Planning Staff Analysis
S26-0004/RHR Group Home
City Council District 4

REQUEST:
Specific Use Permit (SUP) to allow for a Group Home use on approximately 1 acre of land. The subject property is zoned Residential 2 (R2) District. The Group Home use is an allowed use with an approved Specific Use Permit.

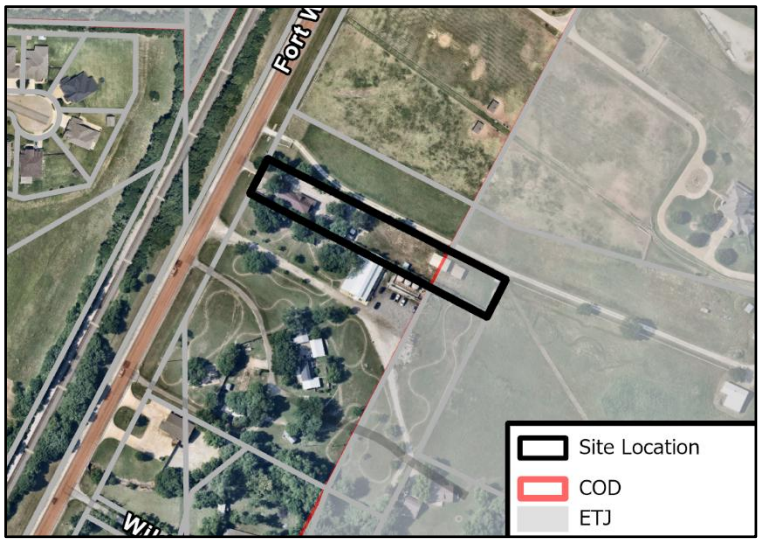
APPLICANT:
Landon Dickeson on behalf of Ranch Hands Rescue

SITE DATA:
The subject property is approximately 1.0 acre and is generally located on the east side of Fort Worth Drive and approximately 700 feet south of Johnson Lane. Approximately 85% (37,400 square feet) of the lot is located within the City of Denton. The remainder is located in the City's Extraterritorial Jurisdiction (ETJ). The parcel is a narrow rectangle with approximately 76 feet of frontage on Fort Worth Drive, a Primary Arterial. Fort Worth Drive is a major north/south corridor within Denton and Tarrant Counties, connecting Denton to Fort Worth through several municipalities. Development on the site includes a secure opaque perimeter fence, concrete driveway and parking area, a single-family dwelling, several agricultural buildings, and an accessory structure used as an office or recreation space.

SURROUNDING ZONING AND LAND USES:

Northwest: • Zoning: R6 and Extraterritorial Jurisdiction • Use: Agriculture	**North:** • Zoning: R2 • Uses: Agriculture, Single-family residential	**Northeast:** • Extraterritorial Jurisdiction • Use: Agriculture
West: Zoning: Planned Development • Use: Single Family Residential	**SUBJECT PROPERTY**	**East:** • Extraterritorial Jurisdiction • Use: Agriculture
Southwest: • Zoning: R4 • Use: Indoor Recreation, Residential	**South:** • Zoning: R4 • Use: Indoor Recreation, Residential	**Southeast:** • Extraterritorial Jurisdiction • Use: Agriculture

The surrounding development pattern is consistent with what is typically found along state highways in developing suburban areas: large tracts of undeveloped land, small farms with single family dwellings and livestock, residential neighborhoods designed as distinct subdivisions, religious facilities, and some retail (see aerial map, below).



CONSIDERATIONS:

A. Section 2.4.5E of the Denton Development Code (DDC) provides approval criteria applicable to all applications.

1. *General Criteria*
   a. *Unless otherwise specified in this DDC, City review and decision-making bodies must review all development applications submitted pursuant to this subchapter for compliance with the general review criteria stated below.*

      The general criteria have been applied.

   b. *The application may also be subject to additional review criteria specific to the type of application, as set forth in sections 2.5 through 2.9.*

      Section 2.5.2D of the DDC applies to Specific Use Permit (SUP) requests. An analysis of this request per those criteria can be found below in Consideration B.

   c. *If there is a conflict between the general review criteria in this section and the specific review criteria in sections 2.5 through 2.9, the applicable review criteria in sections 2.5 through 2.9 controls.*

      There are no conflicts between the general criteria and the criteria specific for Specific Use Permit requests.

2. *Prior Approvals*

   The applicant received approval of an SUP in 2015 to operate an Equestrian Facility at the site (Exhibit 6). The Equestrian Facility was intended to provide animal rescue and rehabilitation services with an 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.

The proposal modifies the activities associated with the SUP by adding supportive and protective housing for adult males.

3. *Consistent with the Comprehensive Plan and Other Applicable Plans*

   The decision–making authority:

   a. Shall weigh competing goals, policies, and strategies.

   The proposed Specific Use Permit is consistent with the goals, policies, and actions of the Comprehensive Plan and with the Future Land Use designation of Rural Areas (see inset map below and in Exhibit 5), including the goals and actions listed below:

   GOAL HN-1: Develop and maintain a housing stock that meets the needs of all residents with a diverse array of choices in type, cost, and location.

   GOAL CHS-4: Provide a variety of community programs that meet the needs of underserved groups in Denton, including youth, seniors, and those experiencing homelessness.

   Action 8.7.4: Continue to support programs that combat substance abuse in Denton and work with key partners to aid in their implementation.

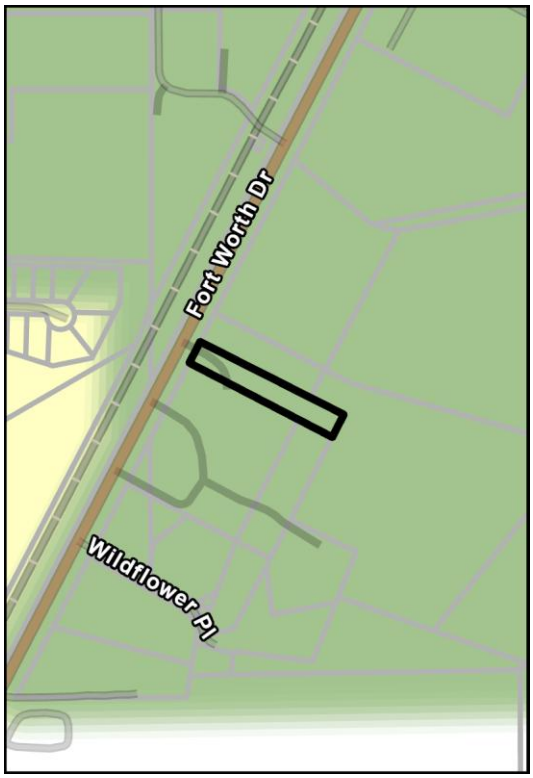
   The applicant's requested use is consistent with the overall goals of the Denton 2040 Comprehensive Plan to provide for a supportive housing option that meets the needs of some of the community's most vulnerable residents. As a residential use, the proposal is consistent with the existing uses in this area.

   b. May approve an application that furthers the overall goals of the Comprehensive Plan even if the development does not match the future land use designation in the Comprehensive Plan.

   The Group Home use conforms to the Future Land Use Element of the Denton 2040 Comprehensive Plan.

[continued on next page]

Per the Future Land Use Map in the Denton 2040 Comprehensive Plan, the subject property is designated as Rural Areas (see image right and provided as Exhibit 5). The description for the Future Land Use designation is provided below:



> "This category includes farms and ranches as the predominant use along with rural residential (a maximum of one unit per five acres) and rural commercial including feed stores, farm equipment, etc. This land use may allow lots as small as one acre under the gross density provision to allow for conservation development which clusters smaller lots while permanently protecting scenic rural open space (through conservation easements). This land use may also include single-family homes on large lots, which are suited for areas on the periphery of the city that complement a more suburban type of development. Development in this future land use category will continue the present character of the rural areas of Denton with low-profile homes of no greater than two stories, generous lots and setbacks, and materials that complement the natural surroundings and ranch heritage."

The proposal is a Group Home (residential use with counseling) on an existing one-acre lot and will not add traffic or noise beyond what would be expected from a single-family home with professional office or home-based business. The applicant has also indicated an intent to continue with the agriculture (livestock keeping) component of their operations, which is consistent with the intent of Rural Areas.

4. *Compliance with this DDC*

   a. *The proposed development shall comply with all applicable standards in this DDC, unless the standard is to be lawfully modified.*

   Alteration and expansion of the existing development is not proposed as a part of this SUP.

   If the Specific Use Permit request is approved, any future expansion or alteration of the use (including, but limited to, expansion of the existing Residential Building and Office/Recreation Buildings or construction of additional Residential Buildings or Office/Recreation Buildings currently shown on the attached site plan, Exhibit 8) 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, minimum lot size and dimensions, building coverage, access, parking, tree preservation, and landscaping.

b. *Compliance with these standards is applied at the level of detail required for the subject submittal.*

Staff has reviewed the proposal and has determined it conforms to the intent and Use-Specific Standards for Group Homes. Specifically, the proposed program will provide protective care and responsibility for the well-being of adult male residents in an affordable dwelling.

The subject property contains a single-family dwelling with accessory structures to accommodate an office or recreation and agriculture buildings on an existing platted lot. As discussed previously, expansions, or modifications to the structure or site conditions in the future would require compliance with the Denton Development Code and all Building Safety regulations. No building expansions or site modifications are being proposed with this Specific Use Permit request.

5. *Compliance with Other Applicable Regulations*

This proposed request complies with all other applicable regulations.

6. *Consistent with Interlocal and Development Agreements*

There are no interlocal or development agreements for the subject site.

7. *Minimizes Adverse Environmental Impacts*

This site does not contain FEMA floodplain or Environmentally Sensitive Areas and no adverse environmental impacts are expected.

8. Minimizes Adverse Impacts on surrounding Property

The proposed Group Home use is not expected to have an adverse impact on surrounding property. The subject site is developed, and no additional building expansions or site modifications are anticipated. Because the building size limits the number of residents, staff members, and counselors, the activity level will be consistent with the surrounding single-family homes and agricultural uses and previous uses of the property. Given the low traffic anticipated for this use, the potential for any nuisance or compatibility issues to arise is limited.

9. Minimizes Adverse Fiscal Impacts

The proposed Group Home use is not anticipated to create adverse fiscal impacts. The property is fully developed and located on an existing TxDOT roadway. No additional public infrastructure improvements will be required.

10. *Compliance with Utility, Service, and Improvement Standards*

    Water service is provided by Argyle Water Supply Company and wastewater is treated by on onsite private septic system. At this time, the septic system is undersized for the proposed number of occupants and may require other repairs. Prior to obtaining a Certificate of Occupancy for the use, a permit for a new septic system must be approved and inspections must be completed.

    Additionally, due to the type of residential use, interior improvements to the property must be completed prior to obtaining a Certificate of Occupancy. These improvements include fire suppression and accessibility.

11. Provides Adequate Road Systems

    The subject property is already developed, has direct access to a Primary Arterial roadway, and is not required to make changes to adjacent roads.

12. Provides Adequate Public Services and Facilities

    The proposed Group Home use will not affect public services and facilities within the area.

13. *Rational Phasing Plan*

    The project does not have a phasing plan.

B. Section 2.5.2D of the DDC states that in reviewing a proposed SUP, the Planning and Zoning Commission and City Council shall consider the general approval criteria in Subsection 2.4.5E and whether:

    1. *The specific use proposed is compatible with the surrounding area;*

        The property is located on a primary arterial roadway whereby the corridor is developed with a mix of agricultural, residential, commercial, and institutional uses in one-and two-story buildings with parking and fencing. As currently developed, the structures on the subject property are generally consistent with the character of the surrounding area, and the DDC zoning and design standards applicable to the site require new development to maintain the scale typically found in low-density residential areas. Various combinations of animal-assisted therapy, counseling, and residential use have occurred on the property for over a decade. The proposed Group Home use will not add new activities along the corridor, and due to the limited number of residents, it is not anticipated to introduce incompatible densities to the surrounding area.

    2. *The specific use proposed has negative impacts on future development of the area; and*

        The proposed Group Home is not expected to have negative impacts on future development of the area. As discussed above, the proposed use and site are generally consistent with the development scale and activities currently found along the corridor. Furthermore, the limited capacity for residents will likely limit significant traffic, noise, or visual impacts.

3. *Any impacts associated with access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, and odor have been adequately mitigated.*

   The subject property has already been developed and will not have any unmitigated negative impacts. The type of traffic, noises, lighting, etc. associated with this use that could create any potential negative impacts are typical of residential and agricultural uses currently found in the area.