



TOWN COUNCIL COMMUNICATION

DATE: June 18, 2024
FROM: Thad Chambers, Town Administrator

AGENDA ITEM: Discuss and make a recommendation regarding an Ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Article 14.02, Ordinance 361-05, Zoning Regulations for the Town of Bartonville, to change the zoning designation from Agriculture (A) to Residential Estates 2 (RE-2) on a 12-acre tract or parcel of land identified as Lot 1R & Lot 2R, Block A, J. Burke Survey, Abstract No. 42, in the Town of Bartonville, Denton County, Texas. The subject property is located on the southeast corner of Broome Road and Porter Road in Bartonville, Texas. The applicant is McAdams, representing property owners Rusty and Martha Rice. [Town of Bartonville ZC-2024-001.] ***(The Planning & Zoning Commission recommended approval by a vote of 5-0 at its June 5, 2024, meeting.)***

Land Use and Zoning: Current land use category is Residential Estates – 2 Acre Lots (RE-2). Current zoning is Agricultural (AG).

Summary: The applicant is the owner of two parcels of land, totaling 38.03 acres, located on the southeast corner of the intersection of Broome Road and Porter Road. The legal description of the property is RICE RANCH ADDITION BLK A LOT 1R. The corresponding Denton CAD parcel numbers are 748022 and 748023. The applicant has applied for a change in the zoning designation on twelve (12) acres of their ownership (this sub-area to be known henceforth as the 'subject property') from Agricultural (AG) to Residential Estates 2 (RE-2) (see Exhibit A).

The subject property is currently vacant, save an energy storage installation.

Zoning Change

Bartonville Zoning Ordinance Appendix A, Section A.1.A.5 lists the criteria of approval for a zoning change:

1. Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use Map and any other incorporated plan maps;
2. Whether the proposed zoning map amendment is consistent with an annexation or development agreement in effect;
3. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified;
4. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area; and
5. Any other factors which will substantially affect the public health, safety, morals, or general welfare.

The proposed zoning change would amend the zoning designation of the subject property from Agricultural (AG) to Residential Estates 2 (RE-2). In the Bartonville Comprehensive Plan, the RE-2 land use category is described as corresponding with areas that have lot sizes start at a 2-acre minimum and provide for a land use transition from areas of greater intensity and major thoroughfares to the lower-

density residential areas. These areas are intended for rural residential development. Lots within the RE-2 areas must contain a minimum of two acres. A rural atmosphere should be maintained within these areas and street cross sections that provide for a “country” feel is encouraged for local streets. These areas are intended for a greater density of residential development and may serve appropriately as buffers for areas of less intensity. The RE-2 zoning district is one of those listed as appropriate for the RE-2 land use category (Bartonville Zoning Ordinance [BZO] Section 4.1.B, Chart 4.1).

The proposed zoning change is not associated with any annexation or development agreement. The area south of the subject property is zoned RE-2 and has a conditional use permit for an equestrian center. Properties to the north and west of the subject property are also zoned RE-2, based on the official zoning map for the Town of Bartonville. Parcels to the west of and across Porter Road from the subject property are each approximately two acres in size. The proposed zoning change for the subject property will maintain the large lot residential development pattern in place on the surrounding properties.

There are no associated school, street, water, sewer, or other utility plans that will affect or be affected by the proposed zoning change. The Cross Timbers Water Supply Corporation’s water system map shows water service within Porter Road on the subject property’s western side. There are also no factors which will substantially affect the public health, safety, morals, or general welfare.

Planning & Zoning Commission Recommendation: Approve.

Public Comment: Town has received five (5) letters in support and one (1) statement in opposition of the rezoning request.

Exhibits:

1. Zoning Change Application Packet
2. Letter mailed to property owners within 200’ with location map and mailing list
3. Published legal notice
4. Draft Ordinance