



Legislation Text

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AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Jon Fortune

DATE: August 16, 2016

SUBJECT

Receive a report, hold a discussion and provide staff direction regarding the Planning and Zoning Commission Rezoning Subcommittee.

BACKGROUND

On October 21, 2015, the Planning and Zoning Commission nominated and appointed three members of the Planning and Zoning Commission to the Rezoning Subcommittee. The current members are Devin Taylor (chair), Frank Dudowicz (vice chair), and Andrew Rozell. The primary role of this Rezoning Subcommittee is to receive reports, hold discussions and make recommendations to the Planning and Zoning Commission regarding the proposed rezonings. The Planning and Zoning Commission would then forward their recommendations to the City Council for consideration.

On March 2, 2016, the Planning and Zoning Commission Rezoning Subcommittee held its first meeting. The Rezoning Subcommittee was created to assist in the city initiated rezonings for two reasons. The first reason is to implement the Policies and Actions of the Denton Plan 2030. Specifically Policy 2.2 and Actions 2.2.1, 2.2.2, and 2.2.3.

2.2 Utilize the FLUM (Future Land Use Map) to guide all development review and re-zoning actions within the plan horizon.

2.2.1 Revise procedures for re-zoning decisions to require consistency with the FLUM.

2.2.2 Revise zoning districts for consistency with future land use designations.

2.2.3 Revise the Zoning Map for consistency with the Future Land Use Map. Involve the affected property owners and general public in this effort. Property owners will be properly notified before any action is taken.

When the City Council adopted the Denton Plan 2030 in February 2016, it also adopted the Future Land Use Map (FLUM). Per Subsection 211.004 of the Texas Local Government Code, zoning regulations must be in accordance with the municipality's comprehensive plan. To comply with this requirement, the Planning Division reviewed the City's existing Zoning District designations and Zoning Map and compared it against the Future Land Use designations and FLUM. As a result of this review, staff has noted several inconsistencies and

is proposing city initiated rezonings to ensure consistency with the FLUM in terms of potential land uses, intensity, character and overall development.

The second reason the Rezoning Subcommittee was created was to be proactive when considering rezoning and initial zoning requests in a specific area. In the past, the Planning and Zoning Commission would consider a rezoning request for a single property and then come back in a future meeting and consider a rezoning request for another property that is immediately abutting or in close proximity of the initial property. The past requests were always applied for by property owners and when staff recommended that a larger area be included in the rezoning or initial zoning request, the surrounding property owners were not always prepared to participate. Most of the time the request would move forward with the initial property because of their timeline. With the implementation of the Long Range Planning Section, there is now a dedicated team to be more proactive in identifying inconsistencies in zoning designations and to work closely with property owners to cooperatively rezone or zone their properties concurrently.

In an effort to ensure consistency with the FLUM and to proactively work with property owners, the Long Range Planning team has developed a criteria for identifying properties for propose city initiated rezonings. The criteria for identifying properties for city initiated rezonings are as follows:

1. Properties that are inconsistent with the Future Land Use Map. The Future Land Use Map is an important component of the Land Use Element and serves as a guide in making development and rezoning decisions.
2. Properties that were incorrectly zoned in 2002. An example is where an established residential community was zoned for non-residential uses (e.g. EC-C or EC-I).
3. Properties that were annexed into the City and were never zoned (i.e. RD-5X).
4. Properties that need to be rezoned due to unforeseen circumstances. Areas where there has been a significant change of a physical nature which was not anticipated when the property was zoned in 2002. An example is where a new roadway is constructed or widened.
5. Properties that need to be rezoned due to planning for a major public facility, a major source of employment, or an economic development opportunity.
6. Properties that need to be rezoned as recommended by a Small Area Plan or Corridor Plan.
7. Properties that need to be rezoned to protect environmentally sensitive areas.

Since their first meeting in March, the Planning and Zoning Commission Rezoning Subcommittee has met several times and has recommended approval to three proposed city initiated rezonings. Attached for your review are the staff reports associated with the proposed rezonings.

OPTIONS

1. Direct staff to proceed with holding Planning and Zoning Commission Rezoning Subcommittee meetings.
2. Direct staff to discontinue holding Planning and Zoning Commission Rezoning Subcommittee meetings.

STRATEGIC PLAN RELATIONSHIP

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

Related Key Focus Area: **Economic Development**

Related Goal: **3.4 Encourage development, redevelopment, recruitment, and retention**

EXHIBITS

1. Future Land Use Map
2. Future Land Use Designation Descriptions
3. Zoning Map
4. Zoning District Descriptions
5. Rezoning Subcommittee Staff Report #1
6. Rezoning Subcommittee Staff Report #2
7. Rezoning Subcommittee Staff Report #3

Respectfully submitted:

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