

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 PUBLIC FACILITIES (PF) DISTRICT ON APPROXIMATELY 40.00 ACRES OF LAND GENERALLY LOCATED 3,075 FEET SOUTH OF JIM CHRISTAL ROAD, AND APPROXIMATELY 850 FEET WEST OF TOM COLE ROAD, 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. (Z24-0014a)

WHEREAS, City of Denton has submitted a request to rezone approximately 40.00 acres of land from Rural Residential (RR) to Public Facilities (PF) District, legally described in Exhibit "A", attached hereto and depicted as Exhibit "B" and incorporated herein by reference (hereinafter, the "Property"); and

WHEREAS, on October 23, 2024, 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 (5-0) of the request; and

WHEREAS, on November 19, 2024, 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 establishing the requested zoning district for the Property, have determined that the proposed use is in the best interest of the health, safety, morals, 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 Public Facilities (PF) 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 [___ - ___]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Paul Meltzer, 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 _____, 2024.

GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY
BY:

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY
BY:

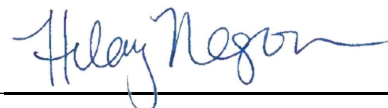


Exhibit A

Legal Description

FIELD NOTES to all that certain tract of land situated in the M. Davis Survey Abstract Number 377, the E. A. Mays Survey Abstract Number 844 and the W. Wilborn Survey Abstract Number 1419 in the City of Denton, Denton County, Texas and being a part of the called 116.154 acre tract described in the deed from Nucor Corporation to Mark Hicks Investments, LLC recorded in Document Number 2021-8595 of the Real Property Records of Denton County, Texas; the subject tract being more particularly described as follows:

BEGINNING for the Northwest corner the tract being described herein at a 1/2 inch iron rod found at the Northwest corner of the said 116.154 acre tract and the Southwest corner of the called 349.644 acre tract described in the deed to the City of Denton recorded in Document Number 2016-143882 of the said Real Property Records:

THENCE South 89 Degrees 08 Minutes 22 Seconds East generally North of a wire fence with the South line of the said 349.644 acre tract a distance of 1,825.11 feet to a 1/2 inch iron rod with a plastic cap stamped "TNP" found for the Northeast corner of the herein describe tract;

THENCE South 00 Degrees 51 Minutes 54 Seconds West across the 116.154 acre tract a distance of 836.00 feet to a 1/2 inch iron rod with a plastic cap stamped "TNP" found for the Southeast corner of the herein described tract:

THENCE South 88 Degrees 58 Minutes 24 Seconds West continuing across the 116.154 acre tract passing at a distance of 1,953.5 feet a 1/2 inch iron rod with a plastic cap stamped "TNP" found for reference and continuing along the same course, in all, a total distance of 2,037.70 feet to an angle point in the West line of the 116.154 acre tract in Hickory Creek:

THENCE North 55 Degrees 36 Minutes 45 Seconds West along Hickory Creek with the West line of the 116.154 acre tract a distance of 273.45 feet;

THENCE North 31 Degrees 14 Minutes 46 Seconds West continuing along Hickory Creek with the West line of the 116.154 acre tract a distance of 256.85 feet to the Westerly Northwest corner thereof from which a fence corner post bears North 76 Degrees 41 Minutes 33 Seconds East a distance of 47.9 feet;

THENCE North 89 Degrees 35 Minutes 03 Seconds East departing Hickory Creek with the North line of the 116.154 acre tract partially along a wire fence a distance of 579.48 feet to a 1/2 inch iron rod found at a reentrant corner thereof;

THENCE North 00 Degrees 29 Minutes 43 Seconds East generally along a wire fence continuing with the North line of the 116.154 acre tract a distance of 521.60 feet to the PLACE OF BEGINNING and enclosing 40.000 acres of land.

Exhibit B

Site Location Map

