City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
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AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Kenneth Hedges

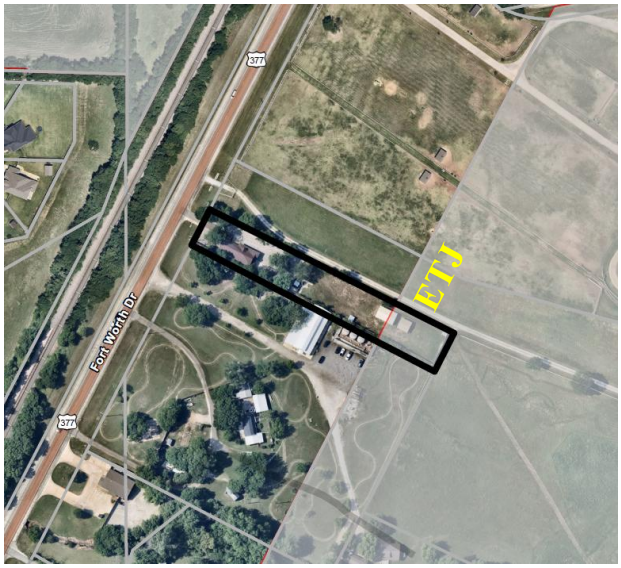
DATE: November 17, 2026

SUBJECT

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas for a Specific Use Permit (SUP) to allow for a Group Home use on approximately 1 acre of land, generally located on the east side of Fort Worth Drive (Hwy 377) and approximately 750 feet south of Johnson Lane in the City of Denton, Denton County, Texas; adopting an amendment to the City's official zoning map providing for a penalty in the maximum amount of $2,000.00 for violations thereof; providing for severability; and establishing an effective date. The Planning and Zoning Commission voted [5-0] to recommend approval of the request. Motion for approval by Commissioner Garland and second by Commissioner Pruett. A SUPERMAJORITY VOTE OF THE COUNCIL IS REQUIRED TO APPROVE THIS ITEM. (S26-0004c, RHR Group Home, Julie Wyatt)

BACKGROUND

The applicant, Ranch Hands Rescue, is requesting a Specific Use Permit (SUP) to allow a Group Home use on a platted lot developed with an existing dwelling and several accessory structures. The property is approximately one acre in size and is divided by the City's jurisdictional boundary with 37,400 square feet located inside the City boundary and the remainder in the extraterritorial jurisdiction (ETJ), as depicted in the aerial map, right. The portion of the property located within the City limits is zoned Residential 2 (R2), which permits Group Homes with an approved SUP. The City doesn't regulate land uses or development standards in the ETJ; however, per Denton Development Code (DDC) Subsections 5.2-2 and 8.3.2A.11, full access to a site across a property must occur through a zoning district that allows the proposed use, necessitating an approval of an SUP to establish the Group Home use on the entire lot.



Current Request

This proposal is to provide supportive and protective housing for adult males who are not disabled but have experienced significant trauma. According to the applicant's narrative (Exhibit 8) and subsequent communications with staff, the home is intended for the following:

- A safe environment where residents can work offsite, continue their education, pay affordable rent, and practice life-skills as an interim step prior to independent living.

- While the facility is not intended to provide onsite, 24-hour supervision, two to three staff members will be present regularly (additional if needed) to provide support, counseling, and daily awareness of the residents' whereabouts and needs.
- Onsite services include animal care and animal-assisted therapy, case management, and counseling. The applicant has indicated an interest in being able to offer these services not just to residents of the property but also to past residents who have progressed to independent living.
- Residents must be over 18 years of age and cannot have a criminal record or be a registered sex offender.

The Group Home will be entirely within the existing single-family dwelling and property, and no exterior alterations are proposed. Additionally, the organization has indicated that state licensing for the proposal is not being pursued at this time.

The proposal includes animal care and animal-assisted therapy, often with livestock (horses, goats, etc.). Per DDC Table 5.2, General Agriculture (which includes the keeping of livestock) is permitted in all zoning districts, provided that the operation does not create any of the hazards listed in the Texas Agriculture Code (TAC) Subchapter 251.0055(a)(1). The proposal does not create imminent danger from any of listed hazards: explosion, flooding, an infestation of vermin or insects, physical injury, the spread of an identified contagious disease that is directly attributable to the agricultural operation, the removal of lateral or subjacent support, an identified source of contamination of water supplies, radiation, improper storage of toxic materials, crops planted or vegetation grown in a manner that will cause traffic hazards, discharge of firearms or other weapons. Therefore, the keeping of livestock is permitted.

The proposal generally falls within the scope of Group Home use as defined in the DDC:

> **Group Home:** A facility, home, or structure for the protective care of persons, both adult and adolescent, who need protective care and watchful oversight. Residents may, but are not required, to have a disability. Protective care and watchful oversight requires 24-hour supervision and responsibility for the well-being of residents and may include, but not limited to, daily awareness by management of the residents' whereabouts, asking and reminding of residents of their appointments for medical checkups, readiness of management to intervene if a crisis arises for a resident, counseling services, supervision by management in areas of nutrition and medication, and provision of medical, psychiatric, habilitative, rehabilitative, hospice, palliative, and nursing care. This definition does not include Recovery Housing as defined by Texas Health and Safety Code Chapter 469 as amended.

As noted above, the proposed Group Home does not include 24-hour on-site supervision and consequently does not conform to all aspects of the definition, but daily on-site staffing for animal-assisted therapy, counseling, and case-management does indicate that Ranch Hands Rescue staff provide a level of 24-hour responsibility for the residents. Nevertheless, DDC Section 5.2.4 allows the Director to determine the appropriate category and use type if a proposed use is not specifically listed in the Table of Allowed Uses. Because the proposal includes on-site case management and counseling services in addition to the residential use, Group Home was determined to be the most applicable use type since other similar uses, such as Community Home, are more narrowly defined and require that residents have a disability. Furthermore, the group home use was designed to be broad enough to capture the spectrum of congregate living facilities that the state recognizes, not all of which require licensing.

Group Homes are permitted with an approved SUP and Use-Specific Standards (outlined in DDC 5.3.3J) in all Residential and Mixed-Use Districts. Generally, the SUP and Use-Specific Standards are intended to achieve the following:

- Notify surrounding property owners of the proposal,
- Evaluate the proposal's operational characteristics and development intensity, including number of residents, building type and scale, traffic generated, etc., to ensure compatibility with surrounding area,
- Prevent Group Homes from clustering in one neighborhood or area,
- Maintain a record of Group Homes to verify compliance with health regulations, fire and building safety standards, and licensing requirements (if required) to protect the health, safety, and welfare of the residents and community, and
- Provide a procedure for inspections and corrective action, if needed.

Typically, Specific Use Permits run with the land and remain in place after a change of ownership. However, the Use-Specific Standards require that the Specific Use Permit for a Group Home shall be specific to the person named in the application and shall not be transferred without the prior written consent of the City through the issuance of a new Specific Use Permit. Therefore, if this Specific Use Permit is approved, it will only be in place for this specific applicant, Ranch Hands Rescue. If this applicant were to sell the subject property or cease operating the Group Home, a new public hearing process, and a new Specific Use Permit, would be required for the continued operation of this use at this location.

Project History

Ranch Hands Rescue has operated in some capacity at this location since approval of a rezoning from Neighborhood Residential 4 (NR-4) District to Neighborhood Residential 2 (NR-2) and a SUP in 2015 for an Equestrian Facility (Ordinance 2015-301, Exhibit 6). As part of the application, the organization indicated that the mission focused on the following:

- Animal rescue and rehabilitation.
- Equine/Animal Assisted Counseling (EAAC) program for Veterans, adults, and families in crisis, and children who have suffered grief, trauma, abuse, addiction, or have entered Denton County Juvenile Court.

Due to the unique operational characteristics of the proposal, the 2002 Denton Development Code (2002 DDC) did not include a defined use which adequately described the activities and impacts. Therefore, pursuant to 2002 DDC Subsection 35.3.7.A.3, *Equestrian Facility* was determined to be the most appropriate use. Under the 2002 DDC, Equestrian Facilities were allowed as Commercial Land Uses with an approved SUP in the NR-2 District with no limitation as to the required property size or allowed number of horses. Livestock (including horses) was also allowed in NR-2 District with a limitation that no more than two animals were permitted on parcels one to three acres in size. Based on the property's size at the time of SUP approval, up to two livestock animals could have been kept on site within the City's jurisdictional limits for rehabilitation and therapy. It should be noted that right of way dedication required when the lot was subsequently platted reduced the lot size from 1.03 acre to 0.99 acre. Additionally, the City does not have regulatory authority within the portion of the property that is in the ETJ, which is where the livestock barn is located.

After the rezoning and SUP approval, the applicant obtained a permit to construct a residential-style building to be used as an office and began operating an Equestrian Facility with counseling services at the site.

In 2020, Ranch Hands Rescue approached the City to discuss an expansion of the organization's mission to include safe housing for youths and adults who were not disabled, but had experienced extreme trauma and needed support, protection, and counseling. They indicated that the property would be converted to a

residential home to accommodate 5-6 residents, and the counseling operations at the property would cease, although livestock were intended to continue to be kept on the property as is allowed for larger, more rural residential properties. Without counseling operations on site, the change in use was consistent with activities associated with a typical residential home (eating, sleeping, cooking, sanitation); therefore, the use was classified as a single-family detached dwelling, which is permitted in the R2 District. As part of the conversion to the residential use, the City memorialized the considerations in a letter dated October 23, 2020 (Exhibit 7).

In 2021, the City received a complaint regarding work at the subject property without a permit, including an accessory building and fence. A stop-work order was issued, and City staff coordinated with Ranch Hands Rescue to obtain the necessary permit applications and complete the reviews. It should be noted that the fence permit approved at the time may have been partially in error as an 8-foot opaque fence is typically not permitted unless an exception is authorized by the Director.

In 2022, Ranch Hands Rescue purchased 40 acres elsewhere in Denton County and informed staff that all residential operations were moving to the new property and the subject site was intended to be sold. The property was marketed for sale but did not sell. The applicant ultimately decided to continue using the property for the previously approved equine-assisted therapy/counseling use that was authorized under Ordinance 2015-301.

As outlined above, this site has had a long history with some challenges due to the unique nature of Ranch Hands Rescue's operations. Although a previous determination allowed the property to be used as a residential dwelling in a similar manner to what is proposed today without additional approvals, at the time, the intended activities were consistent with typical single-family detached dwellings since the applicant indicated that no counseling services would be occurring on site. Based on the information provided with the current request, staff has reclassified the residential use to Group Home, which is more consistent with the proposal's operational characteristics. Because of this reclassification, Ranch Hands Rescue is required to seek approval of an SUP.

If approved, the SUP will provide more certainty for the organization, surrounding property owners, and the City by clearly outlining the specific activities that are associated with the use and approved to occur on site. Additionally, the process has allowed City staff to review the proposal comprehensively and communicate possible building and site alterations necessary for congregate living facilities.

PLANNING AND ZONING COMMISSION

On September 9, 2026, the Planning and Zoning Commission held a public hearing and considered the proposal. During the meeting, Staff presented the request, including background information and analysis. The applicant and owner spoke regarding Ranch Hands Rescue's operations, the proposed group home, and addressed questions from Commissioners. Two members of the public spoke in opposition to the Group Home. The discussion during the meeting and subsequent correspondence from a concerned neighboring property owner included the following issues (also refer to Exhibit 9):

- **Inconsistent enforcement of City regulations and permitting**. One speaker stated that the Ranch Hands Rescue organization has not complied with City regulations while other property owners must comply. As noted in the background information, this site and organization have a long and complex history, beginning with approval of an SUP for an Equestrian Facility in 2015. A subsequent determination allowed the property to be used as a residential dwelling without onsite counseling; however, based on more recent discussions it seems that the organization continued counseling on the site concurrent with the residential use. In 2021, the City received a complaint regarding work without a permit, including an accessory building and fence, and these actions were addressed. The residential use ceased to occupy the site in 2022, and equine therapy resumed as the

primary use. The property owner would now like to occupy the property with both a residential use and counseling, which is the reason for the SUP request.

When a property in out of compliance with the City's regulations, Staff first attempts to work with the property owner to address any issues and obtain any required permits or approvals, which is what has historically occurred with this property. In this instance, Staff reviewed the activities associated with the current request and determined that the Group Home classification with required SUP is the most appropriate use and procedure to address compliance moving forward. The public notification and public hearings associated with the SUP provide a formalized process to inform the surrounding property owners, allow the public to give feedback about the proposal, and memorialize any approved activities on the site.

- **Septic system capacity**. The septic system for the property was permitted in 2014 (1402-0283). Due to changes in the property's use, additional capacity improvements or repairs to the septic system may be required. If the SUP is approved, these improvements and repairs will be required prior to issuance of a Certificate of Occupancy as indicated in proposed SUP condition # 3.

- **Lack of 24-hour onsite supervision and safety for area residents**. Both speakers expressed safety concerns due to the lack of onsite 24-hour supervision. As noted above, the Group Home definition includes "protective care and watchful oversight", which typically indicates 24-hour onsite supervision. However, the use was intentionally designed to be broad enough to capture the spectrum of congregate living facilities.

  In this case, the existing zoning allows the property to be occupied as a dwelling; however, because the proposal includes on-site case management, counseling services, offsite monitoring, and 24-hour responsibility in addition to the residential use, Group Home was determined to be the most applicable use, even though staff is not expected to reside at the property. During the public hearing, the applicant indicated that common areas of the home are continuously monitored by remote staff to ensure the safety of residents.

- **Number of occupants**. Concerns regarding the number of Group Home occupants were raised during the public hearing. Specifically, that the proposal would exceed a maximum of four unrelated persons.

  Per state law, as modified in the 2025 legislative session, Denton is prohibited from regulating the number of occupants in a dwelling based on age, familial status, occupation, relationship status, or relation. Therefore, Denton Code of Ordinances Section 17-159, *Overcrowding*, and DDC Subsection 5.3.1D, *Maximum Persons Occupying a Dwelling* were recently updated for consistency with state law by basing residential occupancy on bedroom size only (one occupant per sleeping room with a minimum floor area of 70 square feet and an additional occupant per each 50 additional square feet).

  Staff's recommended SUP condition #2 limits the number of occupants by the number of bedrooms unless the applicant can demonstrate a bedroom can accommodate additional occupants in accordance with local and state law.

  During the Planning and Zoning Commission's deliberation, the Commission recommended a modification to condition #2 so that in the future, a staff member may also reside on the property. The proposed #2 revised condition states, "A maximum of six occupants shall reside in the Group Home, with one being a potential care staff member." However, staff recommends maintaining the original condition #2 language so that in the event that the property owner can demonstrate that one

or more bedrooms can accommodate two occupants, the SUP limitations do not run afoul of state law. As proposed by staff, condition #2 does not restrict care staff from residing on site should the owner revise their operational plans.

After a motion was made to approve with staff's recommended conditions, Commissioner Dyer stated that she would like to ensure there is flexibility in the type of residents who could occupy the dwelling and offered an amendment to the motion to modify condition #2 to read, "A maximum of six occupants shall reside in the Group Home, with one being a potential care staff member." The amendment to the motion was accepted, and the modified motion was approved.

Subsequent to the public hearing, a nearby resident contacted the City to express additional concerns regarding the following: the proposed Group Home use, the current boundary fence, possible driveway improvements, and the subject property's septic system. Staff responded to the resident via email with additional information regarding his concerns, which are attached as part of Exhibit 9.

Staff Analysis is provided as Exhibit 2.

OPTIONS

1. Approve
2. Approve with conditions
3. Deny
4. Postpone item.

RECOMMENDATION

The Planning and Zoning Commission recommended **approval** of the request with Staff's recommended conditions with the following modification condition #2:

A maximum of six occupants shall reside in the Group Home, with one being a potential care staff member.

Staff recommends **approval** of the SUP request with the following conditions:

1. The zoning map shall reflect the Specific Use Permit on the property consistent with the DDC.

2. No more than six residents, not including care staff, can live on site at any time unless a dimensioned floor plan for the dwelling is provided that demonstrates more residents may be accommodated in accordance with the standards in DDC Subsection 5.3.1D.

3. Prior to any residential occupancy, all required fire suppression and accessibility improvements, On-Site Sewage Facility permits, and a Certificate of Occupancy must be obtained.

4. No counseling activities for clients who do not reside on the property shall be permitted unless a separate office with restrooms which are not connected to the dwelling has obtained a Certificate of Occupancy.

5. Any future expansion or alteration of the use, including, but not limited to, expansion of the existing Residential Building and Office/Recreation Building, or construction of additional Residential Buildings or Office/Recreation Buildings, as depicted on the site plan will require compliance with the DDC, including, but not limited to, a new SUP application in accordance with DDC Subsection 2.5.2C.6.c.

6. If more than 50 percent of the existing perimeter fence located in the front yard is removed or destroyed, any replacement fencing must comply with regulations for Single-Family Detached, Duplex, Townhome, Triplex, and Fourplex Uses in Denton Development Code Section 7.7.8 and Table 7.H, *Fencing Standards on Individual Lots*:

Fence Type	Allowed Materials	Prohibited Materials	Maximum Height
Front yard	Coated chain link provided such fence does not extend beyond the front building line of the principal structure; wood; wrought iron; masonry; brick; vinyl; PVC; architectural metal panels; or composite material	Galvanized chain link; corrugated metal; barb wire; razor wire; and electrified fences	8 feet, provided such fence does not extend beyond the front building line of the principal structure; 4 feet otherwise
Interior side yard or rear yard	Coated or galvanized chain link; wood; wrought iron; masonry; brick; vinyl; PVC; architectural metal panels; or composite material	Barbed wire; razor wire; and electrified fences	No Maximum

Note: Staff recommends maintaining the original language recommended for condition #2 so that, in the event the owner can demonstrate that one or more bedrooms can accommodate more than one occupant, the SUP conditions do not run afoul of state law.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

1960s	City Council	Annexation	Approved
2002	City Council	Citywide rezoning from Agriculture to Neighborhood Residential 4 (NR-4) District	Approved
September 15, 2015	City Council	Rezoning from NR-4 District to Neighborhood Residential 2 (NR-2) District	Approved (Ordinance 2015-301)
September 15, 2015	City Council	Specific Use Permit for an Equestrian Facility	Approved (Ordinance 2015-301)
October 2019	City Council	Transition to R2 District as part of 2019 DDC implementation	Approved
August 26, 2026	Planning and Zoning Commission	Specific Use Permit for a Group Home	Postposed to September 9, 2026
September 9, 2026	Planning and Zoning Commission	Specific Use Permit for a Group Home (S26-0004)	Recommended Approval (5-0)
October 27, 2026	City Council	Specific Use Permit for a Group Home (S26-0004)	Postponed to November 17, 2026

PUBLIC OUTREACH:

To comply with the public hearing notice requirements, the following were completed:

- Seven notices were sent to property owners within 200 feet of the subject property. As of the writing of this report, staff has received two written responses in opposition to the request (one was provided at the Planning and Zoning Commission public hearing), totaling 56.96% of the area

located within the City of Denton and 200 feet of the request). **Consequently, a super-majority of City Council members must vote in the affirmative to approve the request.**

- Thirteen courtesy notices were sent to physical addresses within 500 feet of the subject property.
- A notice was published on the City's website on October 6, 2026.
- A notice was published in the Denton Record Chronicle on October 10, 2026.
- One sign was posted on the property on August 20, 2026.

DEVELOPER ENGAGEMENT DISCLOSURES

No developer contact and/or meeting disclosures have been provided to staff as of the issuance of this report.

EXHIBITS

1. Agenda Information Sheet
2. Staff Analysis
3. Site Location Map
4. Future Land Use Map
5. Zoning Map
6. Ordinance 2015-301
7. October 23, 2020 Letter
8. Applicant Project Narrative and Existing Plan
9. Notification Map and Responses (including questions and responses from nearby resident)
10. Presentation
11. Draft Ordinance

Respectfully submitted:
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