

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS REGARDING A CHANGE IN THE ZONING DISTRICT AND USE CLASSIFICATION FROM RESIDENTIAL 7 (R7) DISTRICT TO OVERLAY PLANNED DEVELOPMENT (PD) DISTRICT WITH A MIXED-USE NEIGHBORHOOD (PD-MN) BASE ZONING DISTRICT ON APPROXIMATELY 0.786 ACRES OF LAND, GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF JAGOE STREET AND SCRIPTURE STREET 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.

WHEREAS, Aimee Bissett, of McAdams Engineering, applied on behalf of the property owner, Non-Typical Properties, LLC, to rezone approximately 0.786-acres from Residential 7 (R7) District to an Overlay Planned Development Suburban Corridor (PD-MN) District, legally described and depicted in Exhibit "A" (hereinafter, the "Property"); and

WHEREAS, on April 29, 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, 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 amendment; and

WHEREAS, on May 19, 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 for a zoning change to Overlay Planned Development (PD) District set forth in Section 2.7.3 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 zoning classification of 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 from Residential 7 (R7) District to an Overlay Planned Development Mixed-Use Neighborhood (PD-MN) District. The Development Standards for the Property are described in Exhibit "B" attached hereto and incorporated herein by reference. Development of the Property shall be in accordance with the Development Standards in Exhibit "B".

SECTION 3. The City’s official zoning map is hereby amended to show the change in the 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: | _____ | _____ | _____ | _____ |
| Jordan Villarreal, District 1: | _____ | _____ | _____ | _____ |
| Nick Stevens, 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:
KRISTI FOGLE, INTERIM CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: *Healy McMahon*

Exhibit A

0.786 - Acres

E. Puchalski Survey, Abstract No. 996,
Denton, Denton County, Texas

BEING all that certain lot, tract or parcel of land situated in the E. Puchalski Survey, Abstract Number 996 in the City of Denton, Denton County, Texas, being a part of Lots 1 and 3, Block 1 of W.W. Wright Addition, an Addition to the City of Denton, Denton County, Texas according to the Plat thereof recorded in Volume 75, Page 88, Deed Records, Denton County, Texas, and being all that certain tract of land conveyed by deed from Lila A. Walen to Denton County Friends of The Family, Inc., recorded under Clerk's File Number 96-R0083814, Real Property Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod found for corner in the North line of Scripture Street, a public roadway, said point being the Southeast corner of that certain tract of land conveyed by deed from James K. Dowling, et al, to Jerry L. Gage, recorded in Volume 4282, Page 1474, Real Property Records, Denton County, Texas;

THENCE North 00 degrees 19 minutes 35 seconds East, 202.63 feet with the East line of said Gage tract to a fence corner for corner in the South line of that certain tract of land conveyed by deed from Johnnie Catherine Bilyeu, et al, to Wayne D. Work and wife, Kathleen M. Work recorded under Clerk's File Number 95-R0070581, Real Property Records, Denton County, Texas;

THENCE South 89 degrees 26 minutes 20 seconds East, pass at 100 feet the Southwest corner of that certain tract of land conveyed by deed from Johnnie Wells Bilyeu, et al, to Ronald Strike, et al, recorded under Clerk's File Number 96-R0033950, Real Property Records, Denton County, Texas, a total distance of 124.68 feet with said South line of said Work and Strike tracts to a fence corner for corner, said point being the Northwest corner of that certain tract of land conveyed by deed from James O. Pannell and wife, Carol M. Pannell to Tom Larussa and wife, Donna Larussa recorded under Clerk's File Number 97-R002816, Real Property Records, Denton County, Texas;

THENCE South 00 degrees 01 minute 24 seconds East, 62.03 feet with the West line of said Larussa tract to a fence corner for corner, said point being the Southwest corner of said Larussa tract;

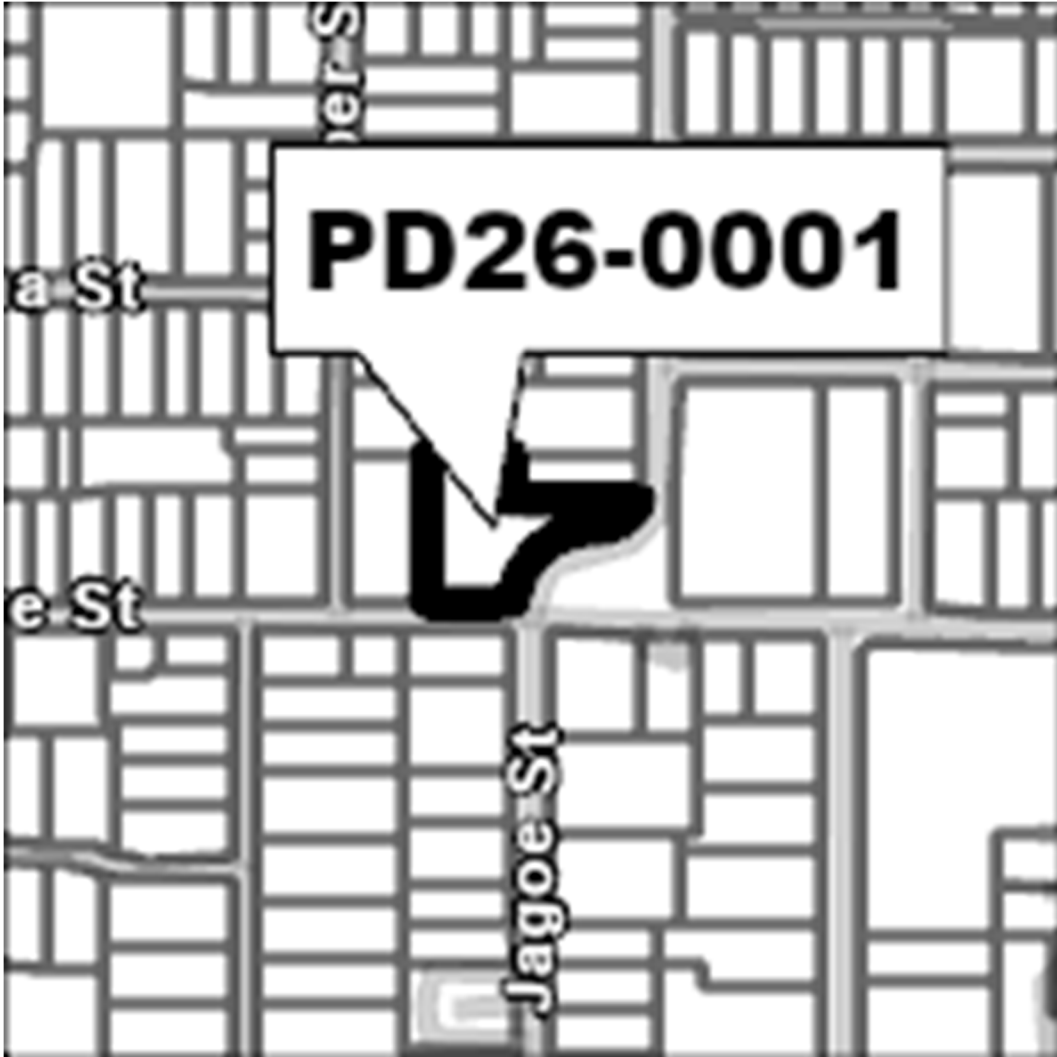
THENCE East, 174.23 feet with the South line at said Larussa tract to an iron rod found for corner in the West line of Malone Street, a public roadway;

THENCE along the arc of a curve to the right having a central angle of 60 degrees 43 minutes 03 seconds, a radius of 73.53 feet, an arc length of 77.92 feet, whose chord bears South 60 degrees 01 minute 11 seconds West, 74.32 feet with said West line of said Malone Street to an iron rod found for corner;

THENCE along the arc of a curve to the left having a central angle of 78 degrees 37 minutes 36 seconds, a radius of 109.80 feet, an arc length of 15.68 feet, whose chord bears South 51 degrees 03 minutes 53 seconds West, 139.13 feet with said West line of said Malone Street to an iron rod found for corner;

THENCE South 11 degrees 45 minutes 10 seconds West, 12.96 feet with said West line of said Malone Street to an iron rod found for corner in said North line of said Scripture Street;

THENCE South 89 degrees 01 minute 44 seconds West, 124.86 feet with said North line of said Scripture Street to the PLACE OF BEGINNING and containing 0.786 acre of land, more or less.



**Exhibit B – OVERLAY PLANNED DEVELOPMENT STANDARDS
PD26-000X**

PD-MN– 0.786 acres

**1716 Scripture Street
City of Denton, Denton County, Texas**

SECTION 1: Purpose Statement

The regulations set forth in these development standards are for an Overlay Planned Development (PD) District as defined in Denton Development Code (DDC) Section 2.7.3C.1. The Overlay PD consists of approximately 0.786 total acres described in Exhibit A and attached to this PD Ordinance.

The purpose of this PD is to facilitate the use of an existing 7,950 square foot building for an office and storage space.

SECTION 2: Use Regulations

Permitted land uses shall be in accordance with the mixed-use neighborhood (MN) zoning district as provided in DDC Table 5.2-A, as amended, except for the following uses, which may be permitted in this Planned Development only upon approval of a Specific Use Permit:

- a. Multi-Family