



# City of Denton

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

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Development Services

**ACM:** Kenneth Hedges

**DATE:** June 2, 2026

### **SUBJECT**

Consider adoption of an ordinance providing for acceptance of eligible 212.172 non-annexation agreement(s) for properties that do not have an agricultural, wildlife management or timberland ad valorem tax exemption within an area of land adjacent to and abutting the existing city limits of the City of Denton, Texas, generally identified as part of DH-12, consisting of approximately 12.57 acres of land, generally located on the north side of Mills Road, approximately 2,018 feet east of North Mayhill Road; providing for severability; and providing an effective date. (ID 26-0782, Buckley)

### **BACKGROUND**

State law requires the City to offer owners of property the City wishes to annex a Non-Annexation Agreements (NAA) if the property is appraised for tax purposes as having agricultural, wildlife management, or timber use. Although not required by state law, the City has also offered NAAs to properties used only for a single-family residence.

The major requirements included in the NAA's are:

- The property may only be used for single-family residential, agricultural, wildlife, timber, or related uses.
- City of Denton regulations apply to any proposed development.
- Development applications and building permits must be submitted and approved through the City of Denton.
- Land may be divided into smaller parcels through platting with the City but the smallest parcel cannot be less than 5 acres.
- Notification must be provided to the City if the property is sold.
- For properties with an agriculture, wildlife management, or timberland exemption, they are required to provide notice to the City of a change in exemption.

If the property owner does not abide by these requirements, **or if the NAA expires**, the City may proceed with annexation of the property.

These initial NAAs were offered in the period between 2010 and 2016 as the City was going through a process of annexing portions of the City's extra-territorial jurisdiction (ETJ). The City of Denton was originally party to approximately 173 NAAs with property owners of land in the ETJ of the City. These NAAs had an original expiration date of August 2020, but Council at that time ultimately directed staff to offer extensions of the NAA to August 2040. Expired NAA's were last brought to City Council for direction on October 20, 2020, and direction at that point was to continue to work with property owners who had expired NAAs. Following that direction, staff continued to work with property owners and

additional NAAs were brought forward to City Council in May 2021. Between 2020 and 2021 a majority of property owners with expired NAAs entered into new agreements; however, 18 NAAs remained expired.

Staff notified City Council in a Legal Status Report on April 19, 2024, of an effort to reengage the property owners with expired NAAs. Letters to private property owners were mailed in May with follow-up letters in June prior to the response deadline of June 21, 2024. Of the 18 property owners, 8 signed updated NAAs and were on the agenda for City Council approval for November 19, 2024. Following this, the City began the process of annexing the remaining properties with unsigned NAAs. 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 works with the owner to receive an updated agreement and suspend the annexation proceedings, which is what occurred in this instance.

This property (property IDs 958918 and 958919) is in the DH-12 non-annexation area and owned by Gregory and Emily Buckley. On April 9, 2026, staff sent a certified letter to the property owner as the final notice of the opportunity to sign the new NAA agreeing to the extension of the NAA for the Property until August 1, 2040. The property owner has signed the new NAA (see Exhibit 2).

**RECOMMENDATION**

Staff recommends approval of the ordinance for the signed NAA to extend the agreement to 2040.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

December 18, 2012	City Council	Non-Annexation Agreement	Approved
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**EXHIBITS**

- Exhibit 1 - Agenda Information Sheet
- Exhibit 2 - Ordinance

Respectfully submitted:  
Hayley Zagurski, AICP  
Planning Director

Prepared by:  
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Associate Planner