

**Notice of a Meeting**  
**Dalworthington Gardens Planning and Zoning Commission**

**June 5, 2025 at 6:00 p.m.**

**City Hall Council Chambers, 2600 Roosevelt Drive, Dalworthington Gardens, Texas**

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The Planning and Zoning Commission reserves the right to adjourn into closed session at any time during the course of this meeting as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney).
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1. Call to Order
2. Citizens who wish to speak to the Planning & Zoning Commission Members will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and Planning and Zoning Commission Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy.
3. Approval of Minutes
  - i. 5.1.2025 Minutes
4. Discussion and possible recommendation on a zoning ordinance regarding telecommunication towers to provide location and design regulations.
  - i. Conduct a public hearing
  - ii. Discussion and action
5. Future agenda items.
6. Adjourn

<b>CERTIFICATION</b>
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This is to certify that a copy of the <b>June 5, 2025</b> Planning and Zoning Commission Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, <a href="http://www.cityofdwg.net">www.cityofdwg.net</a> , in compliance with Chapter 551, Texas Government Code.
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DATE OF POSTING: \_\_\_\_\_ TIME OF POSTING: \_\_\_\_\_ TAKEN DOWN: \_\_\_\_\_

\_\_\_\_\_  
Sandra Ma, City Secretary

**Dalworthington Gardens Planning and Zoning Commission**  
**Meeting Minutes**  
**May 1, 2025 at 6:00 p.m.**

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*While the order of some agenda items may have been changed, the following represents all items discussed and acted upon by the Planning and Zoning Commission.*

**1. Call to Order**

Chairperson Todd Batiste called the meeting to order at 6:00 pm. with the following present:

**Members Present**

Todd Batiste, Chairperson  
Maurice Clark, Vice Chairperson  
Johanna Storm  
Tracy Dodson, Alternate

**Members Absent:**

Brian Colin  
Anthony Parker  
Tom McCarty, Alternate

**Staff Present:**

Sandra Ma, City Secretary

- 2. Citizens who wish to speak to the Planning & Zoning Commission Members will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the City staff and Planning and Zoning Commission Members are prevented from discussing the subject and may respond only with statements of factual information or existing policy.**

None

**3. Approval of Minutes**

- i. 3.6.2025 Minutes**
- ii. 4.3.2025 Minutes**

A motion was made by Commissioner Tracy Dodson and seconded by Commissioner Johanna Storm to approve items 3i. and 3ii.

Motion carried by the following vote:

Ayes: Members Batiste, Clark, Storm, and Dodson

Nays: None

- 4. Discussion and possible recommendation on an application for a preliminary plat submitted by Aldriedge Building Corp for Lot 19, Block A, 1.001 acres of land located in The Joseph Pierce Survey, Abstract No. 1253 an addition to the City of Dalworthington Gardens, Tarrant County, Texas, and locally known as 3815 Kelly Perkins Road.**

- i. Conduct a public hearing**
- ii. Discussion and action**

Background Information:

Application for a Preliminary Plat was received from Aldriedge Building Corp – Randy Aldriedge on 1/17/2025. Per city ordinance 10.02.004 Platting Required. No building permit shall be issued for the construction of improvement on any property not platted.

In accordance with Section 10.02.094, the plat application was then forwarded to the city engineer for review. On April 21, 2025, the city engineer conducted his final review of the preliminary plat, determined the plat conforms with the City's subdivision ordinance, and recommends approval of the plat.

The city has notified all property owners within 200 feet and included information on how to provide public comments at both the planning and zoning meeting and council meeting, as well as publishing the meeting in the Commercial Recorder.

Local Government Code, Chapter 212, states plats that satisfy all applicable regulations must be approved. The proposed plat satisfies all requirement of city ordinance. As such, staff recommends approval of this plat.

Chairman Todd Batiste opened a public hearing at 6:02 p.m.

With no one desiring to speak public hearing was closed at 6:02 p.m.

A motion was made by Vice Chairperson, Maurice Clark and seconded by Commissioner Johanna Storm to recommend approval of the preliminary plat located at 3815 Kelly Perkins

Motion carried by the following vote:

Ayes: Members Batiste, Clark, Storm, and Dodson

Nays: None

**5. Discussion and possible recommendation on an application for a final plat submitted by Aldriedge Building Corp for Lot 19, Block A, 1.001 acres of land located in The Joseph Pierce Survey, Abstract No. 1253 an addition to the City of Dalworthington Gardens, Tarrant County, Texas, and locally known as 3815 Kelly Perkins Road.**

**i. Conduct a public hearing**

**ii. Discussion and action**

Background Information:

Application for Final Plat was received from Aldriedge Building Corp – Randy Aldriedge on 1/17/2025. Per city ordinance 10.02.004 Platting Required. No building permit shall be issued for the construction of improvement on any property not platted.

In accordance with Section 10.02.094, the plat application was forwarded to the city engineer for review. On March 3, 2025, the city engineer conducted his final review of the final plat and determined the plat conforms with the City's subdivision ordinance, and recommended approval of the plat.

The city has notified all property owners within 200 feet and included information on how to provide public comments at both the planning and zoning meeting tonight and City Council Meeting as well as publishing the meeting in the Commercial Recorder.

Local Government Code, Chapter 212, states plats that satisfy all applicable regulations must be approved. The proposed plat satisfies all requirements of city ordinances. As such, staff recommends approval of this plat.

Chairman Todd Batiste opened a public hearing at 6:04 p.m.

With no one desiring to speak public hearing was closed at 6:04 p.m.

A motion was made Commissioner Johanna Storm and seconded by Commissioner Tracy Dodson to recommend approval of the final plat located at 3815 Kelly Perkins

Motion carried by the following vote:

Ayes: Members Batiste, Clark, Storm, and Dodson

Nays: None

**6. Future Agenda Items**

None

**7. Adjourn**

Meeting was adjourned at 6:07p.m.

**Agenda Subject:**

Discussion and possible recommendation on a zoning ordinance regarding telecommunication towers to provide location and design regulations.

**Background Information:**

During a council meeting on 5/15/2025 council asked for Planning and Zoning to consider an ordinance regarding telecommunication towers and to provide recommendations.

Attorney's office drafted a sample ordinance for review.

Notice of this meeting was published in the Commercial Recorder.

**Recommended Action/Motion:**

Recommendation or no action on an ordinance for telecommunication towers to provide location and design regulations.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, ADDING DIVISION 16, “TELECOMMUNICATION TOWERS,” TO ARTICLE 14.02, “ZONING ORDINANCE,” OF CHAPTER 14, “ZONING,” OF THE CODE OF ORDINANCES, CITY OF DALWORTHINGTON GARDENS, TEXAS, TO PROVIDE LOCATION AND DESIGN REGULATIONS FOR TELECOMMUNICATION TOWERS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Dalworthington Gardens, Texas (the “City”), is a Type-A general law municipality located in Tarrant County, created in accordance with the provisions of Chapter 6 of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the State of Texas has delegated to each municipality the fiduciary duty, as a trustee, to manage the public right-of-way for the health, safety, and welfare of the public, subject to state law; and

**WHEREAS**, the Zoning Ordinance of the City regulates and restricts the location and use of buildings, structures, and land for trade, industry, residence, and other purposes, and provides for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and

**WHEREAS**, the City Council has determined that it is in the best interest of the City to amend the Zoning Ordinance, City of Dalworthington Gardens, Texas, to provide restrictions on the placement and design of telecommunication towers; and

**WHEREAS**, the Planning and Zoning Commission of the City of Dalworthington Gardens, Texas, held a public hearing on \_\_\_\_\_, 2025, and the City Council of the City of Dalworthington Gardens, Texas, held a public hearing on \_\_\_\_\_, 2025, with respect to the Zoning Ordinance text amendment provided herein; and

**WHEREAS**, the City has complied with all requirements of Chapter 211 of the Local Government Code, the Zoning Ordinance of the City of Dalworthington Gardens, and all other laws dealing with notice, publication, and procedural requirements for these text amendments.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, THAT:**

## SECTION 1.

Division 16, “Telecommunication Towers,” of Article 14.02, “Zoning Ordinance,” of Chapter 14, “Zoning” of the Code of Ordinances, City of Dalworthington Gardens, Texas, is hereby added to read as follows:

### “Division 16 Telecommunications Tower and Stealth Telecommunication Tower

#### §14.02.700 **Definitions.**

*Stealth telecommunication tower.* A facility that is designed in such a way that the facility is not readily recognizable as a telecommunication tower or telecommunication equipment. Stealth facilities may include, but are not limited to, totally enclosed antennas; wireless facilities that replicate, duplicate, or simulate the construction of common structures such as flagpoles, monopoles with totally enclosed antennas, or light poles and that serve as a function of the use(s) of the site; and camouflaged wireless facilities that are constructed to blend into the surrounding environment.

*Telecommunication tower.* A facility, including self-supporting lattice towers, guy towers, or monopole towers, but not including stealth telecommunication towers, designed to support one or more antennas and to contain ancillary facilities designed and used for the purpose of transmitting, receiving, and relaying voice, data, and other similar signals to or from various wireless communication devices. For purposes of this definition, amateur radio transmission facilities not used for commercial purposes and facilities used exclusively for the transmission of television and radio signals are not telecommunication towers.

#### §14.02.701 **Telecommunication towers.**

- (a) All telecommunications towers shall be erected and operated in compliance with current Federal Communications Commission (FCC) and Federal Aviation Administration (FAA) rules and regulations and other applicable federal, state, and local standards.
- (b) Towers shall be designed and built to accommodate a minimum of two (2) wireless providers, if over seventy-five (75) feet in height. The owner of the tower must certify to the city that the tower is available for use by other telecommunications service providers on a reasonable and nondiscriminatory basis.
- (c) Telecommunication towers will be allowed in the following districts:
  - (1) Allowed by right in the Industrial zoning district.
  - (2) Allowed by special exception in the “B-1”, “B-2”, and “B-3” zoning districts.
  - (3) Not allowed in residential zoning districts “SF”, “MF”, and “GH” districts or in municipal parks.

- (4) Not allowed on properties adjacent to streets or thoroughfares that are not more than fifty (50) feet wide and adjacent to SF, MF, or undeveloped land that is designated for residential use by zoning or deed restrictions.
- (d) Setback requirements.
  - (1) Telecommunication towers shall be setback one (1) foot for each foot in height from a SF, MF, or GH district or use unless located in such a district and permitted by special exception;
- (e) Letter of authorization. A letter of authorization signed by the property owner granting the agent/applicant the authority to represent the property owner if the applicant is required to seek a grant of approval from the City Council or any other board or commission.
- (f) Construction requirements.
  - (1) All telecommunication towers shall be of monopole construction.
  - (2) Telecommunication towers shall not be illuminated by artificial means or shall display strobe lights or other warning lighting unless required by the FAA or any other federal, state, or city law, rule, or regulation. Any lighting shall be shielded or directed so as not to project directly onto property zoned residential or any residential use. When incorporated into the approved design, light fixtures used to illuminate ball fields, parking lots or other similar areas may be attached to a telecommunication tower.
  - (3) All new telecommunication towers must be constructed to support at least two (2) separate antenna arrays. In addition, any new telecommunication tower must be able to support at least one (1) additional antenna for every fifteen (15) feet (or fraction thereof) above sixty (60) feet in height and provide the ground space for any equipment necessary for the operation of additional antenna.
- (g) Screening, fencing, and landscaping requirements. All telecommunications towers and support facilities shall have the following:
  - (1) In order to protect the aesthetic integrity of adjacent properties, the station site shall be screened by a wrought iron type fence along boundary lines that front a dedicated public street right-of-way of any type, or that front a private street right-of-way dedicated for public use. Brick or stone columns shall be constructed on approximately fifty (50) foot centers for such fence, or
  - (2) Screening shrubs shall be installed around a fence and screen from view the associated structures. All screening shrubs shall be a minimum of three (3) feet in height at planting, have the potential to grow to a mature height of a minimum of six (6) feet in three years, and must have a permanently installed irrigation system that provides total water coverage to all plant materials. The vegetation shall be



kept in an attractive state and in good condition at all times.

- (h) Outdoor storage. No outdoor storage of vehicles, materials, or equipment is permitted. Equipment not used in direct support of the facility shall not be stored or parked on the premises unless a technician is present.
- (i) Commercial message prohibited. No signs, including commercial advertising, logos, political signs, flyers, flags or banners, graphics or other attention devices shall be allowed on any part of the telecommunication tower or ancillary support facilities except for warning and safety signage.
- (j) Removal.
  - (1) Upon cessation for more than one hundred and eighty (180) days of the use of a telecommunication tower structure for the support of active communications antennas, the owner of record must notify the planning and development department. Disconnection of electric service for more than one hundred and eighty (180) days at the telecommunications tower site shall be considered cessation of use.
  - (2) All transmission telecommunications towers or antennas shall be removed by the person who constructed the facility, by the person who operates the facility, or by the property owner within one (1) year from the time the facilities have ceased being used to transmit, receive or relay voice and data signals to or from wireless communications devices.
  - (3) The person who constructed the facility, the person who operates the facility or owner of record must notify the planning and development department of any change in the status of the telecommunication tower. If the use of the antennas on the telecommunication tower has not been restored within the one-year period from the time the facilities have ceased being used to transmit, receive or relay voice and data signals to or from wireless communication devices, the telecommunication tower must be removed and the telecommunication tower site restored to its original condition to a depth of two (2) feet, at the owner's expense.
- (k) Fees. Notwithstanding any other provision of this ordinance, the city may require, as part of any application fees for a telecommunication facility, an amount sufficient to recover all of the city's costs in retaining consultants to verify statements made in conjunction with the permit application, to the extent that verification requires telecommunication expertise.

**§14.02.702 Stealth telecommunication towers.**

- (a) Stealth telecommunication towers will be allowed in the following districts:
  - (1) Allowed by right in "MF", "B-1", "B-2", "B-3", and "LI" zoning districts;
  - (2) Allowed by special exception in residential districts "SF" and "GH" or municipal

parks; and

- (3) Allowed by special exception on properties adjacent to streets or thoroughfares that are not more than fifty (50) feet wide and adjacent to SF, MF, or undeveloped land that is designated for residential use by zoning or deed restrictions.

**(b) Setback requirements.**

- (1) Stealth telecommunication towers shall be setback one (1) foot for each foot in height from a SF, MF, or GH district or use unless located in such a district and permitted by special exception.

**(c) Height.** The height of a tower shall not exceed fifty five (55) feet in height. Height shall be measured from the base of the tower to the highest point of the tower, including any installed antennae and appurtenances.

**(d) Administrative approval of stealth telecommunication towers.** A monopole flag, athletic light pole, parking or street light pole, or other monopole design with internal antenna for a stealth telecommunication tower design may be approved administratively by the City Administrator, or his or her designee, subject to the following:

- (1) Conforms to the definition of a stealth tower;
- (2) Has a monotone color of light gray or off-white;
- (3) Displays a light fixture of 175 watts or less, if applicable;
- (4) Displays an American, state or corporate logo flag without copy (must meet proper flag etiquette), if applicable;
- (5) Being appropriately located to functionally serve the use(s) of the site; and
- (6) Screening the support equipment with a wrought iron type fence along boundary lines that front a dedicated public street right-of-way of any type, or that front a private street right-of-way dedicated for public use. Brick or stone columns shall be constructed on approximately fifty (50) foot centers for such fence, or, in other locations, Screening the support equipment and fence with shrubs that are a minimum of three (3) feet in height at planting, have the potential to grow to a mature height of a minimum of six (6) feet in three (3) years and must have a permanently installed irrigation system that provides total water coverage to all plant materials.
- (7) Being no more than fifty-five (55) feet in height.

**(e) Design and appearance requirements.**

- (1) Any design plan not eligible for administrative approval in accordance with

subsection (b)(3) above may apply to the City Council for a special exception. In granting the special exception, the Council shall consider the overall design of the stealth telecommunication tower, including the scale, placement on the site, materials, form, and color.

- (2)** A design plan must be submitted by the applicant at the time of application.
- (3)** The design plan must include:

  - (A)** Visual study, visualization, or simulation showing the appearance of the proposed stealth telecommunication tower and ancillary facilities, to scale and in the existing natural or built environment from at least two (2) points of public view;
  - (B)** General capacity of the proposed tower, in terms of the number and types of antennas it is designed to accommodate;
  - (C)** Statement outlining the rationales for the particular location, design, and height of the stealth telecommunication tower;
  - (D)** Landscape plan drawn to scale showing the proposed and existing fencing and landscaping, including type, spacing, size, and irrigation methods;
  - (E)** Visual depiction or architect's rendering (drawn to scale) of the stealth telecommunications tower; and
  - (F)** Site plan (drawn to scale) indicating the location and height of the stealth telecommunication tower, with ancillary facilities, as well as their proximity to buildings and to other structures on adjacent properties to include a radius of two hundred (200) feet.
- (f)** Construction requirements.

  - (1)** Stealth telecommunication towers shall not be illuminated by artificial means or shall display strobe lights or other warning lighting unless required by the FAA or any other federal, state, or city law, rule, or regulation. Any lighting shall be shielded or directed so as not to project directly onto property zoned residential or any residential use. When incorporated into the approved design, light fixtures used to illuminate ball fields, parking lots or other similar areas may be attached to a telecommunication tower.
  - (2)** Any new stealth telecommunication tower must be able to support at least one (1) additional antenna for every fifteen (15) feet (or fraction thereof) above sixty (60) feet in height and provide the ground space for any equipment necessary for the operation of an additional antenna.

- (g) Screening, fencing, and landscaping requirements. All stealth telecommunication towers and all support facilities shall have the following:
- (1) In order to protect the aesthetic integrity of adjacent properties, the station site shall be screened by a wrought iron type fence along boundary lines that front a dedicated public street right-of-way of any type, or that front a private street right-of-way dedicated for public use. Brick or stone columns shall be constructed on approximately fifty (50) foot centers for such fence, or
  - (2) Screening shrubs shall be installed around a fence and screen from view the associated structures. All screening shrubs shall be a minimum of three (3) feet in height at planting, have the potential to grow to a mature height of a minimum of six (6) feet in three (3) years and must have a permanently installed irrigation system that provides total water coverage to all plant materials. The vegetation shall be kept in an attractive state and in good condition at all times.
- (h) Outdoor storage. No outdoor storage of vehicles, materials, or equipment is permitted. Equipment not used in direct support of the facility shall not be stored or parked on the premises unless a technician is present.
- (i) Commercial message prohibited. No signs, including commercial advertising, logos, political signs, flyers, flags or banners, graphics or other attention devices shall be allowed on any part of the telecommunication tower or ancillary support facilities except for warning and safety signage.
- (j) Removal.
- (1) Upon cessation for more than one hundred and eighty (180) days of the use of a stealth telecommunication tower structure for the support of active communications antennas, the owner of record must notify the planning and development department. Disconnection of electric service for more than one hundred and eighty (180) days at the stealth telecommunications tower site shall be considered cessation of use.
  - (2) All transmission stealth telecommunications towers or antennas shall be removed by the person who constructed the facility, by the person who operates the facility or by the property owner within one (1) year from the time the facilities have ceased being used to transmit, receive, or relay voice and data signals to or from wireless communications devices.
  - (3) The person who constructed the facility, the person who operates the facility or owner of record must notify the City Administrator of any change in the status of the stealth telecommunication tower. If the use of the antennas on the stealth telecommunication tower has not been restored within the one-year period from the time the facilities have ceased being used to transmit, receive, or relay voice and data signals to or from wireless communication devices, the stealth

telecommunication tower must be removed and the stealth telecommunication tower site restored to its original condition to a depth of two (2) feet, at the owners expense.

- (k) Fees. Notwithstanding any other provision of this ordinance, the city may require, as part of any application fees for a telecommunication facility, an amount sufficient to recover all of the city's costs in retaining consultants to verify statements made in conjunction with the permit application, to the extent that verification requires telecommunication expertise.
- (l) City Council. Except for stealth communication towers built under subsection (d) above, the City Council shall review proposed designs considering the materials, colors, textures, screening, and landscaping designs of the equipment of the structure and any other permitted structures to determine the visibility, aesthetic impact and compatibility to the surrounding natural or built environments.

§14.02.703 through §14.02.750. **(Reserved)**”

## **SECTION 2.**

This Ordinance shall be cumulative of all provisions of ordinances of the Code of Ordinances, City of Dalworthington Gardens, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

## **SECTION 3.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause, or phrase.

## **SECTION 4.**

All rights and remedies of the City of Dalworthington Gardens are expressly saved as to any and all violations of the provisions of any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

## **SECTION 5.**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be

fined not more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 6.**

The City Secretary is hereby directed to publish this Ordinance or its caption and penalty in the official newspaper as required by Section 52.011 of the Texas Local Government Code.

**SECTION 7.**

This Ordinance shall be in full force and effect immediately after passage and it is so ordained.

PASSED AND APPROVED on the \_\_\_\_\_ day of June, 2025.

By: \_\_\_\_\_  
Laurie Bianco, Mayor

ATTEST:

\_\_\_\_\_  
Sandra Ma, City Secretary