



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ICM: Cassey Ogden

DATE: May 19, 2026

SUBJECT

Consider adoption of an ordinance of the City of Denton, Texas, regarding a Municipal Services Agreement, pursuant to Tex. Loc. Gov't. Code Sec. 43.0672, between the City of Denton and Coy Mark and Carolyn Rollins for the provision of city services to approximately 2.94 acres of land, generally located 1,671 feet east of Mayhill Road, north of Mills Road; approving a schedule of annexation; authorizing the City Manager to execute the agreement; and providing an effective date. (A26-0001, Rollins Annexation, Angie Manglaris)

BACKGROUND

The owner, Coy Mark and Carolyn Rollins, (hereafter referred to as "Owner"), had a non-annexation agreement (ordinance 2012-363), which expired on August 1, 2020. Pursuant to Council direction, the City corresponded with the Owner on multiple occasions, including April 23, 2024, June 13, 2024, and April 13, 2026 to offer a new non-annexation agreement, but the Owner has not responded. By operation of the expired non-annexation agreement, the Owner has filed a written petition with the City for voluntary annexation of approximately 2.940 acres of land, generally located 1,671 feet east of Mayhill Road and north of Mills Road (hereafter referred to as "Subject Property").

In accordance with State Law, Non-Annexation Agreements (NAAs) were initially offered to property owners between 2010 and 2016 when the City was in the process of annexing land area within the Extra-Territorial Jurisdiction (ETJ). Texas Local Government Code Section 43.016 requires municipalities to offer NAAs to property owners of land area the City is interested in annexing if that land area is appraised for tax purposes as having agricultural, wildlife management, or timber use. In addition, the City also offered NAAs to properties used as single-family residences. NAAs entered into during this initial time period had an original expiration date of August 2020. In 2020, City Council directed staff to offer extensions of the NAAs to August 2040. In accordance with State Law, the total duration of the NAA shall not exceed 45 years.

The general requirements of the NAAs are as follows:

- The property may only be used for single-family residential, agricultural, wildlife, timber, or related uses.
- City of Denton regulations apply to proposed development.
- Development applications and building permits must be submitted and approved through the City of Denton.
- Land may be subdivided into smaller parcels via platting, provided the minimum lot size is at least 5 acres.
- Notification must be provided to the City if the property is sold.

- Properties with agriculture, wildlife management, or timberland exemptions are required to provide notice to the City if there is a change in exemption status.
- If the property owner does not abide by these requirements, or if the NAA expires, the City may proceed with annexation of the property.

Following Council direction in 2020, staff began engaging with property owners with expired NAAs in an effort to enter into new agreements with 2040 expiration dates. Between 2020 and 2021 a majority of property owners with expired NAAs entered into new agreements; however, 18 NAAs remained expired.

In 2024, staff revisited the topic of expired NAAs with City Council. Direction was given to contact the property owners of the 18 expired agreements to extend the NAAs and pursue annexation for any remaining expired NAAs. Initial letters offering NAA extensions were mailed in May 2024 with follow-up letters in June prior to the initial response deadline of June 21, 2024. Additional letters were mailed in September 2024, and a final letter was sent to the property owner on April 13, 2026 via certified mail. Eight (8) NAAs remain expired, and the City has begun the process of annexing these areas.

If at any point during the annexation process the property owner indicates a desire to reenter into a NAA rather than be annexed into the City, staff will work with the owner to receive an updated agreement and suspend the annexation proceedings. Given the number of expired NAAs, staff will bring forward the annexation cases singularly or in groups based on parcel size, beginning with the smallest parcels.

Approval of this Municipal Services Agreement is the first of several steps required for a voluntary annexation based upon the requirements of TXLGC Sec. 43.0672 and the City's Charter as outlined below:

- 1. Approval of a Municipal Services Agreement**
2. Adoption of a Service Plan
3. Annexation Public Hearing
4. First Reading of Annexation Ordinance
5. Publication of Annexation Ordinance
6. Second Reading and Adoption of Annexation Ordinance

The first four of these items are on this agenda, with this being the first required step in the process. Following the first reading of the annexation ordinance, the ordinance must be published in the newspaper, and the second reading is required to occur at least 30 days following ordinance publication.

Due to annexation law, under Subchapter C-3 (TXLGC Sec. 43.0672), a municipality that elects to annex an area upon request of owners must first negotiate and enter into a written Service Agreement with the owners of the land in the area for the provision of services in the area. The attached Municipal Services Agreement contains the City's standard Service Plan for annexations regarding streets, water, wastewater, police and fire protection, and park services.

The subject property is situated on the north side of Mills Road, approximately 1,671 feet east of Mayhill Road. The property to the north of the Subject Property is situated within the City of Denton's Extraterritorial Jurisdiction (ETJ) and subject to a non-annexation agreement. The properties to the east, and west of the Subject Property are situated within the City limits and zoned Rural Residential (RR). Mills Road, abutting the Subject Property to the south, is a two-lane roadway, classified as a Secondary Arterial per the 2022 Mobility Plan and Thoroughfare Map.

The Subject Property is located in a transitional area of the City. The Future Land Use map reflects a Moderate Residential designation along the western portion of the Subject Property which transitions to a Low Residential designation along the eastern portion of the site. The descriptions for the Future Land Use categories are provided below:

Low Residential:

This category includes the city’s predominantly single-family neighborhoods, with lot sizes ranging from one acre or more in rural fringe areas up to five units per acre gross density throughout many of the city’s suburban subdivisions. Dwellings in this land use district are generally one to two stories with private driveways and open space, consisting of privately maintained tree canopy and front, back and side yards. Building and driveway orientation, the locations of private garages, building material, and the presence of sidewalks vary by neighborhood and the era of neighborhood development. Generally, these types of single-family neighborhoods are developed as distinct subdivisions that are linked by internal circulation systems with limited access to local and connector roads. This category may also include land uses that support residential neighborhoods, such as appropriately scaled commercial at arterial and collector street corners, and appropriately scaled public and quasi-public uses, such as religious and educational institutions.

Moderate Residential:

This category accommodates single-family detached housing on small lots, typical of Denton’s more compact, established single-family neighborhoods and low-rise multi-family dwellings and townhomes. This land use applies to areas within the central areas of Denton and transition areas between established single-family neighborhoods and mixed-use or commercial areas that can accommodate greater density, or adjacent to key corridors. Dwellings in this future land use category vary in scale and style and may contain a great deal of diversity by each street and block. Most areas are characterized by rectilinear lots with modest front yards. Most streets are lined by sidewalks, but this is not prevailing throughout. Development is linked by local streets and is most commonly accessed by multiple intersections and points of access. While the land use primarily includes single-family dwellings, multi-family dwellings, and townhomes may be located in this land use as well. While the quality of multi-family dwellings and townhomes currently varies, in the case of future infill development, they should maintain a scale, style, and building orientation in order to complement the prevailing character of its surroundings. This category may also include land uses that support residential neighborhoods, such as neighborhood scaled commercial at arterial and collector street corners, and appropriately scaled public and quasi-public uses, such as religious and educational institutions.

The Subject Property is not currently being served with City water or sewer.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

December 18, 2012	City Council	Non-Annexation Agreement	Approved through 2020
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Recommendation:

Staff recommends approval of the Municipal Services Agreement and annexation schedule.

OPTIONS

1. Approve
2. Deny
3. Postpone Item

EXHIBITS

- Exhibit 1 - Agenda Information Sheet
- Exhibit 2 - Site Location Map
- Exhibit 3 - Draft Municipal Services Agreement and Annexation Schedule Ordinance
- Exhibit 4 - Presentation

Respectfully submitted:
Hayley Zagurski, AICP
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