

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
1998 Legislative Session

Bill No. _____ CB-13-1998
 Chapter No. _____ 31
 Proposed and Presented by _____ Council Member Hendershot
 Introduced by _____ Council Member Hendershot
 Co-Sponsors _____
 Date of Introduction _____ April 28, 1998

ZONING BILL

1 AN ORDINANCE concerning

2 Towers, Antennas and Monopoles

3 For the purpose of amending the regulations for towers, antennas and monopoles.

4 BY repealing and reenacting with amendments:

5 Sections 27-416, 27-445.04, 27-464.03, and

6 27-475.06.02

7 The Zoning Ordinance of Prince George's County, Maryland,

8 being also

9 SUBTITLE 27. ZONING.

10 The Prince George's County Code

11 (1995 Edition, 1996 Supplement, as amended by CB-103-1997).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 13 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
 14 District in Prince George's County, Maryland, that Sections 27-416, 27-445.04, 27-464.03, and
 15 27-475.06.02, of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle
 16 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with
 17 the following amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 4. SPECIAL EXCEPTIONS.**

**DIVISION 3. ADDITIONAL REQUIREMENTS FOR SPECIFIC
SPECIAL EXCEPTIONS.**

Sec. 27-416. Tower, pole, monopole, or antenna.

(a) A tower, pole, monopole, or antenna (electronic, radio, television, transmitting, or receiving) may be permitted, subject to the following:

(1) In the Commercial and Industrial Zones, and for land in a Residential Zone owned by a public entity, the structure shall generally be set back from all property lines and dwelling units a distance equal to the height of the structure (measured from its base). The District Council may reduce the setback to no less than one-half (1/2) the height of the structure based on certification from a registered engineer that the structure will meet the applicable design standards for wind loads of the Electronic Industries Association (EIA) for Prince George's County. In the Residential Zones, on privately owned land, the structure shall be set back from all property lines and dwelling units a distance equal to the height of the structure, (measured from its base);

(2) On privately owned land, [T] the structure shall not be used to support lights or signs other than those required for aircraft warning or other safety purposes;

(3) Any tower or monopole which was originally used, but is no longer used, for telecommunications purposes for a continuous period of one (1) year shall be removed by the tower or monopole owner at the owner's expense; and

(4) Any related telecommunication equipment building shall be screened by means of landscaping or berming to one hundred percent (100%) opacity.

PART 5. RESIDENTIAL ZONES.

DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES

Sec. 27-445.04. Antennas, monopoles, and related equipment buildings for mobile telephone transmission or other telecommunications.

(a) Antennas, monopoles, and related equipment buildings permitted (P) in the Table of Uses shall be subject to the following:

(1) Requirements

(A) The antenna shall comply with the following standards:

(i) Unless otherwise prohibited below, it shall be attached to a public utility, radio, television, or telecommunications broadcasting tower/monopole; a light pole; a

1 multifamily dwelling at least five (5) stories in height; a structure owned by a municipality, the
 2 Board of Education for Prince George's County, or by Prince George's County; or a structure
 3 owned and primarily used by a government agency that is exempt from the requirements of this
 4 Subtitle;

5 (ii) [It shall not be attached to a public school or library;

6 (iii)] It shall not extend more than fifteen (15) feet above the height of the
 7 tower or structure to which it is attached; and

8 [(iv)](iii) On privately owned land, [I] it shall not support lights or signs
 9 unless required for aircraft warning or other safety reasons.

10 (B) The related telecommunications equipment building shall comply with the
 11 following standards:

12 (i) It shall not exceed five hundred sixty (560) square feet of gross floor
 13 area or twelve (12) feet in height;

14 (ii) The building shall be screened by means of landscaping or berming to
 15 one hundred percent (100%) opacity from any adjoining land in a Residential Zone (or land
 16 proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive
 17 Design Zone, or any approved Conceptual or Detailed Site Plan);

18 (iii) When attached to an existing building, it shall match the construction
 19 material and color(s) of that building; and

20 (iv) When constructed as a freestanding building, it shall be constructed of
 21 brick and its design shall coordinate with the design of any existing main building on the same
 22 lot or on an adjoining lot.

23 (C) The monopole shall comply with the following standards:

24 (i) The maximum height shall be one hundred ninety-nine (199) feet when
 25 located on public property or one hundred (100) feet when located on all other properties;

26 (ii) For privately owned land, the minimum setback from all adjoining land
 27 and dwelling units shall be equal to the height of the structure measured from its base; for
 28 publicly owned land, the minimum setback shall be one-half (1/2) of the height of the structure
 29 measured from the base to the adjoining property lines;

30 (iii) On privately owned land, [T] the structure shall not support lights or
 31 signs unless required for aircraft warning or other safety reasons;

(iv) The structure shall be designed, galvanized and/or painted in a manner which is harmonious with surrounding properties;

(v) The applicant shall provide certification from a registered engineer that the structure will meet the applicable design standards for wind loads of the Electronic Industries Association (EIA) for Prince George's County; and

(vi) Any monopole which is no longer used for telecommunications purposes for a continuous period of one (1) year shall be removed by the monopole owner at owner's expense.

PART 6. COMMERCIAL ZONES.

DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.

Sec. 27-464.03 Mobile telephone and other telecommunications facilities.

(a) Monopoles, antennas, and related equipment buildings for mobile telephone and other telecommunications facilities permitted (P) in the Table of Uses shall be subject to the following:

(1) Requirements.

(A) The antenna shall comply with the following standards:

(i) Unless otherwise prohibited below, it shall be attached to a public utility, radio, television, telecommunications, or broadcasting tower/monopole; a light pole; an existing building; a structure owned by a municipality, the Board of Education for Prince George's County, or by Prince George's County; or a structure owned and primarily used by a government agency that is exempt from the requirements of this Subtitle; and

(ii) [It shall not be attached to a public school or library building; and

(iii)] On privately owned land, [I] it shall not support lights or signs unless required for aircraft warning or other safety reasons.

(B) In order to minimize potential safety problems and to reduce any negative aesthetic impact on nearby properties, the monopole shall comply with the following standards:

(i) The maximum height shall be one hundred fifty (150) feet.

(ii) The minimum setback from adjoining land in any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan or any approved Conceptual or Detailed Site Plan) or any dwelling unit shall be a distance equal to the height of the structure measured from the base to the property lines of such residentially zoned property or dwelling unit; otherwise, it shall be setback a minimum of forty (40) feet from any street and

twenty (20) feet from any property line.

(iii) The structure shall not support lights or signs unless required for aircraft warning or other safety reasons.

(iv) The structure shall be designed, galvanized and/or painted in a manner which is harmonious with surrounding properties;

(v) The applicant shall provide a certification from a registered engineer that the structure will meet the applicable design standards for wind loads of the Electronic Industries Association (EIA) for Prince George's County.

(vi) Any monopole which is no longer used for telecommunications purposes for a continuous period of one (1) year shall be removed by the monopole owner at owner's expense.

(C) The related telecommunications equipment building shall comply with the following standards:

(i) The building shall be screened by means of landscaping or berming to one hundred percent (100%) opacity.

DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.

Sec. 27-475.06.02. Mobile telephone and other telecommunications facilities.

(a) Antennas, monopoles, and related equipment buildings for mobile telephone and other telecommunications facilities permitted (P) in the Table of Uses shall be subject to the following:

(1) Requirements:

(A) The antenna shall comply with the following standards:

(i) It shall be attached to a public utility, radio, television, telecommunications, or broadcasting tower/monopole; a light pole; an existing building; a structure owned by a municipality, the Board of Education for Prince George's County, or by Prince George's County; or a structure owned and primarily used by a government agency that is exempt from the requirements of this Subtitle.

(ii) [It shall not be attached to a public school or library building.

(iii)] On privately owned land, [I] it shall not support lights or signs unless required for aircraft warning or other safety reasons.

(B) The monopole shall comply with the following standards:

(i) The maximum height shall be one hundred seventy five (175) feet.

(ii) The minimum setback from adjoining land in any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan, or any approved Conceptual or Detailed Site Plan) or any dwelling unit shall be a distance equal to the height of the structure measured from the base to the property lines of such residentially zoned property or dwelling unit; otherwise, it shall be set back a minimum of forty (40) feet from any street and twenty (20) feet from any yard.

(iii) On privately owned land,[T] the structure shall not support lights or signs unless required for aircraft warning or other safety reasons.

(iv) The structure shall be designed, galvanized and/or painted in a manner which is harmonious with surrounding properties;

(v) The applicant shall provide a certification from a registered engineer that the structure will meet the applicable design standards for wind loads of the Electronic Industries Association (EIA) for Prince George's County.

(vi) Any monopole which is no longer used for telecommunications purposes for a continuous period of one (1) year shall be removed by the monopole owner at owner's expense.

(C) The tower shall comply with the following standards:

(i) The maximum height shall be one hundred seventy five (175) feet.

(ii) The minimum setback from adjoining land in any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan, or any approved Conceptual or Detailed Site Plan) or any dwelling unit shall be a distance equal to the height of the structure measured from the base to the property lines of such residentially zoned property; otherwise, it shall be set back a minimum of forty (40) feet from any street and twenty (20) feet from any yard.

(iii) On privately owned land,[T] the structure shall not support lights or signs unless required for aircraft warning or other safety reasons.

(iv) The structure shall be designed, galvanized and/or painted in a manner which is harmonious with surrounding properties;

(v) The applicant shall provide a certification from a registered engineer that the structure will meet the applicable design standards for wind loads of the Electronic Industries Association (EIA) for Prince George's County.

(vi) Any structure which is no longer used for telecommunications purposes for a continuous period of one (1) year shall be removed by the tower owner at owner's expense.

(D) The related telecommunications equipment building shall comply with the following standards:

(i) The building shall be screened by means of landscaping or berming to one hundred percent (100%) opacity.

SECTION 2. BE IT FURTHER ENACTED that the Board of Education for Prince George's County is requested to develop a process that provides for notice to members of the school community, municipalities, and the public in general and provides an opportunity to comment upon proposals to locate an antenna on Board property or structures.

SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five (45) calendar days after its adoption.

Adopted this 9th day of June, 1998.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART
OF THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Ronald V. Russell
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.