

Mayor and Council Communication

DATE: 06/25/24

M&C FILE NUMBER: M&C 24-0536

LOG NAME: 06DEVELOPMENT AGREEMENT RENEWAL - INA SUE SHORT

SUBJECT

(ETJ near CD 10) Authorize Renewal of a Development Agreement in Lieu of Annexation with Ina Sue Short, Property Owner of Approximately 4.805 Acres of Land Located in a Potential Annexation Area Adjacent to Council District 10

RECOMMENDATION:

It is recommended that the City Council authorize the City Manager to execute a Development Agreement between the City and Ina Sue Short, property owner, for the application of development standards in lieu of annexation for property located North of and along Old Denton Road, South of Elizabethtown Cemetery Road and South of Day Road, in Tarrant County, in the Far North Sector.

DISCUSSION:

State law requires a municipality to offer Development Agreements in lieu of annexation to property owners who maintain a current agricultural tax exemption on property considered for annexation. If a Development Agreement is signed, the property will retain its extraterritorial jurisdiction status until it loses its agricultural exemption or the Development Agreement expires, whichever comes first.

The 2023 Comprehensive Plan Annexation Program, as shown in Appendix F, identifies this property as being part of Area 7 and as an area where property owners have opted for Development Agreements. Approximately 10.824 acres of land in Area 7 qualify for Development Agreements in lieu of annexation. The City has received one signed contract from property owner Ina Sue Short. Mrs. Short owns one eligible property (as shown on Exhibit A) which consist of approximately 4.805 acres north of and along Old Denton Road, south of Elizabethtown Cemetery Road and south of Day Road.

Ina Sue Short, has requested a renewal of the agreement on her property. The original agreement (City Secretary Contract No. 42679) was effective on December 16, 2011. If eligibility is maintained future options for successive renewals, not to exceed 45 years, are possible. By signing, Mrs. Short, agrees to the conditions of the Development Agreement in lieu of annexation. The Development Agreement will provide for the enforcement of development regulations including: subdivision ordinances in accordance with the Comprehensive Plan, municipal building, mechanical, plumbing, residential, energy and fire codes, building permit requirements, minimum building standard codes, environmental protection/compliance and health codes, prohibitions on septic tanks, gas drilling and production ordinance and other City regulations as they currently exist or may be enacted in the future. The property will adhere to the city's Zoning Ordinance No. 20003-12-2011. The area covered by the development agreement was zoned under case ZC-11-116 as "A-43" One-Family. Additionally, the property owner consents to the jurisdiction of the City's Municipal Court, boards and commissions to enforce City codes and regulations, as well as prosecuting criminal violations of City regulations. The Development Agreement causes the property to be generally in compliance with development standards within the City limits.

Area 7 in the 2023 Comprehensive Plan Annexation Program as shown in Appendix F is adjacent to COUNCIL DISTRICT 10.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that this recommendation will have no material effect on City funds.

Submitted for City Manager's Office by: Dana Burghdoff 8018

Originating Business Unit Head: D.J. Harrell 8032

Additional Information Contact: