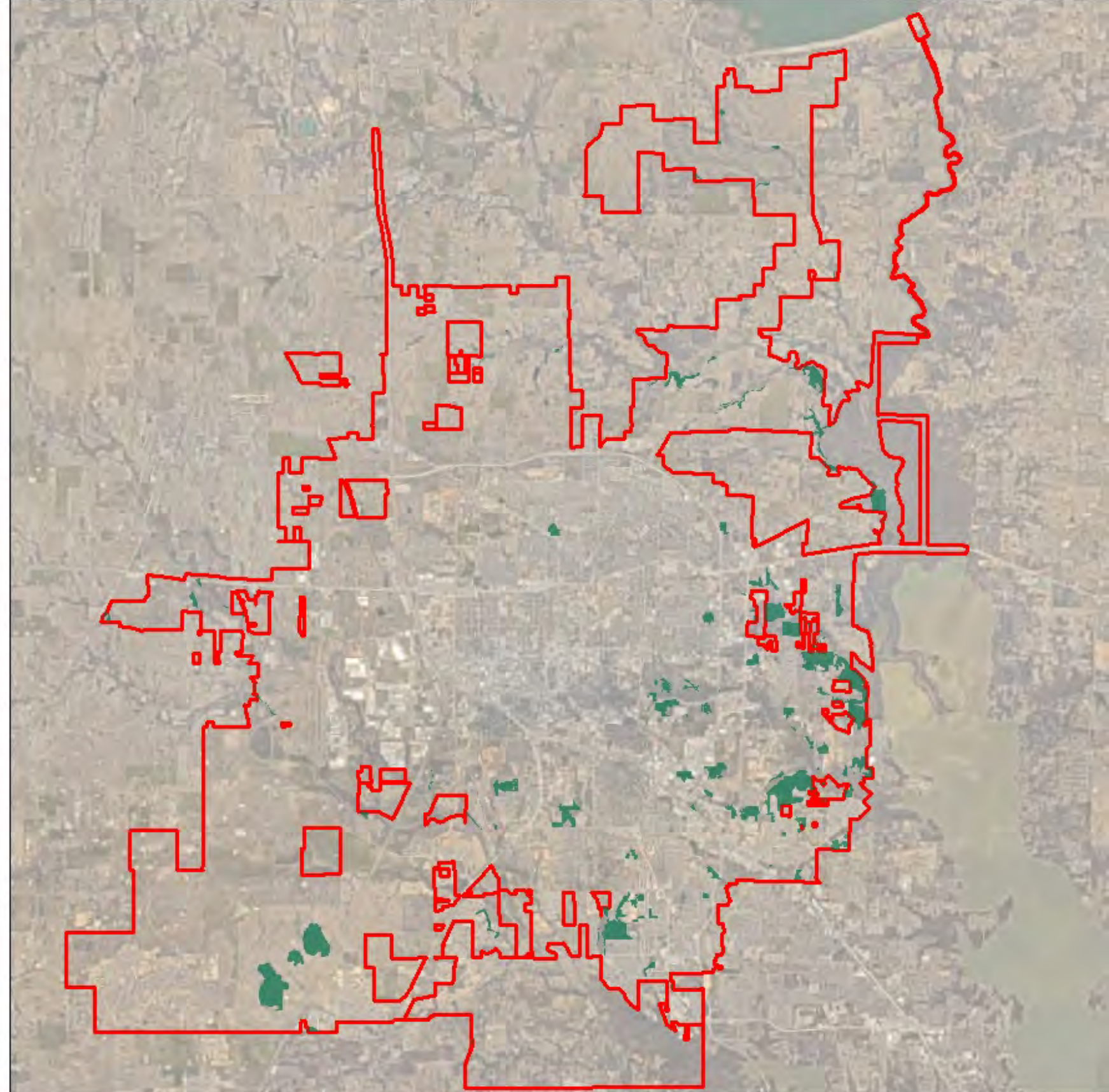
P = permitted S = specific use permit required Blank cell = use prohibited P⁺ or S⁺ = use-specific standards apply

| | Residential | | | | | | | Mixed-Use | | | Corridor | | Other Nonresidential | | | | Use-Specific Standards |
|--|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------------|----|----|----|------------------------|
| | RR | R1 | R2 | R3 | R4 | R6 | R7 | MN | MD | MR | SC | HC | GO | LI | HI | PF | |
| Residential Uses | | | | | | | | | | | | | | | | | |
| HOUSEHOLD LIVING | | | | | | | | | | | | | | | | | |
| Single-Family Detached Dwelling | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | | | | | | | | | 5-3.3.A |
| Townhome | | | | | S ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | | | | | | | 5-3.3.B |
| Duplex | | | | | S ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | | | | | | | 5-3.3.C |
| Triplex | | | | | | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | | | | | | | 5-3.3.C |
| Fourplex | | | | | | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | | | | | | | 5-3.3.C |
| Multifamily Dwelling | | | | | | | S ⁺ | P ⁺ | P ⁺ | P ⁺ | S ⁺ | S ⁺ | S ⁺ | | | | 5-3.3.D |
| Tiny Home Development | <i>Subject to approval of a planned development (PD); see 5.3.3E</i> | | | | | | | | | | | | | | | | |
| Work/Live Dwelling | P ⁺ | | | | | | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | S ⁺ | S ⁺ | | | | 5-3.3.F |
| Manufactured Home Development (HUD CODE) | | | | | | S ⁺ | S ⁺ | | | | | | | | | | 5-3.3.G |
| GROUP LIVING | | | | | | | | | | | | | | | | | |
| Chapter House | | | | | | | S | S | | | | | | | | P | |
| Community Home | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | P ⁺ | | | | | | | 5-3.3.I |
| Dormitory | | | | | | | S | S | P | | | | | | | | |
| Elderly Housing | | | | | | S ⁺ | S ⁺ | P ⁺ | P | P | | | P | | | | 5-3.3.H |
| Group Home | S ⁺ | | | S ⁺ | S ⁺ | S ⁺ | S ⁺ | S ⁺ | S ⁺ | S ⁺ | | | | | | | 5-3.3.I |

2002



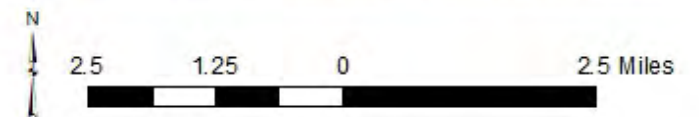
2021



Original Cross Timbers Upland Habitat Map
2002 City Limits



Current Existing Cross Timbers Upland Habitat Map
2021 City Limits



INFORMAL STAFF REPORT TO MAYOR AND CITY COUNCIL

SUBJECT:-

Denton state legislative delegation voting record on select city-related bills (87th Regular Session).

BACKGROUND:

On July 2, 2021 Council Member Meltzer requested information on how the City of Denton state legislature delegation voted on City-related bills in the 87th Regular Session of the Texas Legislature. The following members of the Texas State Legislature represent the City of Denton:

- Representative Lynn Stucky (District 64)
- Senator Jane Nelson (District 12)
- Senator Drew Springer (District 30)

DISCUSSION:

Staff requested that our general government legislative consultants, Jackson Walker, compile the voting records of the above members on the following list of city-related bills:

- **H.B. 872** – Exclusion of utility information from Public Information Act
- **H.B. 1869** – Limitations on funding of non-bond debt
- **H.B. 1900** – Prohibition on municipal government law enforcement defunding
- **H.B. 1925** – Prohibition on camping in public places
- **H.B. 3069** – Relating to public project liability timeframes
- **H.B. 4492** – Electric utility securitization bill
- **S.B. 3** – Utility weatherization bill
- **S.B. 19** – Prohibits contracts with companies that discriminate against firearm industry
- **S.B. 23** – Prohibition on county government law enforcement funding
- **S.B. 877** – Allows third-party building inspectors during a disaster

The **attached** report summarizes the bills listed above and the voting record of each member of the Denton delegation on these pieces of legislation. Each of the bills also lists whether the City of Denton advocated support, opposition or took a neutral position. These positions were provided through a resolution adopted by the City Council or through the adoption of the 2021 City of Denton State Legislative Program.

The City of Denton also actively supported or opposed a number of bills that did not gain final passage. A select few of those bills are also provided below:

- **H.B. 3** – Limits authority of governor and municipal governments during a disaster
- **S.B. 10** – Prohibition on publicly-funded lobbying activities
- **H.B. 1399/S.B. 29 & 1646** – Restricting transgender healthcare and athletic opportunities

It is important to note that the City's support or opposition of a bill, and likewise the support or opposition of a member of the Denton delegation, was not a fixed position, but could vary as numerous versions of legislation progressed through both the House and Senate. Additionally,

bills that eventually gained final passage may be the result of a significant effort toward a compromise legislation that, while not completely favorable to the City, prevented a much more harmful version from receiving further consideration.

CONCLUSION:

Staff will continue to submit additional analyses on adopted legislation through the Friday report over the coming months.

City staff are very appreciative of the working relationship we have developed with our delegation. While there was not alignment with City policy on all issues, our delegation members were always receptive and open to speaking with the city regarding our concerns.

If a Council member has a question regarding any of the bills within this report, please contact the staff below.

STAFF CONTACT:

Ryan Adams
Customer Service & Public Affairs
Ryan.Adams@cityofdenton.com

Rachel Balthrop Mendoza
City Manager's Office
Rachel.Mendoza@cityofdenton.com

REQUESTOR:

Council member Meltzer

| 87th(R) Denton Delegation Vote List | | | | | | | | |
|-------------------------------------|--|---|---------------------------|------------------|--------------------|------------------|-----------------|---|
| Bill | Bill Summary | Impact on the City of Denton | Denton Position | Sen. Jane Nelson | Sen. Drew Springer | Rep. Lynn Stucky | Finally Passed? | Comments |
| HB 3 | Would have limited the authority of the governor during certain disasters, including pandemic disasters. The bill would have required governors to work more closely with the state legislature in future emergencies. | If passed, this bill could have had an impact on the scope of various state and local government leaders on future disasters in Texas. | Oppose | YES | YES | YES | NO | This bill died in the final days of the session in Conference Committee. |
| HB 872 | Requires a government-operated utility to be excluded from a Public Information Act request for information disclosing whether services have been discontinued or are eligible for disconnection. | This bill will now require certain city utilities (such as sewer, gas, and garbage) to disclose information collected as part of an advanced metering system to a customer or a customer's representative if the information directly relates to utility services provided to the customer and is not confidential under law. | Support | YES | YES | YES | YES | |
| HB 1399 | This bill sought to prevent a physician from performing a surgery on or prescribing certain medications to a minor for gender modification purposes. | No direct impact on the city of Denton operations. | Oppose (Resolution) | n/a | n/a | n/a | NO | This bill passed out of committee in the House but was placed on the House's General State Calendar with too little time to pass. |
| HB 1869 | This debt bill went through many iterations before finally passing in a negotiated form that ultimately simply modifies the definition of "debt" for purposes of the debt service property tax rate calculation to include only debt that meets certain clearly elucidated requirements. | The city of Denton submitted written testimony speaking to this bill as filed's impact on the city. As finally passed, this bill will change the definition for cities like Denton on how it calculates city debt. | Oppose | YES | YES | YES | YES | |
| HB 1900 | Applies to cities with populations of 250,000 and above. It states that if a municipality with a population over 250,000 reduces its law enforcement budget, the state would deduct money from its sales tax and ban the city from increasing property taxes or utility fees. Any areas annexed within the last 30 years could vote to de-annex, and the municipality would be banned from annexing any further areas. | This bill will not apply to the city of Denton because it is bracketed to populations of over 250,000 residents. This bill would have prohibited Denton from taking actions that would affect their public safety budget that could be perceived as "defunding" police departments, but cities of Denton's size were not included in the final bill. | Oppose (original version) | YES | YES | YES | YES | |
| HB 1925 | Makes camping in an unapproved public place a Class C misdemeanor, punishable by a fine of up to \$500. Cities may not opt out of the ban or discourage enforcement of it. | This bill will have statewide implications that will in turn affect the city of Denton. This bill could have implications on Denton's citywide program to combat homelessness. This strategy also requires enhanced engagement from police, who may now find themselves required to take a more punitive approach in dealing with the city's homeless population. | Oppose | YES | YES | YES | YES | |
| HB 3069 | Shortens the time public building owners can sue for defects from 10 years to eight years for public projects. Building owners would have an additional year (instead of an additional two years) to sue for defects discovered in the last year. | This bill will require a governmental entity to bring suit against a relevant architect, engineer, interior designer or landscape architect when certain damages occur. | Oppose | YES | YES | YES | YES | |
| HB 4492 | "The Securitization Bill" provides a mechanism for recovery of certain costs incurred by various parties, including the electric company, during the extreme weather event in Texas in February 2021. | Provides \$900 million in securitized financing to ERCOT that can be used to cover the cost of market participants who either defaulted or short paid ERCOT during winter storm Uri. DME will be responsible to ERCOT for its market participation share of these costs, the amount of which is unknown until the amount securitized is determined. Recovery of the securitized amounts, interest expenses and administrative expenses will be passed on to all ERCOT participants as an administrative charge on all energy transactions in ERCOT over the term of the securitization loan. DME and TPPA supported the House version that went to the Senate but did not take a position on the committee substitute that ultimately was passed. | Support | YES | YES | YES | YES | |
| SB 3 | "The Weatherization Bill" establishes an energy emergency alert system, formalizes the Texas Energy Reliability Council (TERC), and requires weatherization of equipment under threat of civil penalties, among other things. | Requires DME to weatherize the Denton Energy Center to prevent a repeat of winter storm Uri. Cost of weatherization has yet to be determined as engineering of options must be done first. Also requires DME to identify critical load facilities and to integrate such into load shed plans. Additionally requires water and waste water critical facilities to develop emergency plans for prolonged power outages that must be submitted and approved by the PUCT. | Neutral | YES | YES | YES | YES | |
| SB 10 | As filed, it would have prevented cities and counties from using public funds to hire lobbyists. | As filed, this bill would have required the city of Denton to refrain from hiring contract lobbyists or outside consultants. The bill was re-worked in the House ultimately resulting in a bill that would have allowed external contracts to remain in place with increased reporting and transparency requirements. | Oppose | YES | YES | n/a | NO | This bill passed the Senate but was postponed several times and ultimately never laid out on the House floor. |

| | | | | | | | | |
|----------------|---|--|------------------------------|-----|-----|-----|-----------|---|
| SB 19 | Prohibits contracts with companies that discriminate against the firearm or ammunition industries. | This bill will prohibit political subdivisions, such as the City of Denton, from entering into a contract for the purchase of goods or services that has a value of at least \$100,000 unless the contract contains a written verification from the contracted company that it does not have a policy that discriminates against a firearm entity or firearm trade association and will not discriminate against such an entity or association during the contract term. The bill exempts certain contracts from that prohibition. | Oppose | YES | YES | YES | YES | |
| SB 23 | Applies only to county governments with populations over one million. This bill requires cities to hold elections before reducing or reallocating their law enforcement budgets. Municipalities that do so without voter approval would have their property tax revenue frozen. SB 23 will become effective on January 1, 2022. | This bill, as passed, will not apply to the City of Denton because it is bracketed to county governments with populations over one million residents. The original version was more broadly targeted to local governments. | Oppose (original version) | YES | YES | YES | YES | |
| SB 29 | This bill sought to prohibit the participation of students in interscholastic athletic competitions designated for the opposite sex. | No direct impact on the city of Denton operations. | Oppose (Resolution) | YES | YES | n/a | NO | This bill passed out of the Senate but died in the final days of session in the House. |
| SB 877 | Amends the Local Government Code to authorize a municipal building inspection in an area of a municipality that is subject to a disaster declaration to be performed by additional licensed third-party professionals. | This bill will require the city of Denton to accept independent third-party inspections by qualified professionals during a declared disaster to help tackle the backlogs experienced in disaster areas. | Support (compromise version) | YES | YES | YES | YES | |
| SB 1646 | This legislation would have prohibited children from receiving puberty suppression prescription drugs, cross-sex hormones, or medical procedures or surgeries for the purpose of transitioning genders or gender reassignment. | No direct impact on the city of Denton operations. | Oppose (Resolution) | YES | YES | n/a | NO | This bill passed out of the Senate but did not receive a hearing in House Public Health after it was referred in early May. |
| SB 1580 | Provides up to \$2.8 billion in securitization funds to ERCOT for the defaulting or short paying electric cooperatives. | If accessed by the electric cooperatives, the bill provided full securitization of amounts short paid to ERCOT by the cooperatives. Estimated securitization amount is \$2.8 billion. If utilized, the recovery of the securitized amounts would be from the customers of the cooperatives. Consequently, DME would likely receive ~\$ 9 million of the current \$9.4 million in short pay that ERCOT owes DME for sales of energy from the DEC and our renewable energy resources during winter storm Uri. If the securitization funds are not accessed by the cooperatives, DME would likely never be paid the short pay amounts owed. | Support | YES | YES | YES | YES | |

**INFORMAL STAFF REPORT
TO MAYOR AND CITY COUNCIL**

SUBJECT:

FY20-21 Acceptance of Sponsorships and Donations Update.

BACKGROUND:

On February 11, 2020, the City Council approved Ordinance 20-169 outlining requirements for accepting sponsorships and donations.

Under the new ordinance, Parks and Recreation will provide Council with a report, at least annually, which includes information on the sponsorships and donations collected.

DISCUSSION:

The COVID pandemic significantly impacted special events and programs that would typically collect sponsorships during the first, second and third quarter of FY 20-21. Special events and programs were suspended for a period of time with gatherings of large groups restricted. The Parks and Recreation Department has collected a total of \$9,440.59 in sponsorships and donations for the following events, programs or projects:

| Sponsor/Donor Name First Quarter | Sponsorship Value | Project/Program | Category |
|---|------------------------------|--------------------------------|-----------------|
| Parks Foundation | \$1,000 | Vela Art Sculpture | Special Project |
| Parks Foundation | \$258 | Signs at Cross Timbers Park | Special Project |
| MLK Advisory Board | \$385 | Treat to Trunk | Special Event |
| Eaties | \$10 | Treat to Trunk | Special Event |
| Denton Police Department | \$100 | Treat to Trunk | Special Event |
| Mt. Calvary Baptist | \$80 | Treat to Trunk | Special Event |
| Denton Together Coalition | \$25 | Treat to Trunk | Special Event |
| Juneteenth | \$40 | Treat to Trunk | Special Event |
| Joppa Lodge | \$51 | Treat to Trunk | Special Event |
| NAACP | \$40 | Treat to Trunk | Special Event |

| | | | |
|---|------------------------------|------------------------------|-----------------|
| Empowered Outreach Church | \$50 | Treat to Trunk | Special Event |
| Birdia Johnson for City Council | \$150 | Treat to Trunk | Special Event |
| DCTA | \$700 | Treat to Trunk | Special Event |
| RSVP | \$60 | Treat to Trunk | Special Event |
| SEDNA | \$25 | Treat to Trunk | Special Event |
| LJ3 | \$50 | Treat to Trunk | Special Event |
| Omega Alpha, Omega Chapter of Alpha Kappa Alpha | \$396 | Treat to Trunk | Special Event |
| Denton County Friends of the Family | \$40 | Treat to Trunk | Special Event |
| Anonymous | \$92 | ALH Holiday Bags | Special Event |
| The Cookie Crave | \$68 | Cookies & Cocoa Drive Thru | Special Event |
| Insomnia Cookies | \$75 | Cookies and Cocoa Drive Thru | Special Event |
| Eaties | \$300 | Tree Giveaway | Special Event |
| Total | \$3,995 | | |
| Sponsor/Donor Name Second Quarter | Sponsorship Value | Project/Program | Category |
| Alpha Kappa Alpha Sorority | \$330 | MLK Day | Special Event |
| Empowered Outreach Church | \$27 | MLK Day | Special Event |
| Donald Cox | \$20 | MLK Day | Special Event |
| Crumbl | \$30 | MLK Day | Special Event |
| Eaties | \$1,000 | MLK Day | Special Event |
| Derrick Reed | \$100 | Bunnies & Baskets | Special Event |
| Anonymous | \$5 | Bunnies & Baskets | Special Event |
| Birdia Johnson for City Council | \$90 | Bunnies & Baskets | Special Event |
| Keep Texas Beautiful / Keep America Beautiful | \$868 | Great American Cleanup | Special Event |
| Pan Ector Industries | \$242 | Great American Cleanup | Special Event |
| Beth Marie's Old Fashioned Ice Cream | \$75 | Great American Cleanup | Special Event |
| Gnome Cones | \$40 | Great American Cleanup | Special Event |

| | | | |
|---|--------------------------|------------------------------|------------------------|
| Raising Cane's Chicken Fingers | \$342 | Great American Cleanup | Special Event |
| University of North Texas | \$760 | Mountain Bike Trail Building | Special Project |
| Total | \$3,929 | | |
| Sponsor/Donor Name Third Quarter | Sponsorship Value | Project/Program | Category |
| Thistle Creative | \$20 | Redbud Festival | Special Events |
| Valley Creek Church | \$218 | Outdoor Volunteers | Volunteer Programming |
| Holly's Garden | \$1,000 | Craft Programs | Recreation Programming |
| Southwest Funding – Travis Scott | \$100 | Family Campout | Special Event |
| Birdia Johnson | \$100 | Family Campout | Special Event |
| Raising Cane's | \$78.59 | Family Campout | Special Event |
| Total | \$1,516.59 | | |

CONCLUSION:

The Parks and Recreation Department will continue to seek sponsorships and donations in an effort to enhance and subsidize the costs of programs, events, and projects.

STAFF CONTACT:

Jennifer Eusse
Special Event Supervisor Parks and Recreation
Jennifer.Eusse@cityofdenton.com

PARTICIPATING DEPARTMENTS:

Parks and Recreation Department

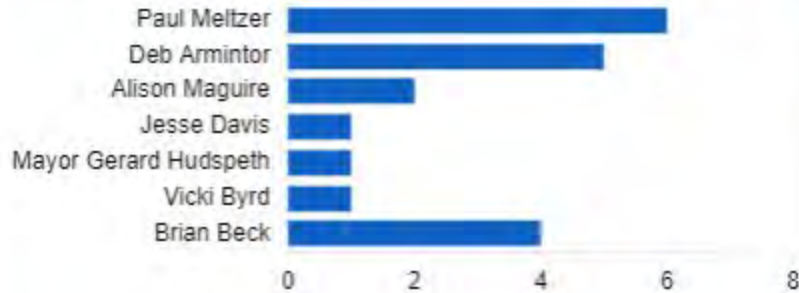
STAFF TIME TO COMPLETE REPORT:

Parks and Recreation Department 1 hour

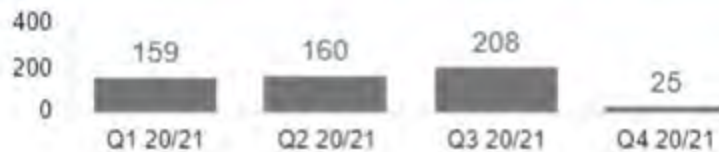
Total Staff Time 1 hours

FY 20/ 21 Council Requests

Open Requests



Requests made by Quarter



Total Open Requests

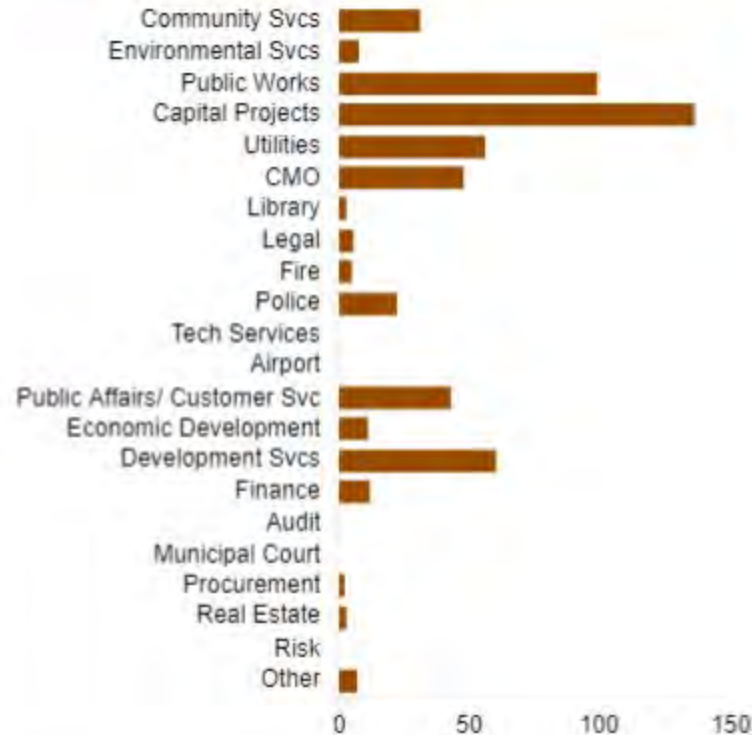
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Elected Official

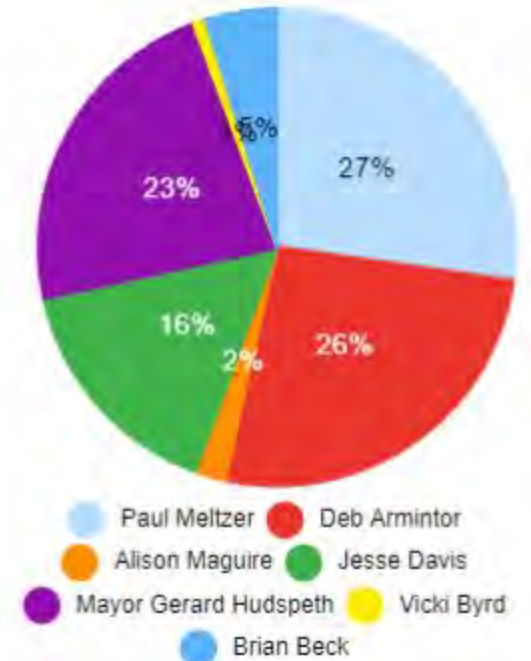
Submit New

Request

Requests Answered by Department FY 20/21



All Time Request Volume by Council Person



Some requests involve multiple departments, causing the total requests by department to add up higher than the total request count

Council Requests for Information

| | Completed | Council Member Requestor | Date | Summary of Request | Staff Assigned | Department | Comments |
|----|-------------------------------------|--------------------------|----------|---|--------------------------------|--|---|
| 1 | <input type="checkbox"/> | Council Member Armintor | 06/03/21 | I'm proposing a 1-minute pitch for a work session on making city boards and committees more inclusive and accessible for the public to serve and participate | Rosa Rios | City Secretary's Office | Staff will schedule this during the July 20 pending Council request work session |
| 2 | <input checked="" type="checkbox"/> | Council Member Beck | 06/16/21 | Can the City Attorney provide a very short ISR on existing methods to get items on the agenda as well as the powers in the charter or TLGC that are the basis for those current mechanisms | Catherine Clifton | Legal | Staff is developing the information and will provide in an upcoming Legal Status Report |
| 3 | <input checked="" type="checkbox"/> | Mayor Pro Tem Meltzer | 06/30/21 | Can staff provide information about asbestos removal that was posted online? | Scott McDonald | Development Services | Information is provided in the July 16 Friday Report |
| 4 | <input checked="" type="checkbox"/> | Council Member Davis | 07/01/21 | Can staff provide information about asbestos removal that was posted online? | Scott McDonald | Development Services | Information is provided in the July 16 Friday Report |
| 5 | <input checked="" type="checkbox"/> | Mayor Pro Tem Meltzer | 07/02/21 | Can our our legislative consultants to provide a scorecard showing whether each of the members of our legislative delegation voted in accordance with the city's position or not on bills we advocated for or against. | Ryan Adams | Public Affairs | Information is provided in the July 16 Friday Report |
| 6 | <input checked="" type="checkbox"/> | Council Member Armintor | 07/08/21 | Can someone identify on the map what part(s) of the 1999 Deerwood ESA have already been developed and when, as well as the acreage? | Deborah Viera, Hayley Zagurski | Development Services Environmental Services | Information is provided in the July 16 Friday Report |
| 7 | <input checked="" type="checkbox"/> | Council Member Armintor | 07/08/21 | I would love to see the 1999 and 2020 ESA guidelines so I can compare them to today's ESA requirements, including but not limited to the minimum acreage threshold for an Upland Habitat. | Deborah Viera, Hayley Zagurski | Development Services Environmental Services | Information is provided in the July 16 Friday Report |
| 8 | <input checked="" type="checkbox"/> | Council Member Maguire | 07/10/21 | Are there any plans to install a raised crosswalk or all-way stop at the intersection of Forrestridge and Ryan Rd.? Will we be keeping the all-way stop at Montecito and Ryan Rd.? Are there any other plans for traffic calming measures in the works? | Rachel Wood | CIP - Capital Projects | Information is provided in the July 16 Friday Report |
| 9 | <input checked="" type="checkbox"/> | Mayor Pro Tem Meltzer | 07/11/21 | Can staff provide information about construction sight-obstructions and the bypass to the South Branch Library related to the construction on Teasley Ln? | Rachel Wood | CIP - Capital Projects | Information is provided in the July 16 Friday Report |
| 10 | <input checked="" type="checkbox"/> | Mayor Hudspeth | 07/13/21 | Can staff check on construction traffic on Monte Carlo? | Scott McDonald | Development Services | Information is provided in the July 16 Friday Report |
| 11 | <input type="checkbox"/> | Council Member Beck | 07/13/21 | Can staff provide a list of ESAs in 2002 compared to 2021 (as Deb requested) and note which of the differences were from the 10-acre arbitrary designation. | Deborah Viera, Hayley Zagurski | Development Services Environmental Services | Information is provided in the July 16 Friday Report and staff will coordinate with the Council Member to schedule a one-minute pitch if desired. |
| 12 | <input type="checkbox"/> | Council Member Beck | 07/13/21 | Can we put a moratorium on delisting ESAs, given the importance of even small-green-corridors. | Deborah Viera, Hayley Zagurski | Development Services Environmental Services | Information is provided in the July 16 Friday Report and staff will coordinate with the Council Member to schedule a one-minute pitch if desired. |
| 13 | <input checked="" type="checkbox"/> | Council Member Armintor | 07/13/21 | see a list of all ESAs delisted since Jan 1 2020 in an upcoming staff report, along the dates of those delistings and a map of those locations. Is it generally permit applications that trigger ESAs under the 10-acre minimum to get delisted by staff? | Deborah Viera, Hayley Zagurski | Development Services Environmental Services | Information is provided in the July 16 Friday Report |
| 14 | <input checked="" type="checkbox"/> | Mayor Pro Tem Meltzer | 07/13/21 | What's the timing and process for redistricting council districts? | Rosa Rios, Ryan Adams | City Secretary's Office Public Affairs | Information is provided in the July 16 Friday Report |
| 15 | <input checked="" type="checkbox"/> | Mayor Pro Tem Meltzer | 07/14/21 | A constituent asks what rules and restrictions would apply to someone opening a cat cafe—a cafe like any other but where cats are wandering around to be petted by customers. | Charles Rosendahl | Development Services | Staff has provided information to the Council Member |
| 16 | <input checked="" type="checkbox"/> | Mayor Pro Tem Meltzer | 07/15/21 | Can staff assess a resident's social-distancing concerns at Rec Centers? | Nikki Sassenus | Public Works -Parks | Staff has provided information to the Council Member |
| 17 | <input type="checkbox"/> | Council Member Beck | 07/15/21 | Can staff look at a resident's claim of damage on Huntington Dr. where construction was nearby | Rachel Wood | CIP - Capital Projects | Staff will provide information about the claim to the Council Member |
| 18 | <input checked="" type="checkbox"/> | Council Member Armintor | 07/15/21 | Can staff provide information about a resident's concerns about permitting in the ETJ? | Scott McDonald | Development Services | Staff has provided information to the Council Member |
| 19 | <input type="checkbox"/> | Council Member Byrd | 07/15/21 | Can staff assess a business owner's concerns about tables on the sidewalk in downtown? | Dani Shaw, Scott McDonald | Community Services Development Services | Staff has contacted the business and will continue to follow up with any issues. |
| 20 | <input checked="" type="checkbox"/> | Council Member Maguire | 07/15/21 | Can staff provide information about (double) fence requirements? | Charles Rosendahl | Development Services | Staff has provided information to the Council Member |

July 2021

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|-----|---|--|---|--|---|-----|
| | | | | 1 8:00 a.m. Agenda Committee Cancelled -8:30 am – DEDC Public Art – 4pm | 2 | 3 |
| 4 | 5 No Council Luncheon 4 th of July Holiday | 6 No Council Meeting | 7 | 8 3:00 pm - Health & Building Standards | 9 | 10 |
| 11 | 12 9:00 am – PUB Cancelled 5 pm - HLC 5:30 p.m. Library Board 6:00 p.m. P & R Beautification Board | 13 No Council Meeting | 14 11:00 am - EDPB 5:00 p.m. P&Z Commission 5:30 pm - AAB | 15 3:00 pm – CoPwD 3:00 pm - Health & Building Standards | 16 12:00 pm Joint – CDAC & HSAC | 17 |
| 18 | 19 CANCELLED-11:30 am - Traffic Safety Commission | 20 2:00 pm - CC Work Session 6:30 pm - CC Regular Session | 21 9:00 am - Mobility Committee CANCELLED-11:00 a.m. Development Code Review Committee | 22 3:00 pm – Health & Building Standards Commission | 23 1:00 pm Sustainability Framework Advisory Committee CANCELLED-1:00 pm Audit/Finance | 24 |
| 25 | 26 9:00 am - PUB | 27 2:00 pm - 4th Tuesday Session 5:00 pm Zoning Board of Adjustment | 28 12:00 pm - TIRZ No.1 5:00 pm P&Z Commission | 29 3:00 pm – Health & Building Standards Commission 3:00 pm Board of Ethics | 30 | 31 |

August 2021

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|-----------|--|--|---|--|--|--------------------------------------|
| 1 | 2 9:00 am COE 11:30 am Council Luncheon | 3 2:00 pm CC Work Session 6:30 pm CC Regular Session | 4 5:00 pm P&Z Commission | 5 8:00 Agenda Committee 8:30 a.m. DEDC 12:00 pm – Bond Committee 3:00 pm – Health & Building Standards Commission | 6 | 7 |
| 8 | 9 9:00 am PUB 5:30 p.m. Library Board | 10 2:00 pm 2nd Tuesday Session | 11 11:00 a.m. EDPB 5:30 pm - AAB | 12 | 13 | 14 |
| 15 | 16 11:30 am Traffic Safety Commission | 17 2:00 pm CC Work Session 6:30 pm CC Regular Session | 18 9:00 am Mobility Committee 11:00 a.m. Development Code Review Committee | 19 | 20 9:00 a.m. Community Development Advisory Committee 12:00 p.m. HSAC | 21 9:00 am Council Retreat |
| 22 | 23 9:00 am PUB | 24 2:00 pm 4th Tuesday Session | 25 12:30 p.m. Development Code Review Committee | 26 3:00 pm Board of Ethics | 27 1:00 pm – Audit/Finance | 28 |
| 29 | 30 | 31 No Council Meeting | | | | |

September 2021

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|-----------|--|--|---|--|-----------------------------------|-----------|
| | | | 1 | 2 8:00 am Agenda Committee 8:30 a.m. DEDC | 3 | 4 |
| 5 | 6 LABOR DAY HOLIDAY No Council Luncheon | 7 No Council Meeting 10:00 am Community Engagement | 8 11:00 a.m. EDPB 5:30 pm - AAB | 9 3:30 p.m. Library Board | 10 | 11 |
| 12 | 13 9:00 am PUB | 14 2:00 pm 2nd Tuesday Session | 15 | 16 3:00 Committee on Persons w/ Disabilities | 17 | 18 |
| 19 | 20 11:30 am Traffic Safety Commission | 21 2:00 pm CC Work Session 6:30 pm CC Regular Session | 22 9:00 am Mobility Committee 12:00 p.m. TIRZ No.1 | 23 | 24 1:00pm Audit/Finance | 25 |
| 26 | 27 9:00 am PUB | 28 10:00 am - CAC No Council Meeting | 29 | 30 3:00pm - Board of Ethics | | |

Tentative Work Session Topics and Meeting Information
Updated: July 16, 2021

| Meeting Date | Item | Legistar ID | Departments Involved | Type | Estimated Time |
|--------------------------------------|--|-------------|--|---|----------------------|
| July 20, 2021 (Regular) | Budget presentations: DME, Customer Service, Traffic, Engineering, Facilities, Airport | 21-455 | Finance DME, Streets, Traffic, Engineering, Facilities, Airport | Budget | 60-90 minutes |
| | Denton Parks Foundation Annual Plan & Contract | 21-1367 | Parks Finance, Legal | City Business | 30 minutes |
| | Economic Development Catalyst Fund | 21-1397 | Economic Development Finance | City Business | |
| | Internal Audit - Building Permits | 21-703 | Internal Audit Development Services, CMO | Internal Audit Report | 30 minutes |
| | One-Minute Pitches: Armintor (Inclusive boards and committees) | 21-759 | CMO City Secretary's Office, Capital Projects, Legal | Council Request | Less than 30 minutes |
| | Other Major Items for Meeting: Tenaska Data Center Rezoning (Public Hearing), DCTA GoZone Resolution (IC) | | | | |
| July 27, 2021 (Special) | Budget presentations: Solid Waste, Water, Wastewater/Drainage, Fleet, Streets, Development Services (includes Real Estate), Environmental Services | 21-456 | Finance Solid Waste, Water/Wastewater, Fleet, Customer Service, Development Services | Budget | 60-90 minutes |
| | American Rescue Plan | 21-1054 | Finance Community Services, Economic Development | City Business | 30-60 minutes |
| | Internal Audit - Water Distribution | 21-982 | Internal Audit Water, CMO | Internal Audit Report | 30 minutes |
| | Streets Fund | 21-854 | Finance Capital Improvement, Streets | Council Request Davis (2/17/21) | 30-60 minutes |
| | One-Minute Pitches: | 21-760 | CMO Development Services, Legal | Council Request | Less than 30 minutes |
| | Other Major Items for Meeting: Tenaska Purchase Power Agreement (Closed and Individual Consideration) | | | | |
| August 2, 2021 (Budget Workshop) | Budget Workshop | 21-1087 | Finance | Budget | 5-6 Hours |
| August 3, 2021 (Regular) | Comprehensive Plan Update | 21-1278 | Development Services Legal | Council Priority | 60-90 minutes |
| | DDC Tree Preservation Review | 21-1162 | Development Services Parks | Council Requested Meltzer (5/11/21) | 60-90 minutes |
| | Form-Based Zoning | TBD | Development Services | Council Requested Meltzer (5/18/21) | 30-60 minutes |
| | One-Minute Pitches: | 21-1088 | City Manager's Office Community Services, Legal | Council Request | Less than 30 minutes |
| | Other Major Items for Meeting: | | | | |
| August 10, 2021 (Special) | Capital Improvent Program and Five-Year Financial Forecast | 21-458 | Finance CIP/Engineering, Public Works, Solid Waste, Water/Wastewater, DME | Budget | 30-60 minutes |
| | Fire Station 9 | TBD | Fire/Finance | Council Request | Less than 30 minutes |
| | Westgate Street Discussion | 21-1268 | CIP/Engineering | Follow Up Discussion | 60-90 minutes |
| | City Initiative to Increase COVID Vaccinations | 21-1321 | City Manager's Office Fire | Council Requested Maguire (5/25/21) | 30-60 minutes |
| | One-Minute Pitches: | 21-1089 | City Manager's Office | Council Request | Less than 30 minutes |
| | Other Major Items for Meeting: Closed Sessions: Municipal Judge and Internal Auditor performance reviews | | | | |
| August 17, 2021 (Regular) | Capital Improvent Program and Five-Year Financial Forecast | 21-459 | Finance CIP/Engineering, Public Works, Solid Waste, Water/Wastewater, DME | Budget | 30-60 minutes |
| | Development Districts Policy, Public Improvement District Policy | 21-1271 | Economic Development Finance, Development Services, Legal | City Business, Council Request Davis (5/11/21) | 60-90 minutes |
| | Economic Development Incentive | 21-1361 | Economic Development | City Business | 30-60 minutes |
| | One-Minute Pitches: | 21-1090 | City Manger's Office | Council Request | Less than 30 minutes |
| | Other Major Items for Meeting: | | | | |
| August 21, 2021 (Council Retreat) | Council Retreat: Discussion includes Council Dynamics, One-Minute Pitch Process, Council Priorities | TBD | City Manager's Office Legal | Annual Retreat, Council Requested Armintor (5/25/21) | 5 hours |

*This is for planning purposes only. Dates are subject to change.

| | | | | | |
|--|---|--|--|--|--|
| August 24, 2021 (Special) | Capital Improvent Program and Five-Year Financial Forecast | 21-460 | Finance CIP/Engineering, Public Works, Solid Waste, Water/Wastewater, DME | Budget | 30-60 minutes |
| | Internal Audit - Payroll Administration Audit | 21-1267 | Internal Audit Finance | Internal Audit Report | 30 minutes |
| | Bell Avenue Discussion | 21-1478 | Capital Projects | City Business | 60 minutes |
| | One-Minute Pitch: | 21-1091 | City Manager's Office | Council Request | Less than 30 minutes |
| | Other Major Items for Meeting: | | | | |
| Sepetember 6, 2021 | NO MEETING - Labor Day | | | | |
| September 7, 2021 | NO MEETING - Labor Day | | | | |
| September 14, 2021 (Special) | Internal Audit - EMS Billing & Collection Audit | 21-1269 | Internal Audit Fire | Internal Audit Report | 30 minutes |
| | Non-Discrimination Ordinance Research | TBD | City Manager's Office Legal | Council Request Maguire (6/15/21) | 60-90 minutes |
| | Southwest Park Master Plan | 21-553 | Parks and Recreation | Bond Project | 60 minutes |
| | Interactive Fountain/Sculpture at Rayzor Ranch Park | TBD | Parks and Recreation Economic Development, Finance | Council Request Davis (4/13/21) | 30 minutes |
| | Comprehensive Solid Waste Management Strategy | 21-1409 | Solid Waste | | |
| | One Minute Pitch: | 21-1272 | City Manager's Office | Council Request | Less than 30 minutes |
| Other Major Items for Meeting: Budget Public Hearings | | | | | |
| September 21, 2021 (Regular) | Parkland Dedication and Development Ordinance | 21-109 | Parks and Recreation Legal, Finance | City Business | |
| | Affordable Housing Plan | 21-1419 | Community Services City Manager's Office, Development Services | Council Priority | 60-90 Minutes |
| | Internal Audit - Water Production | 21-981 | Internal Audit Water, CMO | Internal Audit Report | 30 minutes |
| | One-Minute Pitch: | 21-1273 | City Manager's Office | Council Request | Less than 30 minutes |
| | Other Major Items for Meeting: Consideration of budget adoption | | | | |
| September 28, 2021 (Special) | FY 2021-22 Annual Audit Plan | 21-1319 | Internal Audit | Internal Audit Report | 30-60 Minutes |
| | Stormwater Master Plan | 20-1415 | CIP/Engineering | City Business | 60-90 Minutes |
| | One-Minute Pitch: | 21-1274 | City Manager's Office | Council Request | Less than 30 minutes |
| | Other Major Items for Meeting: | | | | |
| Work Session Dates to be Determined | Item | Legistar ID | Departments | Type | Estimated Work Session Date |
| | Redistricting Update | TBD | City Secretary's Office | City Business | Fall 2021 |
| | Construction Code Review | 21-735 | Development Services | City Business | |
| | ETJ - Lake Ray Roberts | 21-738 | Development Services | City Business | |
| | Tourism Public Improvement District Update | 21-1332 | Economic Development | City Business | October 12, 2021 |
| | Leak Adjustment Ordinance | 21-557 | Water/Wastewater | City Business | |
| | Economic Development Programs and Policy Discussions | 21-1330 | Economic Development | City Business | October 12, 2021 |
| | City Holidays | TBD | Human Resources | City Business | October 2021 |
| | Closed Session: City Attorney interviews | TBD | Human Resources | City Business | Late-August/Early- September 2021 |
| | DME Cost of Service | TBD | DME | City Business | November 2021 |
| | DME Transmission Cost of Service | TBD | DME | City Business | October 2021 |
| | Electric Service Standards | TBD | DME | City Business | September 2021 |
| | Community Services Annual Grant Program Overview (Multiple Sessions) | TBD | Community Services | City Business | October/November 2021 |
| | One-Minute Pitch: | 21-1416 - 10/12 | City Manager's Office | Council Request | October 12, 2021 Less than 30 minutes |
| One-Minute Pitch: | 21-1417 - 10/19 | City Manager's Office | Council Request | October 19, 2021 Less than 30 minutes | |
| One-Minute Pitch: | 21-1418 - 10/26 | City Manager's Office | Council Request | October 26, 2021 Less than 30 minutes | |
| Council Priorities and Significant Work Plan Items to be Scheduled | Item | Dates | Departments | Type | Estimated Work Session Date |
| | FY 2022-23 Budget Development | February - October 2022 | Finance All other departments | Budget | Summer 2022 |
| | Affordable Housing Plan (Multiple Sessions Likely) | Ongoing - Fall/Winter 2021 | Community Services City Manager's Office, Development Services | Council Priority | November 2021 |
| | Comprehensive Solid Waste Management Plan | Ongoing - Fall/Winter 2021 | Solid Waste and Recycling | Council Priority | November 2021 |
| Mobility Plan | Ongoing - Fall 2021 | Engineering Public Works, Development Services | Council Priority | October 2021 | |

*This is for planning purposes only. Dates are subject to change.

| | Item | Date Approved | Department | Estimated Hours to Complete | Requestor |
|--|---|---------------|--|-----------------------------|-----------|
| Approved Council Request Work Sessions to be Scheduled | Flag Policy Discussion | June 15, 2021 | City Manager's Office Legal | 20-35 hours | Arminton |
| | UNT Parking Agreements | June 15, 2021 | Engineering Legal, Development Services | 20 hours | Hudspeth |
| | Relevance of Committees | June 8, 2021 | City Secretary's Office City Manager's Office, Legal | 20 hours | Hudspeth |
| | Off-premise Signs | June 8, 2021 | Development Services Legal | 60-80 hours | Davis |
| | Ranked-Choice Voting for Council and Committee Board Officers | May 25, 2021 | City Secretary's Office City Manager's Office, Legal | 20-30 hours | Beck |

1 Street Closure Report: Upcoming Closures

SCR July 19th - 25th

| | Street/ Intersection | From | To | Closure Start Date | Closure End Date | Description | Department | Department Contact |
|---|----------------------|-------------------|-----------------------|--------------------|------------------|--|--------------------------|--------------------|
| 1 | Bell Ave | Texas St | Withers St | 07/31/21 | 08/23/21 | Water Distribution will be installing a new water main line and services. | Water | Tiffany Sherrane |
| 2 | Bell Ave | Withers St | Mingo Rd | 08/24/21 | 10/05/21 | Water Distribution will be installing a new water main line and services. | Water | Tiffany Sherrane |
| 3 | Bell Ave | at | Mingo Rd | 09/02/21 | 09/17/21 | Water Distribution will be installing a new water main line and services. | Water | Tiffany Sherrane |
| 4 | Bernard St | Hickory St | Chestnut St | 10/06/21 | 11/16/21 | Water Distribution will be replacing the water main line and services. | Water | Tiffany Sherrane |
| 5 | Colorado Boulevard | Valley Creek Road | San Jacinto Boulevard | 07/26/21 | 08/26/21 | Building a right-turn lane into the new Vista Verde project on the west side of Colorado. The right lane will be closed while operations are being performed to add the turn lane. | Public Works Inspections | Robert Plato |
| 6 | Montecito Dr | Buena Vista | Palo Verde | 07/26/21 | 08/27/21 | Concrete Sidewalk Repair. Remove failed sections and install new concrete | Streets | Robbin Webber |

2 Street Closure Report: Current Closures

| Street/ Intersection | From | To | Closure Start Date | Closure End Date | Description | Department | Department Contact |
|------------------------------|-------------------|------------------------|--------------------|------------------|--|---------------------|--------------------------------|
| 1 Bell Ave | Administration Dr | Texas St | 07/02/21 | 07/30/21 | Water Distribution will be installing a new water main line and services. | Water | Tiffany Sherrane |
| 2 Bell Ave | at | Mckinney St | 07/03/21 | 09/01/21 | Water Distribution will be installing a new water main line and services. | Water | Tiffany Sherrane |
| 3 Bonnie Brae | IH 35E | Scripture | 06/15/20 | 07/30/21 | North South Water Main Phase 3 | Streets | Robin Davis |
| 4 Bonnie Brae (SB) | Oak | Hickory | 06/14/21 | 09/22/21 | This block is closed to southbound traffic only, detours are posted. Northbound lane still open. Installation of electric duct banks for DME substation project and steel casing for water main project | Other | Mark Zimmerer |
| 5 Carroll Blvd (SB) | Stroud | Highland | 07/19/21 | 08/20/21 | Concrete Street Panel and Sidewalk Repair. The process starts with Barricading the failed sections of concrete pavement, remove the pavement, and install new concrete. | Streets | robbin.webber@cityofdenton.com |
| 6 Chebi Lane | Old North Road | Freedom Lane | 06/21/21 | 09/10/21 | Full width pavement replacement and subgrade improvement. | Engineering Streets | Kyle Pedigo |
| 7 College Park Dr | Peach St | End of College Park Dr | 06/28/21 | 09/24/21 | Wastewater collections will be installing a new wastewater main line and services. | Wastewater | Tiffany Sherrane |
| 8 Dakota Ln | Airport Rd | Shelby Ln | 07/20/21 | 07/23/21 | Water Distribution will be installing a new water main line and services. | Water | Tiffany Sherrane |
| 9 Deenwood PWY | Kings Row | Grant PWY | 07/06/21 | 08/06/21 | Sidewalk Repair | Streets | Robbin Webber |
| 10 Eagle | Locust | Elm | 06/28/21 | 07/30/21 | Patching of utility trench lines. | Engineering | Seth Garcia |
| 11 Elm | Hickory | Eagle | 05/11/20 | 07/30/21 | PEC 4 Utility Project | Engineering | Seth Garcia |
| 12 Elm Street | Eagle Drive | (dead end) | 05/17/21 | 09/30/21 | Atmos Energy will be closing street intermittently to replace and relocate an existing gas main and service lines | Atmos | Alice Province |
| 13 Fowler Dr | College Park Dr | Peach St | 06/28/21 | 09/24/21 | Wastewater collections will be installing a new wastewater main line and services. | Wastewater | Tiffany Sherrane |
| 14 Hickory St West | Welch | Bernard | 07/15/21 | 07/23/21 | The intersection of Welch and W. Hickory will be completely closed for pavement replacement. | Engineering Streets | Kyle Pedigo |
| 15 Hickory Street | Welch | Carroll | 08/31/20 | 09/04/21 | Construction is set to begin on West Hickory Street between N. Welch Street and Carroll Blvd in October of 2020 and continue through September of 2021. Detailed lane closure information is forthcoming pending approval of the contractor's phasing and traffic control plans. | Engineering | Kyle Pedigo |
| 16 Lido Way and Balboa Court | Bell Avenue | End | 07/05/21 | 09/01/21 | Full width pavement replacement and subgrade improvement. | Engineering Streets | Kyle Pedigo |
| 17 Locust | Eagle | Hickory | 06/28/21 | 07/30/21 | Patching of utility trench lines. | Engineering | Seth Garcia |

| Street/ Intersection | From | To | Closure Start Date | Closure End Date | Description | Department | Department Contact |
|----------------------|----------------|------------------------|--------------------|------------------|---|--|--------------------------------|
| 18 Mckinney | duchess | Glengarry | 02/01/21 | 12/24/21 | McKinney - Mayhill Intersection This project is widening the intersection and 600' each way to match existing conditions along McKinney. Also includes water, wastewater, and drainage improvements. | Engineering | Trevor Crain |
| 19 Mistywood Lane | Old North Road | Craig Lane | 06/21/21 | 09/10/21 | Full width pavement replacement and subgrade improvement. | Engineering Streets | Kyle Pedigo |
| 20 Oak Street | Bell Street | UPRR Railroad | 02/01/21 | 08/28/21 | Adding drainage line to Oak Street as part of the Downtown Storm Sewer Project. | Engineering | kyle.pedigo@cityofdenton.com |
| 21 Peach St | N Locust Dr | Fowler Dr | 06/28/21 | 09/24/21 | Wastewater collections will be installing a new wastewater main line and services. | Wastewater | Tiffany Sherrane |
| 22 Riney | Bonnie Brae | Hardaway | 07/06/20 | 07/30/21 | Removing panel to adjust valve stack and center gate valve nut. Replace panel after adjusting valve stack. Traffic control up from 8am-5pm | Private Development Public Works Inspections | Jeremiah Tillman-David |
| 23 Scripture | Bonnie Brae | 1, 300 ft. to the West | 03/22/21 | 08/26/21 | Reconstruct; Scripture from Bonnie Brae to approximately 1,300 ft. to the west . This includes removal and replacement of failed sections of curb and gutter. Milling of the old asphalt pavement and the stabilization of subgrade and the installation of new asphalt pavement. Phase I East Bound Outside Lane Phase II West Bound Outside Lane Phase III Middle Lane | Streets | robbin.webber@cityofdenton.com |
| 24 Walnut Street | Locust Street | Elm Street | 05/17/21 | 09/30/21 | Atmos Energy will be excavating street to complete replacement /relocation of their existing gas main | Atmos | Alice Province |
| 25 Western Blvd | Jim Chrystal | Airport Rd | 06/01/21 | 08/02/21 | PH1- Installing sewer line across Western from median to private property. PH2- Median removal, future pour for Turn Lanes | Private Development Public Works Inspections | Jeremiah Tillman-David |
| 26 Windsor Dr East | Hanover Dr | Longfellow Ln | 06/01/21 | 07/30/21 | Complete street reconstruction only allowing resident only traffic. | Engineering | Dustin Draper |
| 27 Windsor Dr East | Nottingham | Branch Crossing | 06/14/21 | 08/27/21 | Roadway reconstruction | Engineering | Dustin.Draper@cityofdenton.com |
| 28 Woodhaven | Mistywood | Emerson | 04/05/21 | 08/12/21 | This project will consist of the removal and replacement of failed sections of curb and gutter, the milling off the old asphalt and base material, lime stabilize the subgrade and the installation of new asphalt pavement. | Streets | robbin.webber@cityofdenton.com |

3 Street Closure Report: Completed Closures

| Street/ Intersection | From | To | Closure Start Date | Closure End Date | Description | Department | Department Contact |
|----------------------|-------------------|-----------------------|--------------------|------------------|---|---|--------------------------------|
| 1 Amherst Dr | Georgetown Dr | Malone St | 04/15/21 | 06/25/21 | Water Distribution will be installing new water main and water services. | Water | Tiffany Sherrane |
| 2 Bell Ave | McKinney Street | Hickory Street | 02/01/21 | 07/02/21 | Closures starting 6/1/21. Various traffic shifts will be required at the intersection of Bell and Oak (between McKinney and Hickory) in order to cross Bell with a new drainage line on Oak Street. | Engineering | kyle.pedigo@cityofdenton.com |
| 3 Boxwood | at Chittamwood | 3800 Boxwood | 06/07/21 | 06/25/21 | Concrete Street Panel and Sidewalk Repair. Remove the pavement and install new concrete. | Streets | Robbin Webber |
| 4 Bryan Street | Jagoe | Scripture | 07/02/21 | 07/02/21 | Flagging traffic to offload equipment from the job site | Public Works Inspections | Stephany Trammell |
| 5 Caddo Circle | Champlian | Cul v Sac | 06/14/21 | 07/09/21 | Concrete Sidewalk Repair. remove failed sections of concrete Sidewalk, remove, and install new concrete | Streets | Robbin Webber |
| 6 Carroll Blvd (SB) | Egan | Panhandle | 05/31/21 | 07/16/21 | Concrete Street Panel Repair. The process starts with Barricading the failed sections of pavement, remove the pavement and subgrade, and install new concrete pavement. | Streets | robbin.webber@cityofdenton.com |
| 7 Creekdale Drive | Dead End | Raintree Way | 06/28/21 | 07/09/21 | Mill/Overlay | Streets | Robbin Webber |
| 8 Crestmeadow Street | Windsor | Bauer | 05/31/21 | 06/18/21 | Curb and Gutter Repair: The process starts with barricading the failed sections and then installing new Curb and Gutter. | Streets | robbin.webber@cityofdenton.com |
| 9 Nottingham | Unversity (US380) | 500 feet to the south | 06/02/21 | 07/14/21 | Milling and turn lane addition with a signal upgrade. | Engineering | Dustin Draper |
| 10 Riverchase Trail | Stoneway Drive | Creekdale Drive | 06/28/21 | 07/09/21 | Mill/Overlay | Streets | Robbin Webber |
| 11 Uland | Railroad | Rose | 02/11/21 | 06/21/21 | Wastewater collections will be installing a new wastewater main line and services. | Wastewater | Tiffany Sherrane |
| 12 Windor | Bonnie Brae | Parkside Dr | 06/21/21 | 07/05/21 | 18" SS Line | Private Development Public Works Inspections | Jeremiah Tillman-David |
| 13 Windsor Dr East | Hanover DR | Longfellow LN | 06/01/21 | 06/30/21 | Complete street reconstruction is being performed. As shown in the attached TCP the road will be closed and resident only traffic will be allowed from Longfellow to Bristol ST. | Engineering | Dustin Draper |