

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 9/9/2003

Reference No.: CB-29-2003

Proposer: Bland

Draft No.: 2

Sponsors: Bland, Dean, Peters

Item Title: An Ordinance to modify the requirements for antennas, monopoles, and related equipment buildings in the C-A Zone

Drafter: Steven M. Gilbert
Principal Counsel

Resource Wesley E. Gourdine, Jr.
Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 5/6/2003

Executive Action: __/__/____

Committee Referral: 5/6/2003 PZED

Effective Date: 10/27/2003

Committee Action:1 6/11/2003 HELD

Committee Action: 2 7/1/2003 HELD

Committee Action: 3 7/23/2003 FAV(A)

Date Introduced: 7/29/2003

Public Hearing: 9/9/2003 10:00 A.M.

Council Action: 9/9/2003 ENACTED

Council Votes: PS:A, MB:A, SHD:-, TD:A, CE:A, DCH:A; TH:A, TK:A, DP:A

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECON. DEV. COMMITTEE REPORT

7/23/03

Committee Vote: Favorable with amendments, 4-0 (In favor: Council Members Harrington, Dean, Dernoga, and Exum)

Staff presented a Proposed Draft-2 (DR-2) prepared at the request of the sponsor which amended the second line of Footnote 30 to read: "A maximum of one monopole and [two (2)] antennas for four carriers are permitted; a special exception is required, if more than four antennas are constructed." This amendment reduced the number of carriers from six, as provided in Draft-1, to four.

Council Member Bland, the bill's sponsor, expressed concern that even with the addition of a

provision to allow additional carriers, an additional monopole could also be constructed in the surrounding area without notification to the community if it is under 100 feet in height and located on private property. The committee agreed that this was an issue that could not be addressed through the subject legislation, but that it would be appropriate to review existing law as it relates to monopoles in general and the requirements for this use.

Vernell Arrington, representing Spectrasite, addressed the committee requesting that the bill move forward and commented that there are two carriers ready to locate on the existing monopole.

A motion was made by Council Member Dean, seconded by Council Member Exum, for a favorable report on Proposed DR-2; Council Member Dernoga made a motion for an amendment to this draft to remove the language requiring a special exception if more than four antennas are constructed. This motion was seconded by Council Member Exum and was supported by the committee, 4-0.

PLANNING, ZONING & ECON. DEV. COMMITTEE REPORT

7/1/03

Held in committee.

Vernell Arrington spoke in support of CB-44 and provided copies of a photograph of a monopole co-location simulation and site plans for the monopole site in Croom where her client is seeking the amendments in the bill to allow co-location on the existing structure. Ms. Arrington indicated that existing provisions allow two carriers; however, with the amendment to allow four additional carriers, Spectrasite will be able to better serve their clients in this area of the County. Ms. Arrington also indicated that the Croom Citizens' Association was in support of up to four additional carriers.

The bill's sponsor requested that the committee defer action on the legislation until a future committee meeting.

PLANNING, ZONING & ECON. DEV. COMMITTEE REPORT

6/11/03

Held in committee.

Staff explained that the legislation amends an existing footnote (Footnote 30) in the commercial zone use table concerning monopoles. The amendment to the footnote removes the limitation on the number of antennas allowed on a monopole located on less than 1.5 acres of land in the C-A Zone. Language is included in the footnote that allows a maximum of six carriers. Staff noted that the footnote was also amended with the adoption of CB-38-1998 to address concerns associated with an existing monopole in Croom.

The Planning Board took no position on the bill. The Office of Law found the bill to be in proper legislative form, with no legal impediments to its adoption. The Office of Audits and Investigations determined there should not be any negative fiscal impact on the County as a result of enacting CB-29-2003.

The committee discussed whether the footnote is still necessary since the monopole is already in existence. It was determined that additional information was needed prior to committee action.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

The bill modifies footnote 30 in the table of uses for the commercial zones, in Section 27-461(b) of the Zoning Ordinance. The bill provides that up to six carriers are permitted on one monopole, in the C-A Zone.

CODE INDEX TOPICS: