

ZTA 25-11

TEMPORARY COMMERCIAL USES – TEMPORARY TELECOMMUNICATIONS FACILITY

Description

This ZTA would create a new Temporary Commercial Use for Temporary Telecommunications Facility and allow the use as a limited use in all zones, subject to certain use standards.

ZTA 25-11
Completed: 8-28-25

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ZTA SPONSORS

Sponsors:
Councilmember Luedtke

Co-sponsors:
Councilmember Katz

INTRODUCTION DATE

July 22, 2025

COUNCIL PUBLIC HEARING DATE

September 16, 2025

REVIEW BASIS

Chapter 59

Summary

- Currently, there is no distinction between temporary and permanent telecommunications facilities.
- ZTA 25-11 defines and creates standards for temporary telecommunications facilities including identifying a need, receiving necessary permitting, and limiting the total time the facility may be active.
- Planning Staff recommend the Planning Board support ZTA 25-11 as introduced, with one minor recommendation.

TABLE OF CONTENTS

SECTION 1 – BACKGROUND	3
Rationale For Introduction	3
SECTION 2 – ZTA 25-11 ANALYSIS AND RECOMMENDATIONS.....	3
ZTA 25-11 As Introduced	3
ZTA 25-11 Recommendations.....	4
SECTION 3 – CLIMATE ASSESSMENT	5
SECTION 4 – CONCLUSION	5
SECTION 5 – ATTACHMENTS	5

SECTION 1 – BACKGROUND

Rationale For Introduction

Zoning Text Amendment (ZTA) 25-11, Temporary Commercial Uses – Temporary Telecommunications Facility was introduced on July 22, 2025, by Councilmember Luedtke and co-sponsored by Councilmember Katz (Attachment A). The ZTA is scheduled for a District Council Public Hearing on September 16, 2025.

ZTA 25-11 creates a new use under Temporary Commercial Use called a Temporary Telecommunications Facility (TTF). The ZTA would make a TTF a limited use in every zone and establishes new use standards under Section 3.5.15.C. Currently, all telecommunications towers, both temporary or permanent, are reviewed as a Telecommunications Tower under Section 3.5.2.C. In many zones, this involves a conditional use review by the Hearing Examiner prior to a permit review with the Department of Permitting Services. These detailed and sometimes limiting reviews make it difficult to deploy temporary facilities, particularly in times of an emergency, or acute changes in communication demand. This ZTA would remove some of the regulatory burden, while still ensuring the necessary permitting and safety inspections are carried out by the Department of Permitting Services.

This ZTA defines TTF as a facility providing transmission within a designated area, but without a permanent location or foundation in the ground. A TTF would only be permitted under certain circumstances involving maintenance on an existing permanent facility, or in times of designated need, such as an emergency, or a planned major event. There are limiting standards that would apply to all TTFs regardless of the underlying zone, which the Department of Permitting Services would review at the time of permit review.

SECTION 2 – ZTA 25-11 ANALYSIS AND RECOMMENDATIONS

ZTA 25-11 As Introduced

Other than a minor change in section reference for Transitory Use, from 3.5.15.C.1 to 3.5.15.D.1, and the addition of Temporary Telecommunications Facility as a limited use in the use table in all zones, the entire ZTA is the addition of Section 3.5.15.C. Temporary Telecommunications Facility.

C.1. DEFINED

The ZTA creates a definition for a TTF, starting on line 23. A TTF *means a monopole or portable wireless communications facility used to provide wireless voice, data, or image transmission within a designated*

area. A Temporary Telecommunications Facility does not have a permanent location on the ground, including the pouring of a concrete footing or the laying of a permanent foundation.

C.2. USE STANDARDS

The next and final section of the ZTA, on lines 22 through 136, is the limited use standards that would apply to TTFs. Most of the use standards spell out the different scenarios that would qualify a telecommunication tower as a TTF. The standards and types of towers that would qualify are paraphrased below and include:

- Structures less than 80 feet in height and up for less than 30 days, which would not require a building permit.
- Structures over 80 feet in height will require a building permit and a recommendation from the Transmission Facility Coordinating group.
- The tower is limited to 180 days, which may be extended by DPS for a total of up to two years.
- The tower is removed at the cost of the owner.
- Except for a declared emergency, applications should include standard information and drawings and include photographic simulations of the facility from at least three different directions.
- The Tower must:
 - be necessary because of testing, loss of operation or maintenance on an existing tower, a large planned event, or an unforeseen circumstance, as determined by DPS.
 - Be limited to 200 feet
 - Not use generators that violate county noise laws
 - Be illuminated except as required by the Federal Communications Commission or the Federal Aviation Administration.
 - Be at least 100 feet from any abutting property line unless a reduction is approved by the Transmission Facility Coordinating Group because no other reasonable alternative exists.
- The Applicant must provide notice to property owners and registered associations within 300 feet of the proposed tower.

ZTA 25-11 Recommendations

Generally, Planning Staff is supportive of ZTA 25-11, including the process for streamlining TTFs, and the types of facilities that would qualify. Planning Staff has one recommendation for improvement to the ZTA, under the new Use Standards section. Starting on line 33 of the ZTA, the first use standard 2.a. does not require a building permit for towers 80 feet or less in height, on wheels, and erected for less than 30 days. The next standard 2.b. starting on line 36 talks about towers over 80 feet in height. The ZTA does not contemplate a tower under 80 feet in height but erected for longer than 30 days.

Planning Staff suggests this scenario be included under use standard 2.b. The updated text would read as follows:

b. For a Temporary Telecommunications Facility over 80 feet in height, **or erected for 30 or more days**, a building permit application to DPS for the construction of a Temporary Telecommunications Facility must include a recommendation from the Transmission Facility Coordinating group issued within 60 days of the submission of the building permit application.

SECTION 3 – CLIMATE ASSESSMENT

Bill 3-22, passed by the County Council on July 12, 2022, requires the Planning Board to prepare a climate assessment for each Zoning Text Amendment, Master Plan, and Master Plan Amendment, effective March 1, 2023. Each Climate Assessment must include the potential positive or negative effects a ZTA may have on climate change (including greenhouse gas emissions) and on community resilience and adaptive capacity. The climate impact assessment for ZTA 25-11 is attached in Attachment B.

Planning Staff anticipates that ZTA 25-11 will have little to no impact on greenhouse gas emissions, community resiliency, or adaptive capacity, and has no relation to the climate action plan. The ZTA creates a process to streamline the existing process when a TTF is needed, and therefore would have no measurable change in the intensity or scope of development. It may be possible that having a streamlined process would encourage more TTF applications, but that is unknown, and not very likely given the limited scenarios that quality.

SECTION 4 – CONCLUSION

Planning Staff recommends the Planning Board support ZTA 25-11 as introduced, with the proposed amendment. The ZTA creates a new use for Temporary Telecommunications Facility and would allow the use as a limited use in every zone. This would simplify the process for maintaining communications services during times of necessary maintenance of an existing facility or during times of a declared emergency.

SECTION 5 – ATTACHMENTS

Attachment A: Zoning Text Amendment 25-11 Intro Packet

Attachment B: Climate Assessment 25-11