

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION FROM PUBLIC FACILITIES (PF) DISTRICT TO MIXED-USE DOWNTOWN (MD) DISTRICT ON APPROXIMATELY 1.08 ACRES OF LAND, AND FROM MIXED-USE NEIGHBORHOOD (MN) DISTRICT TO MD DISTRICT ON APPROXIMATELY 42.62 ACRES, TOTALING APPROXIMATELY 43.7 ACRES OF LAND, GENERALLY LOCATED NORTH OF EAGLE DRIVE AND SOUTH OF SYCAMORE STREET, BETWEEN BELL AVENUE AND MYRTLE STREET IN THE CITY OF DENTON, DENTON COUNTY, TEXAS; ADOPTING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP; PROVIDING THAT EXISTING SINGLE-FAMILY RESIDENTIAL USES WITHIN THE AREA SUBJECT TO THE CHANGE IN ZONING DISTRICT AND USE CLASSIFICATION SHALL REMAIN LEGAL USES AND SHALL NOT BE MADE NON-CONFORMING BY THIS ORDINANCE; PROVIDING FOR A PENALTY IN THE MAXIMUM AMOUNT OF \$2,000.00 FOR VIOLATIONS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE. (Z25-0011a)

WHEREAS, The City of Denton has initiated a request to rezone approximately 43.7 acres of land from Mixed-Use Neighborhood (MN) and Public Facilities (PF) to Mixed-Use Downtown (MD) District, legally described in **Exhibit "A"** and generally depicted in the map in **Exhibit "B,"** both of which are attached hereto and incorporated herein by reference (hereinafter, the "Property"); and

WHEREAS, the requested zoning change is consistent with the implementation actions recommended by the Design Downtown Denton Plan, approved on September 17, 2024, in order to encourage more downtown-style residential and mixed-use development in this area by providing greater flexibility to property owners to fully utilize their properties; and

WHEREAS, the requested zoning change received favorable feedback from area residents and property owners during public engagement meetings held in May of 2025; and

WHEREAS, the requested zoning change to Mixed-Use Downtown is consistent with the "Downtown Denton" Future Land Use Map designation shown for this area in the Denton 2040 Comprehensive Plan; and

WHEREAS, on September 24, 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 [3-1] of the request; and

WHEREAS, on October 21, 2025, 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 (DDC), and is consistent with the Denton 2040 Comprehensive Plan and the DDC; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Denton, in considering the application for a change in zoning district and use classification 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 described and depicted in **Exhibits "A" and "B"**, respectively, is hereby changed to Mixed-Use Downtown (MD) District.

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

SECTION 4. All single-family residential uses within structures legally existing at the time of adoption of this ordinance that are located within the boundaries of the Property may continue to exist as legal and conforming uses, and the legally existing structures containing those single-family residential uses may continue to exist as legal and conforming structures, subsequent to passage of these regulations. These legally existing single-family residential uses are located at the addresses listed in **Exhibit "C"**. Notwithstanding single-family residences not being a permitted use in the Mixed-Use Downtown (MD) zoning district per DDC Subsection 5.2.3, these existing single-family residential uses, and the legally existing structures within which they are located, shall be exempt from the requirements of DDC Subsection 1.5.3 Nonconforming Uses and Subsection 1.5.4 Nonconforming Structures, as amended or its successors, pertaining to nonconforming uses or structures. The address(es) to which this section is applicable are listed in **Exhibit "C"**.

SECTION 5. Any Specific Use Permit granted to a use located within the boundaries of the Property, which use is permitted by right within the Mixed-Use Downtown (MD) zoning district, is hereby revoked, along with any conditions of approval which were applied to any such SUP at the time of its approval. Henceforth such use(s) may operate, in accordance with all requirements of the DDC for that use within the Mixed-Use Downtown (MD) zoning district, without need of a Specific Use Permit. The address to which this section is applicable is listed in **Exhibit "D"**.

SECTION 6. 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 7. 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 8. 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:	_____	_____	_____	_____
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 _____, 2025.

GERARD HUDSPETH, MAYOR

ATTEST:
INGRID REX, INTERIM CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY:  _____

Exhibit A

Legal Description

All that certain lot, tract or parcel of land lying and being situated in the City of Denton, County of Denton, State of Texas, and being all or part of the WM Loving Survey, Abstract Number 759, A. Hill Survey, Abstract Number 623, and H. Cisco Survey, Abstract Number 1184 and being more particularly described as follows:

BEGINNING at the centerline intersection of Myrtle Street and Eagle Drive;
Thence North, along and near the centerline of Myrtle Street, a distance of 635.5 feet to a point for a corner and being the intersection of Myrtle Street and Maple Street;

Thence East, along and near the centerline of Maple Street, a distance of 87.3 feet to a point for a corner and being the intersection of Maple Street and Myrtle Street;

Thence North, along and near the centerline of Myrtle Street, a distance of 339.4 feet crossing the intersection of Myrtle Street and Highland Street, a total distance of 354.9 feet to a point for a corner on the north line of Highland Street and the south line of Block 33, of the Original Town of Denton, Denton County, Texas;

Thence West, along the south line of said Block 33, a distance of 10.3 feet to a point for a corner being the southwest corner of said Block 33;

Thence North, along the West line of said Block 33, a distance of 260 feet to a point for a corner;

Thence North along the West line of said Block 33, a distance of 90 to a point for a corner;

Thence West, a distance of 29 feet to a point for a corner;

Thence North, along the West line of said Block 33, a distance of 155 feet to a point on the south line of Prairie Street;

Thence North, across said Prairie Street, a distance of 60 feet to a point for a corner and being on the north line of said Prairie Street;

Thence West along the north line of said Prairie Street, a distance of 25 feet to a point for

a corner;

Thence North, a distance of 131 feet to a point for a corner;

Thence West, a distance of 27 feet to a point for a corner;

Thence North, a distance of 135 feet to a point for a corner on the south line of Stroud Street;

Thence East, along the south line of Stroud Street, a distance of 51.4 feet to a point for a corner on the south line of Stroud Street;

Thence North, a distance of 45 feet crossing the north line of Stroud Street, a total distance of 180 feet to a point for a corner being the northwest corner of a 0.196 acre tract described in the Deed from Brenda S; McCutcheon to Gregory C. Fowler and Luann Awtrey, recorded by County Clerk File number 2007-107220, Real Property Records, Denton County, Texas;

Thence East, along with the north line of said 0.196 acre tract, a distance of 67 feet to a point for a corner on the west line of Block 26, of the Original Town of Denton, Denton County, Texas;

Thence North, along the west line of said Block 26, a distance of 3.5 feet to a point for a corner on the west line of said Block 26;

Thence East, a distance of 108 feet to a point for a corner;

Thence North, a distance of 9 feet to a point for a corner;

Thence East, a distance of 117 feet to a point for a corner on the west line of Elm Street;

Thence South, along the west line of said Elm Street, a distance of 37 feet to a point for a corner on the west line of Elm Street;

Thence East, across said Elm Street, a distance of 80 feet to a point for a corner on the east line of said Elm Street;

Thence East, a distance of 150 feet to a point for a corner;

Thence North, a distance of 23 feet to a point for a corner;

Thence East, a distance of 150 feet to a point for a corner on the west line of Locust Street;

Thence East, across said Locust Street, a distance of 80 feet to a point for a corner on the east line of said Locust Street;

Thence South, along the east line of said Locust Street, a distance of 80.9 to a point for a corner on the east line of said Locust Street and being the southwest corner of Lot 1, Block 1, King Addition, being recorded by County Clerk file number 2011-1, Plat Records, Denton County, Texas;

Thence South 89 Degrees 36 Minutes 10 Seconds East, along the south line of said Lot 1, a distance of 252.99 feet to a point for a corner.

Thence North 00 Degrees 10 Minutes 08 Seconds East, along the east line of said Lot 1, a distance of 52.2 feet to a point for a corner being on the west line of said Wainwright Street;

Thence East, across said Wainwright Street, a distance of 45 feet to a point for a corner being the southwest corner of Lot, 1 Block A, Jester Addition, being recorded by County Clerk file number 2013-283, Plat Records, Denton County, Texas;

Thence North 89 Degrees 37 Minutes 50 Seconds East, along the south line of said Lot 1, a distance of 205.48 feet to a point for a corner being the southeast corner of said Lot 1;

Thence East, a distance of 100 feet to a point for a corner being on the west line of Industrial Street;

Thence South, along the west line of said Industrial Street, a distance of 400 feet to a point for a corner being on the north line of Prairie Street and west line of Bell Avenue;

Thence South, across said Prairie Street and along the west line of said Bell Avenue, a distance of 60 feet to a point for a corner on the west line of said Bell Avenue;

Thence South, along the west line of said Bell Avenue, a distance of 537 feet to a point for a corner;

Thence West, a distance of 185 feet to a point for a corner being the east line of an Alley;

Thence South, along the east line of said Alley, a distance of 594 feet to a point for a corner being on the centerline of said Bell Avenue;

Thence Southwest, along the centerline of said Bell Avenue, a distance of 240 feet to a point for a corner being the centerline intersection of Eagle Drive, Dallas Drive and said Bell Avenue;

Thence West, along the centerline of said Eagle Drive, a distance of 994 feet to the POINT OF BEGINNING, Save and Except all areas of public roads, Myrtle Street, Maple Street, Highland Street, Prairie Street, Stroud Street, Elm Street, Locust Street, Wainwright Street, Warren Court, Industrial Street, Bell Avenue, Eagle Drive, Dallas Drive, Alleys and Fee Simple for public use, containing in all approximately 43.8 acres of land.

Exhibit B



Exhibit C

Existing Single-Family Residential Uses In Rezoning Area As Of September 10, 2025
319 Wainwright Street
321 Wainwright Street
401 Wainwright Street
405 Wainwright Street
409 Wainwright Street
411 Wainwright Street
413 Wainwright Street
415 Wainwright Street
511 Wainwright Street
519 Wainwright Street
523 Wainwright Street
617 Wainwright Street
621 Wainwright Street
600 South Bell Avenue
214 West Highland Street
601 Myrtle Street
215 Maple Street
211 Maple Street
210 Stroud Street
209 Stroud Street
211 Stroud Street

215 Stroud Street
214 W Prairie Street
711 Myrtle Street
320 Industrial Street
316 Industrial Street

Exhibit D

Properties With A Specific Use Permit For A Use Permitted By-Right in MD Zoning As Of September 10, 2025
400 S Elm Street