

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

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REGARDING A COMPREHENSIVE PLAN AMENDMENT FROM THE AGRICULTURE FUTURE LAND USE DESIGNATION TO THE REGIONAL MIXED USE FUTURE LAND USE DESIGNATION ON APPROXIMATELY 16.524 ACRES GENERALLY LOCATED NORTH OF WEST UNIVERSITY DRIVE (US 380), APPROXIMATELY 2,800 FEET WEST OF GOLDEN HOOF DRIVE, IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL FUTURE LAND USE MAP; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (CA25-0003a)

WHEREAS, Kimley-Horn has applied for a comprehensive plan amendment from the Agriculture Future Land Use Designation to the Regional Mixed Use Future Land Use Designation on approximately 16.524 acres of land, legally described in **Exhibit "A"** and depicted in **Exhibit "B"** attached hereto, said amendment being depicted in **Exhibit "C"** incorporated herein by reference (hereinafter, the "Property"); and

WHEREAS, on December 17, 2025, 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 (4-2) of the amendment; and

WHEREAS, on January 13, 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 Subsection 2.7.1 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 a change in the Future Land Use designation of the property, have determined that the proposed change 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 Future Land Use Map 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 Future Land Use designation for the Property is hereby changed from Agriculture to Mixed Use Regional as shown on **Exhibit "C"**.

SECTION 3. The City's Denton 2040 Comprehensive Plan is hereby amended to show the change in the Future Land Use Map.

**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.** That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Denton Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 7.** 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: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
MACK REINWAND, CITY ATTORNEY

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

### **Exhibit "A"**

BEING a tract of land situated in the M. E. P. & P. RR. Co. Survey, Abstract No. 1470, City of Denton E.T.J., Denton County, Texas, and being a portion of a called 41.388 acre tract of land described as Multi-Family Tract in a deed to Double R DevCo, LLC, recorded in Instrument No. 2023-100095 of the Official Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at an aluminum TxDot right-of-way monument found on the northerly right-of-way line of U.S. Highway 380, a variable width right-of-way, for the southwest corner of said 41.388 acre tract, common to the southeast corner of a called 30.470 acre tract of land described in a deed to Larry L. Bailey and spouse, Patricia L. Bailey, recorded in Volume 5409, Page 4755 of the Deed Records of Denton County, Texas;

THENCE South 83°15'09" East, along the northerly right-of-way line of said U.S. Highway 380 and along the southerly line of said 41.388 acre tract, a distance of 599.40 feet to the POINT OF BEGINNING of the herein described tract of land;

THENCE departing the northerly right-of-way line of said U.S. Highway 380 and the southerly line of said 41.388 acre tract, and crossing said 41.388 acre tract, the following courses and distances:

North 06°44'51" East, a distance of 154.71 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 83°15'09" East, a distance of 39.62 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

North 06°44'49" East, a distance of 575.12 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 83°15'11" East, a distance of 332.29 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 52°43'28" East, a distance of 459.57 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 75°12'40" East, a distance of 345.75 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 83°15'11" East, a distance of 146.29 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner on the easterly line of said 41.388 acre tract, same being on the westerly line of Hickory Grove, Phase 2, an addition to Denton County, Texas,

according to the final plat thereof recorded in Document No. 2024-182 of the Plat Records of Denton County, Texas;

THENCE South 28°26'09" East, along the easterly line of said 41.388 acre tract and along the westerly line of said Hickory Grove, Phase 2, a distance of 13.88 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said Hickory Grove, Phase 2, common to the westernmost northwest corner of Hickory Grove, Phase 1B, an addition to the City of Denton, Denton County, Texas, according to the final plat thereof recorded in Document No. 2024-94 of the Plat records of Denton County, Texas, same being an angle point in the easterly line of said 41.388 acre tract;

THENCE South 06°44'51" West, continuing along the easterly line of said 41.388 acre tract and along the westerly line of said Hickory Grove, Phase 1B, a distance of 376.48 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE South 03°46'24" East, continuing along the easterly line of said 41.388 acre tract and the westerly line of said Hickory Grove, Phase 1B, a distance of 30.00 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set on the northerly right-of-way line of said U.S. Highway 380, for the southeast corner of said 41.388 acre tract, common to the southwest corner of said Hickory Grove, Phase 1B;

THENCE South 86°13'36" West, along the northerly right-of-way line of said U.S. Highway 380 and along the southerly line of said 41.388 acre tract, a distance of 168.15 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE North 83°15'09" West, continuing along the northerly right-of-way line of said U.S. Highway 380 and the southerly line of said 41.388 acre tract, a distance of 1,104.58 feet to the POINT OF BEGINNING and containing 16.524 acres (719,806 square feet) of land, more or less.

Exhibit "B"



Exhibit "C"

