



Zoning Text Amendment (ZTA) No. 17-11, Antennas on Existing Structures



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Description

ZTA No. 17-11 would revise the uses for a dish antenna; and revise the use standards for antennas on existing structures that include a broadcast studio. Currently, satellite or microwave dish antennas on an existing structure, and permitted as a limited use, are allowed a maximum diameter of 8 feet. ZTA 17-11 would allow a dish located on an existing broadcast studio to be 22 feet in diameter. Satellite dishes on any other building would still be limited to 8 feet in diameter. The ZTA would also allow a dish for radar transmission.

Summary

Staff recommends approval, with modifications, of ZTA No. 17-11 to allow a dish located on an existing broadcast studio to be a maximum of 22 feet in diameter. Satellite dishes on any other building would still be limited to 8 feet in diameter. The proposed changes include a recommendation to provide a definition for the term broadcast studio. A proposed definition is included on page 2 of this report.

Background/Analysis

Zoning Text Amendment (ZTA) 17-11 would allow a dish located on an existing broadcast studio to be 22 feet in diameter. Satellite dishes on any other building would still be limited to 8 feet in diameter. The ZTA would also allow a dish for radar transmission.

Satellite television, like other media communications relayed by satellite (radio, for example), starts with a transmitting antenna located at an uplink facility (broadcast studio or station). Uplink facilities transmit the signal to the satellite. *Uplink satellite dishes are very large, often as much as 30 to 40 feet in diameter to achieve accurate aiming and increased signal strength at the satellite, to improve reliability.* The uplink dish is pointed toward a specific satellite and the uplinked signals are transmitted within a specific frequency range, to be received by one of the transponders tuned to that frequency range aboard that satellite. The transponder then converts the signals to a certain band, a process known as "translation," and transmits them back to earth to be received by home satellite stations.

Limited Use Requirements for Antenna on Existing Structure—Montgomery County

An Antenna on Existing Structure is allowed as a limited use in all zones, with the exception of the Residential Townhouse zones. It is defined as *one or more antennas attached to an existing support structure, such as a building, a transmission tower, a monopole, a light pole, a water tank, a silo, a barn, or an overhead transmission line support structure. Antenna on Existing Structure includes related equipment.*

An Antenna on Existing Structure must satisfy a number of standards including: a limitation on antenna types and dimensions (omni-directional (whip) antennas with a maximum height of 15 feet and a maximum diameter of 3 inches, directional or panel antennas with a maximum height of 8 feet and a maximum width of 2 feet, satellite or microwave dish antennas with a maximum diameter of 8 feet; and small cell antennas with a maximum height of 3 feet and a maximum width of 2 feet.); prohibition on signs or illumination on the antennas or support structure (unless required by the FCC, the FAA, or the County); limitation on associated equipment size and location; a prohibition of an antenna on any detached house or duplex building type or in any scenic setback indicated in a master plan; and a minimum building height if an antenna is to be located on the roof of a structure in a Residential Detached zone (50 feet) or a Residential Multi-Unit, Commercial/Residential, Employment, and Industrial zone (30 feet).

Staff believes that the proposed limited use standards provide a number of mitigating measures that help to maintain the character of existing neighborhoods. Although the ZTA limits the scenarios where the larger dish antenna may be located (broadcast studio), staff believes that by defining the term, “media broadcast studio”, potential visual impacts to surrounding residential properties can be further minimized. Staff provides the following language below as a starting point:

Media Broadcast Studio means any facility used to create or produce radio, television or other electronic media programming. A broadcasting studio may include studios, stages, editing facilities, post-production facilities, and equipment for program distribution and receipt via satellite, wire, or fiber optic cable. A Media Broadcast Studio does not include a Media Broadcast Tower (see Section [3.5.2.B](#), Media Broadcast Tower).

Conclusion

With the proposed additional language above defining the term “Media Broadcast Studio” staff recommends approval of ZTA 17-11.

Attachments

1. ZTA No. 17-11 as introduced

ATTACHMENT 1

Zoning Text Amendment No.: 17-11
Concerning: Antennas on Existing Structures
Draft No. & Date: 1-9/29/17
Introduced: October 10, 2017
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**

Lead Sponsor: Councilmember Floreen

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- revise the uses for a dish antenna; and
- revise the use standards for antennas on existing structures that include a broadcast studio

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

Division 3.5. “Commercial Uses”
Section 3.5.14. “Accessory Commercial Uses”

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 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. DIVISION 59-3.5 is amended as follows:**

2 Division 59.3.5. Commercial Uses

3 * * *

4 **Section 59.3.5.14. Accessory Commercial Uses**

5 * * *

6 C. Antenna on Existing Structure

7 * * *

8 2. Use Standards

9 * * *

10 a. Antennas are limited to the following types and dimensions:

11 * * *

12 iii. satellite, radar, or microwave dish antennas with a
13 maximum diameter of 8 feet. If the building includes a
14 broadcast studio, a dish may have a maximum diameter
15 of 22 feet; and

16 * * *

17 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the
18 date of Council adoption.

19
20 This is a correct copy of Council action.

21
22 _____
23 Linda M. Lauer, Clerk of the Council