

Ordinance No.: 17-12
Zoning Text Amendment No.: 11-07
Concerning: Telecommunications
Facilities – Antenna Height
Draft No. & Date: 1 – 10/18/11
Introduced: November 8, 2011
Public Hearing: January 17, 2012
Adopted: February 7, 2012
Effective: February 8, 2012

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: Councilmember Floreen

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- increase the allowable antenna height for telecommunications facilities; and
- generally amend the definition of telecommunications facility

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 59-A-2 Definitions and Interpretations
Section 59-A-2.1 Definitions

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*
Underlining indicates text that is added to existing law by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * * indicates existing law unaffected by the text amendment.*

OPINION

Zoning Text Amendment (ZTA) 11-07, sponsored by Councilmember Floreen, was introduced on November 8, 2011.

ZTA 11-07 would allow for an increased size of allowable antennas. Currently, antennas 6 feet high or disks with diameters of 6 feet across are allowed for telecommunications facilities. ZTA 11-07 would change 6 feet to 8 feet for both the antenna height and the diameter of a disk.

The Planning Board and Planning Staff recommended the approval of ZTA 11-07. In their opinion, the proposed increase in antenna size will have no impact on existing procedures and little or no visual impact.

The Council held a public hearing on January 17, 2012. No speakers testified at the public hearing. The text amendment was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.

The Planning, Housing, and Economic Development Committee held a worksession to review the amendment on January 30, 2012. The Committee (3-0) recommended approval of ZTA 11-07 as introduced.

The District Council reviewed Zoning Text Amendment No. 11-07 at a worksession held on February 7, 2012 and agreed with the recommendations of the Planning, Housing, and Economic Development Committee.

For these reasons, and because to approve this amendment will assist in the coordinated, comprehensive, adjusted and systematic development of the Maryland-Washington Regional District located in Montgomery County, Zoning Text Amendment No. 11-07 will be approved as introduced.

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. Section 59-A-2.1 is amended as follows:**

2
3 * * *

4 **Telecommunications facility:** Any facility established for the purpose of
5 providing wireless voice, data or image transmission within a designated service
6 area. A [telecommunication] telecommunications facility must not be staffed. A
7 telecommunications facility consists of one or more antennas attached to a support
8 structure and related equipment. Antennas are limited to the following types and
9 dimensions: omni-directional (whip) antennas not exceeding 15 feet in height and
10 3 inches in diameter; directional or panel antennas not exceeding [6] 8 feet in
11 height and 2 feet in width; and satellite or microwave dish antennas not exceeding
12 [6] 8 feet in diameter. An antenna may be mounted to a structure, a building
13 rooftop, or a freestanding monopole [in accordance with] under Sections
14 59-A-6.12, 59-A-6.14, and 59-G-2.43. Equipment may be located [within] in a
15 building, an equipment cabinet, or an equipment room [within] in an existing
16 building. No lights or signs are permitted on an antenna or support structure unless
17 required by the Federal Communications Commission, the Federal Aviation
18 Administration, or the County.

19
20 **Sec. 3. Effective date.** This ordinance takes effect one day after the
21 Council's adoption.

22
23 This is a correct copy of Council action.

24
25 Mary Anne Paradise, Acting Clerk
26 Mary Anne Paradise, Acting Clerk of the Council