

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION FROM RURAL RESIDENTIAL (RR) DISTRICT TO GENERAL OFFICE (GO) DISTRICT ON APPROXIMATELY 5.36 ACRES OF LAND GENERALLY LOCATED ON THE NORTH SIDE OF BARTHOLD ROAD, APPROXIMATELY 2,580 FEET WEST OF NORTH INTERSTATE 35 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 A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (Z25-0025b)

WHEREAS, Candy Whitaker with McAdams on behalf of property owners Arthur and Kathryn Smuck has submitted a request to rezone approximately 5.36 acres of land from Rural Residential (RR) to General Office (GO) District, legally described in Exhibit "A", attached hereto and depicted as Exhibit "B" and incorporated herein by reference (hereinafter, the "Property"); and

WHEREAS, on February 25, 2026, the Planning and Zoning Commission, in compliance with the laws of the State of Texas, have given the requisite notices by publication and otherwise, and have held due hearings and afforded full and fair hearings to all property owners interested in this regard, and have recommended approval [6-0] of the request; and

WHEREAS, on April 7, 2026, the City Council likewise conducted a public hearing as required by law, and finds that the request meets and complies with all substantive and procedural standards set forth in Section 2.7.2 of the Denton Development Code, and is consistent with the Denton 2040 Comprehensive Plan and the Denton Development Code; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Denton, in considering the application for the requested zoning district change for the Property, have determined that the proposed change is in the best interest of the health, safety, and general welfare of the City of Denton, and accordingly, the City Council of the City of Denton is of the opinion and finds that said zoning change is in the public interest and should be granted as set forth herein; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated herein by reference and found to be true.

SECTION 2. The zoning district and use classification for the Property is hereby changed to General Office (GO) District.

SECTION 3. The City's official zoning map is hereby amended to show the established zoning district and use classification.

SECTION 4. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by any court, such invalidity shall not affect the validity of the provisions or applications, and to this end the provisions of this ordinance are severable.

SECTION 5. Any person, firm, partnership or corporation violating any provision of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by fine in a sum not exceeding \$2,000.00 for each offense. Each day that a provision of this ordinance is violated shall constitute a separate and distinct offense.

SECTION 6. In compliance with Section 2.09(c) of the Denton Charter, this ordinance shall become effective fourteen (14) days from the date of its passage, and the City Secretary is hereby directed to cause the caption of this ordinance to be published twice in the Denton Record-Chronicle, a daily newspaper published in the City of Denton, Texas, within ten (10) days of the date of its passage.

The motion to approve this ordinance was made by \_\_\_\_\_ and seconded by \_\_\_\_\_, the ordinance was passed and approved by the following vote [\_\_\_ - \_\_\_]:

	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Suzi Rumohr, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Jill Jester, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
GERARD HUDSPETH, MAYOR

ATTEST:  
INGRID REX, CITY SECRETARY

BY: \_\_\_\_\_



## Exhibit A

### Legal Description

**BEING** all that certain lot, tract, or parcel of land, situated in the S. L. Johnson Survey, Abstract Number 683, City of Denton, Denton County, Texas, and being a part of that certain tract of land, described by deed to Arthur and Kathryn Smuck, recorded in Document Number 2018-61600, Deed Records, Denton County, Texas, and being more particularly described as follows:

**COMMENCING** at the southeast corner of said Smuck tract, same being the southeast corner of a certain tract of land, described by deed to the State of Texas, recorded in Document Number 2022-129289, Deed Records, Denton County, Texas, and being in the north line of Barthold Road, from which a 1/2" rebar found (DISTURBED) bears N 16°29'33" E, 5.4 feet;

**THENCE** N 00°48'37" E, with the east line of said Smuck tract, and the east line of said State of Texas tract, a distance of 150.81 feet to a 1/2" capped rebar found, stamped "TxDOT ROW" at the northeast corner thereof, being the **POINT OF BEGINNING** of the herein described tract of land;

**THENCE** N 89°39'10" W, over, across, and through said Smuck tract, and with the north line of said State of Texas tract, a distance of 736.26 feet to a 1/2" capped rebar found, stamped "TxDOT ROW" in the west line of said Smuck tract;

**THENCE** N 03°28'44" E, with the west line of said Smuck tract, a distance of 323.95 feet to a 1/2" capped rebar set, stamped "MCADAMS" at the northwest corner thereof;

**THENCE** S 89°08'50" E, with the north line of said Smuck tract, a distance of 721.49 feet to a 1/2" capped rebar set, stamped "MCADAMS" at the northeast corner thereof;

**THENCE** S 00°52'15" W, with the east line of said Smuck tract, a distance of 317.12 feet to the **POINT OF BEGINNING** and containing approximately 5.360 acres of land.

Exhibit B  
Site Location Map

