

THE BARTONVILLE PLANNING & ZONING COMMISSION REGULAR MEETING HELD ON THE 5th DAY OF APRIL 2023, AT 1941 E. JETER ROAD, BARTONVILLE, TEXAS 7:00 P.M.

Present:

Gloria McDonald, Chair
Ralph Arment, Vice Chair
Don Abernathy, Commissioner
Brenda Hoyt-Stenovitch, Commissioner
Margie Arens, Commissioner
Larry Hayes, Alternate 1
Pat Adams, Alternate 2

Also present: Thad Chambers, Town Administrator; and Ed Voss, Town Attorney

A. CALL TO ORDER

Chair McDonald called the meeting to order at 7:00 p.m.

B. PLEDGE OF ALLEGIANCE

Chair McDonald led the Pledge of Allegiance.

C. PUBLIC PARTICIPATION

D. APPROVAL OF MINUTES

1. Consider approval of the March 1, 2023, meeting minutes.

Commissioner Hoyt-Stenovitch moved to approve the March 1, 2023, regular meeting minutes. Commissioner Abernathy seconded the motion.

VOTE ON THE MOTION

AYES: Arment, McDonald, Hoyt-Stenovitch, Abernathy, Arens

NAYS: None

VOTE: 5/0

E. PUBLIC HEARINGS

2. CUP-2023-001
Public hearing to consider an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Article 14.02, Exhibit "A," Ordinance 361-05, Zoning Ordinance, by amending Chapter 5, Agricultural District (AG), Article 5.2, Uses Permitted, by granting a Conditional Use Permit to authorize equestrian uses and special education services with equine therapy located at 2700 FM 407 East.

Chair McDonald opened the public hearing at 7:02 pm.

Staff presentation: staff presenting the applicant's information received and reviewed the last two issued equestrian center CUPs.

Applicant presentation: Neither the applicant nor representative from CCM were in attendance.

Those in favor: No one spoke.

Those opposed: No one spoke.

Rebuttal: N/A

Chair Mc Donald closed the public hearing at 7:11 pm

Commission discussion and action: The commissioners had questions related to the ongoing equestrian center activities, but there were no representatives available to answer those questions. After reviewing the two most recent equestrian CUPs, the commissioners focused discussion on common areas that were addressed: dust, lights, sound, manure management, and the number of large events occurring per year.

Commissioner Arens moved to recommend approval of an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Article 14.02, Exhibit "A," Ordinance 361-05, Zoning Ordinance, by amending Chapter 5, Agricultural District (AG), Article 5.2, Uses Permitted, by granting a Conditional Use Permit to authorize equestrian uses and special education services with equine therapy with the following conditions:

1. Soil in the equestrian arenas is to be kept in a dust-free condition.
2. Lights in the equestrian arena and all outside equestrian operations shall cease at 10:00PM nightly.
3. All amplified sound in any equestrian accessory building or outdoor equestrian arena shall comply with the Town's noise ordinance, as amended, or the terms of this Ordinance, whichever is more restrictive. Any amplified sound in any equestrian accessory building or outdoor equestrian arena shall comply with the following sound level when measured at the property boundary of the receiving land: 62 decibels as measured on a sound level meter using the A-weighting network. Notwithstanding any provision herein, any amplified sound in any equestrian accessory building or outdoor equestrian arena shall not unreasonably disturb or interfere with the peace, comfort, and repose of neighboring persons of ordinary sensibilities. This provision applies between the hours of 8:00AM to 7:00PM. Amplified sound in an equestrian accessory building or outdoor equestrian arena outside of stated hours is prohibited.
4. If manure is not spread on the property, manure must be contained in a compost structure at least 250 feet from any property line and removed weekly or composted.
5. There shall be no more than 6 horse training clinics per year, and no more than 4 horse show events and/or additional horse training clinics per year, at a rate of no more than 2 of such events per month and events may not occur on consecutive weekends. A horse training clinic shall include no more than 30 participants per day not to exceed 2 days. A horse show event is defined as including more than 30 participants per day not to exceed 2 days.

Commissioner Hoyt-Stenovitch seconded the motion.

VOTE ON THE MOTION

AYES: McDonald, Arment, Abernathy, Hoyt-Stenovitch, Arens
NAYS: None
VOTE: 5/0

3. LP-2023-001/#ZC-2023-001

Public hearing to consider 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 land use designation in the Town's Comprehensive Plan for a 10.076-acre tract or parcel of land situated in the BBB & CRR Survey, Abstract Number 152A, Tracts 6 and 7, and Lot 1 of the Kincade Subdivision, in the Town of Bartonville, Denton County, Texas, from Rural Business (RB) to Residential (RE-2); and 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 of the same property described above from Rural Business (RB) to Residential Estates 2-Acre Lots (RE-2).

Staff presentation: Staff clarified that the two separate items of the Land Use Amendment and the Zoning Change request would need to be voted on separately, but the information would be presented together. Staff presented the information provided in the application as well as the criteria for consideration on these agenda items.

Chair McDonald opened the public hearing at 7:55 pm

Applicant presentation: Applicant was present and stated that the staff presentation appeared to cover the information and stated he was available for any questions.

Those in favor: No one spoke.

Those opposed: No one spoke.

Rebuttal: N/A

Chair McDonald closed the public hearing at 7:58 pm

Commission discussion and action

Commissioner Abernathy moved to recommend approval of an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Article 14.02, Ordinance 361-05, Zoning Regulations, to change the land use designation in the Town's Comprehensive Plan for a 10.076-acre tract or parcel of land situated in the BBB & CRR Survey, Abstract Number 152A, Tracts 6 and 7, and Lot 1 of the Kincade Subdivision, in the Town of Bartonville, Denton County, Texas, from Rural Business (RB) to Residential (RE-2). Commissioner Arment seconded the motion.

VOTE ON THE MOTION

AYES: McDonald, Arment, Abernathy, Hoyt-Stenovitch, Arens
NAYS: None

VOTE: 5/0

Commissioner Arment moved to recommend approval of 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 of the same property described above from Rural Business (RB) to Residential Estates 2-Acre Lots (RE-2). Commissioner Arens seconded the motion.

VOTE ON THE MOTION

AYES: McDonald, Arment, Abernathy, Hoyt-Stenovitch, Arens
NAYS: None
VOTE: 5/0

F. REGULAR ITEMS

3. Discussion on and review of the 2023 Comprehensive Land Use Plan.

Commissioner Arment moved to have this item continued to the next meeting. Commissioner Abernathy seconded the motion.

VOTE ON THE MOTION

AYES: McDonald, Arment, Abernathy, Hoyt-Stenovitch, Arens
NAYS: None
VOTE: 5/0

G. FUTURE ITEMS

There were none.

H. ADJOURNMENT

Chair McDonald adjourned the meeting at 8:02 p.m.

APPROVED this the 3rd day of May 2023.

Gloria McDonald, Chair

Attest:

Thad Chambers, Town Administrator