



Zoning Text Amendment (ZTA) No. 11-07, Telecommunications Facilities – Antenna Height

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Completed 1/5/12

Description

ZTA No. 11-07 proposes to increase the allowable antenna height for telecommunications facilities; and to generally amend the definition of telecommunications facility. Specifically, the maximum size of an antenna for a directional or panel antenna would increase from 6 feet to 8 feet in height, with the maximum width remaining at 2 feet. The maximum size of satellite or microwave dish antennas would increase from 6 feet to 8 feet in diameter. The telecommunications service providers have indicated to the County that the increase in antenna size is needed to provide up-to-date service.

Summary

Staff recommends approval of ZTA 11-02, as introduced, to increase the allowable antenna height for telecommunications facilities as outlined above.

The Montgomery County Zoning Ordinance, Chapter 59 of the County Code, specifies the various antenna sizes as part of the definition of a telecommunications facility. An antenna may be mounted to a structure, a building rooftop, or a freestanding monopole in accordance with Sections 59-A-6.12, 59-A-6.14, and 59-G-2.43. These provisions depict the means by which an antenna may be located by-right or by special exception approval. In either case, the proposed increase in antenna size will not impact the existing procedures. In the case of special exceptions for telecommunication facilities, any impacts to surrounding properties will continue to be addressed at the time of technical staff review.

Requirements for Location of Private Antennas

Under the provisions of Section 59-A-6.12, an antenna may be attached as a matter of right to an existing structure owned or operated by a County, bi-county, state or federal agency. Under the provisions of Section 59-A-6.14, an antenna may be installed on a rooftop or structure as a matter of right if: a) the building is at least 30 feet in height in any multi-family, commercial or industrial zone; (b) the building is greater than 50 feet in height in any one-family residential zone and the structure is not a one-family residence or a building or structure accessory to a one-family residence; or (c) the antenna is mounted on the facade of the building at a height of at least 30 feet in a multi-family, commercial, or industrial zone, and at a height greater than 50 feet in a one-family residential zone where the building or structure is not a one-family

residence or a building or structure accessory to a one-family residence. Where a proposed antenna location cannot meet these provisions special exception approval is required by the Board of Appeals.

The special exception requirements for locating telecommunication facilities (including support structures and antennae) are located under Section 59-G-2.58. Any proposal must satisfy a number of provisions including: setbacks from property lines and adjacent off-site dwellings; maximum antenna and support structure height; and minimizing potential visual impacts. Staff believes that these and other general and specific special exception standards and requirements will continue to address any issues pertaining to a telecommunication facility.

Staff recommends approval of ZTA 11-07 given the existing protections in place and the minimal size increase requested for a directional or panel antenna.

ATTACHMENTS

1. ZTA 11-07 as introduced

ATTACHMENT 1

Zoning Text Amendment No.: 11-07
Concerning: Telecommunications
Facilities – Antenna Height
Draft No. & Date: 1 – 10/18/11
Introduced:
Public Hearing:
Adopted:
Effective:
Ordinance No.:

**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 that text is deleted from existing law by 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.*

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:**

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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 59-A-
14 6.12, 59-A-6.14, and 59-G-2.43. Equipment may be located [within] in a building,
15 an equipment cabinet, or an equipment room [within] in an existing building. No
16 lights or signs are permitted on an antenna or support structure unless required by
17 the Federal Communications Commission, the Federal Aviation Administration, or
18 the County.

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

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23 This is a correct copy of Council action.

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26 Linda M. Lauer, Clerk of the Council