

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

**Meeting Date:** 4/28/98

**Reference No.:** CB-13-1998

**Proposer:** Hendershot

**Draft No.:** 3

**Sponsors:** Hendershot

**Item Title:** An Ordinance amending the regulations for towers,  
antennas and monopoles

**Drafter:** Ralph E. Grutzmacher  
Legislative Officer

**Resource Personnel:** Carol B. White  
Legislative Aide

**LEGISLATIVE HISTORY:**

**Date Presented:** 1/20/98

**Executive Action:** \_\_/\_\_/\_\_ \_\_

**Committee Referral:** 1/20/98 PZED

**Effective Date:** 7/27/98

**Committee Action:(1)** 2/25/98 HELD

**Committee Action:(2)** 4/15/98 FAV(A)

**Date Introduced:** 4/28/98

**Pub. Hearing Date:** 6/9/98 1:30 P.M.

**Council Action:** 6/9/98 ENACTED

**Council Votes:** RVR:A, DB:-, SD:A, JE:A, IG:A, TH:A, WM:A, AS:A, MW:A

**Pass/Fail:** P

**Remarks:** \_\_\_\_\_

**6/9/98:** Amended on the floor

**PLANNING, ZONING AND ECONOMIC DEV. COMMITTEE**

**DATE:** 4/15/98

Committee Vote: Favorable, as amended (In favor: Council Members Bailey, Del Giudice,  
Estepp, Gourdine and Maloney)

Staff gave an overview of the legislation indicating that the bill was discussed at the February 25, 1998 Planning, Zoning and Economic Development Committee worksession and at the request of Council Member Hendershot, the bill was held for 30 days to allow time for completion of the County Executive's comprehensive telecommunications legislation.

Jim Michal and Chantel Ornstein, representing Cellular One, spoke in support of CB-13-1998. Mr. Michal indicated that the legislation allows a wireless provider the opportunity to locate on Board of Education (BOE) property with the consent of the landlord; BOE approval is still required to allow antennas to be placed on such property. He also informed the Committee that the provisions of CB-13-1998 are comparable to regulations in other jurisdictions.

Council Member Del Giudice inquired as to whether a provision could be included in the bill requiring community involvement before the BOE agrees to allow location of an antenna on their property. Ralph Grutzmacher, Legislative Officer, responded that this requirement may be appropriate in an uncoded section of the bill.

The Executive Branch supports the legislation; it was determined that CB-13-1998 does not conflict with the comprehensive legislation being prepared by the County Executive. The Planning Board supports the bill. The Office of Law finds the bill to be in proper legislative form. The Office of Audits and Investigations has determined there should be no negative fiscal impact on the County as a result of enacting CB-13-1998.

The Prince George's Municipal Association and the Mayor and Common Council of University Park oppose the legislation.

Council Member Del Giudice moved a favorable recommendation on CB-13-1998 with an amendment to include an uncoded section in the bill concerning community involvement. Draft-2 of the bill includes this language in Section 2.

#### **PLANNING, ZONING AND ECONOMIC DEV. COMMITTEE**

**DATE: 2/25/98**

Council Member Hendershot, the bill's sponsor, informed the Committee that the purpose of the legislation is to allow antennas to be placed on school buildings and other buildings owned by the Board of Education. Mr. Hendershot indicated that the County Executive is preparing comprehensive telecommunications legislation to include similar issues contained in this bill so he requested that CB-13-1998 be held until completion of the Executive's legislation.

On a motion by Council Member Del Giudice, the Committee voted to hold the bill in Committee for 30 days.

#### **BACKGROUND INFORMATION/FISCAL IMPACT**

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

The proposed legislation removes the prohibition for locating communications antenna on school properties. This change will allow the Board of Education to develop policies for antenna siting.

#### **CODE INDEX TOPICS:**