



# City of Denton

City Hall  
215 E. McKinney Street  
Denton, Texas  
[www.cityofdenton.com](http://www.cityofdenton.com)

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Department of Development Services

**ACM:** Kenneth Hedges

**DATE:** June 2, 2026

### **SUBJECT**

Hold a public hearing and consider adoption of an ordinance of the City of Denton, Texas regarding a request for a Specific Use Permit (SUP) to allow for a Monopole Tower over 85 feet use on approximately 0.048 acres of land, approximately located on the western corner of North Elm Street and Riney Road and legally described as Lot 3, Block 2 North Elm Street Addition in the City of Denton, Denton County, Texas; providing for a penalty in the maximum amount of \$2,000.00 for violations thereof; providing for a severability clause and an effective date. The Planning and Zoning Commission voted (5-0) to recommend approval. Motion for approval by Commissioner Ketchersid and second by Commissioner McDuff. (S25-0008a, APC Towers – Bonnie Brae, Matt Bodine)

<https://dentontx.new.swagit.com/videos/384387>

### **BACKGROUND**

The applicant, Mike Hitchcock of APC Towers, has submitted a request for a Specific Use Permit (SUP) to allow for a Monopole Tower over 85 feet, hereafter referred to as “Telecommunications Tower”, use on approximately 0.048 acres of land within the Mixed-Use Neighborhood (MN) zoning district.

Telecommunications Tower as a principal use is defined in the Denton Development Code (DDC) as follows: “A self-supporting or guyed structure more than 20 feet (6 meters) in height, built primarily to support one or more telecommunications antennas.” In the MN zoning district, Telecommunications Towers under 85 feet are allowed by right and Telecommunications Towers over 85 feet require the approval of a Specific Use Permit.

The proposed development, APC Towers, will consist of a 105-foot-tall monopole telecommunications tower and a small technical support building. The tower is designed for at least two individual carrier rad center installations, supporting up to 12 8-foot panel type antennas.

The subject property is currently undeveloped. West of the subject property is a multi-family development, which was approved by City Council in 2017 as part of a Specific Use Permit. The south and east of the subject property are bordered by Riney Road, while the north side of the subject lot abuts North Elm Street.

In accordance with DDC 5.6.2- Compliance with the Telecommunications Act and the Telecommunications Act of 1996, the City has the authority to determine the placement, construction, and modification of cellular telephone facilities and other personal wireless telecommunication service facilities. Additionally, cities may not “regulate the placement, construction, and modification of personal wireless service facilities on the basis of environmental or radio frequency emissions to the extent that such facilities comply with the

Federal Communication Commission regulations concerning such emissions.” A denial of this application shall be in writing and supported by substantial evidence.

A full analysis of this request is provided as Exhibit 2.

**PLANNING AND ZONING COMMISSION**

On April 29, 2026, Planning and Zoning Commission held a public hearing and recommend approval of the SUP request (5-0). The commissioners inquired about existing, onsite trees. Staff clarified that the applicant will be relocating the trees. There was no public comment. Motion for approval was made by Commissioner Ketchersid and a second by Commissioner McDuff.

**OPTIONS**

1. Recommend approval as submitted
2. Recommend approval subject to conditions
3. Recommend denial
4. Postpone consideration

**RECOMMENDATION**

Staff recommends **approval** of the SUP request, with the following conditions:

1. Development of the site shall substantially comply with the attached Site Plan and Landscape Plan. Administrative approval of changes that do not increase the size, height, and number of the Telecommunications Tower buildings and equipment, change the number of parking spaces, decrease the buffer and screening requirements, or result in a decrease of more than 5 percent in the landscape area for the whole site may be administratively approved, if such changes are permissible per the Denton Development Code. All other changes shall require a Specific Use Permit amendment in accordance with the Denton Development Code.
2. The City reserves the right to require approval by ordinance of any amendments or alterations to the SUP, the attached site plan, and the attached landscape plan. The attached site plan and landscape plan are incorporated as requirements of the SUP.
3. The zoning map shall reflect the Specific Use Permit on the property consistent with the DDC.

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

<b>Date</b>	<b>Council, Board, Commission</b>	<b>Request</b>	<b>Action</b>
1982	City Council	Annexation	Approved
1991	City Council	Transition to Planned Development	Approved
2002	City Council	City Wide rezoning to Neighborhood Residential Mixed Used (NRMU)	Approved
2017	City Council	Specific-Use Permit	Approved
2019	City Council	City wide rezoning to Mixed-Use Neighborhood (MN)	Approved

**PUBLIC OUTREACH:**

To comply with the public hearing notice requirements, the following were completed:

- On April 8th, 2026, forty-seven (47) notices were sent to property owners within 200 feet of the subject property. As of the writing of this report, staff has not received any responses.
- On April 8th, 2026, ninety-six (96) courtesy notices were sent to physical addresses within 500 feet of the subject property.
- A notice was published on the City's website on April 8th, 2026.
- A notice was published in the Denton Record Chronicle on April 12th, 2026.
- One neighborhood meeting was held by the applicant on September 29, 2025. Zero (0) residents attended.
- Two signs were posted on the property on April 17, 2026.

### **DEVELOPER ENGAGEMENT DISCLOSURES**

No developer contact and/or meeting disclosures have been provided to staff as of the issuance of this report.

### **EXHIBITS**

- Exhibit 1 - Agenda Information Sheet
- Exhibit 2 - Staff Analysis
- Exhibit 3 - Site Location Map
- Exhibit 4 - Future Land Use Map
- Exhibit 5 - Zoning Map
- Exhibit 6 - Site Plan
- Exhibit 7 - Landscape Plan
- Exhibit 8 - Notification Map
- Exhibit 9 - Ordinance
- Exhibit 10 - Staff Presentation

Respectfully submitted:  
Hayley Zagurski, AICP  
Planning Director

Prepared by:  
Matt Bodine  
Assistant Planner