

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2001 Legislative Session

Bill No. _____ CB-37-2001
 Chapter No. _____
 Proposed and Presented by _____ Council Member Estepp
 Introduced by _____
 Co-Sponsors _____
 Date of Introduction _____

ZONING BILL

1 AN ORDINANCE concerning

2 Telecommunications Tower Equipment Buildings

3 For the purpose of amending the limitations on the number and size of equipment buildings
 4 associated with communications towers.

5 BY repealing and reenacting with amendments:

6 Sections 27-445.04, 27-464.03, 27-475.06.02, and 27-541.01.02

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 (1999 Edition, 2000 Supplement).

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 27-445.04, 27-464.03, 27-475.06.02,
 15 and 27-541.01.02 of the Zoning Ordinance of Prince George's County, Maryland, being also
 16 Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and
 17 reenacted with the following amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 5. RESIDENTIAL ZONES.**

20 **DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.**

Sec. 27-445.04. Antennas, monopoles, and related equipment buildings for wireless telecommunications.

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

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

(A) Unless otherwise prohibited below, it shall be concealed within the opaque exterior of a structure or be attached to a public utility, radio, television, or telecommunications broadcasting tower/monopole; a light pole; a multifamily dwelling at least five (5) stories in height; 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;

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

(C) It shall not exceed the following dimensions:

(i) Twenty (20) feet in length and seven (7) inches in diameter for whips;

(ii) Ten (10) feet in length and two (2) feet in width for panels;

(iii) Seven (7) feet in length and one (1) foot in diameter for cylinders; or

(iv) Seven (7) feet in diameter for parabolic dishes; and

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

(2) The related telecommunications equipment buildings or enclosures shall comply with the following standards:

(A) [It] They shall not exceed a total of five hundred sixty (560) square feet of gross floor area or twelve (12) feet in height;

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

(C) When attached to an existing building, [it] they shall match the construction material and color(s) of that building;

(D) When constructed as [a] freestanding buildings, [it] they shall be constructed of brick and its design shall coordinate with the design of any existing main building on the same lot or on an adjoining lot; and

(E) The buildings or enclosures shall be unmanned[, with infrequent (four (4) or fewer per year) visits by maintenance personnel, and with access and parking for no more than one (1) vehicle].

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

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

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

(C) On privately owned land, the structure shall not support lights or signs unless required for aircraft warning or other safety reasons;

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

(E) 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

(F) 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. Wireless telecommunications facilities.

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

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

(A) Unless otherwise prohibited below, it shall be concealed within the opaque exterior of a structure or be attached to a public utility, radio, television, telecommunications, or

1 broadcasting tower/monopole; a light pole; an existing building; a structure owned by a
2 municipality, the Board of Education for Prince George's County, or by Prince George's County;
3 or a structure owned and primarily used by a government agency that is exempt from the
4 requirements of this Subtitle;

5 (B) On privately owned land, it shall not support lights or signs unless required
6 for aircraft warning or other safety reasons; and

7 (C) It shall not exceed the following dimensions:

8 (i) Twenty (20) feet in length and seven (7) inches in diameter for whips;

9 (ii) Ten (10) feet in length and two (2) feet in width for panels;

10 (iii) Seven (7) feet in length and one (1) foot in diameter for cylinders; or

11 (iv) Seven (7) feet in diameter for parabolic dishes.

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

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

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

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

23 (D) The structure shall be designed, galvanized, and/or painted in a manner
24 which is harmonious with surrounding properties.

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

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

(3) To ensure that the structures do not become a safety hazard once they are no longer in active use, any monopole which is no longer used for a continuous period of six (6) months shall be removed by the monopole owner at owner's expense.

(4) The related telecommunications equipment buildings or enclosures shall comply with the following standards:

(A) [It] They shall not be more than a total of five hundred sixty (560) square feet in gross floor area or twelve (12) feet in height.

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

PART 7. INDUSTRIAL ZONES.

DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.

Sec. 27-475.06.02. Wireless telecommunications facilities.

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

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

(A) 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;

(B) On privately owned land, it shall not support lights or signs unless required for aircraft warning or other safety reasons;

(C) It shall not exceed the following dimensions:

(i) Twenty (20) feet in length and seven (7) inches in diameter for whips;

(ii) Ten (10) feet in length and two (2) feet in width for panels;

(iii) Seven (7) feet in length and one (1) foot in diameter for cylinders; or

(iv) Seven (7) feet in diameter for parabolic dishes.

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

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

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

7 (C) On privately owned land, the structure shall not support lights or signs
8 unless required for aircraft warning or other safety reasons.

9 (D) The structure shall be designed, galvanized, and/or painted in a manner
10 which is harmonious with surrounding properties.

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

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

16 (3) The tower shall comply with the following standards:

17 (A) The maximum height shall be one hundred seventy-five (175) feet.

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

24 (C) On privately owned land, the structure shall not support lights or signs
25 unless required for aircraft warning or other safety reasons.

26 (D) The structure shall be designed, galvanized, and/or painted in a manner
27 which is harmonious with surrounding properties.

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

(F) 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.

(4) The related telecommunications equipment buildings or enclosures shall comply with the following standards:

(A) [It] They shall not be more than a total of five hundred sixty (560) square feet in gross floor area or twelve (12) feet in height.

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

PART 9. PLANNED COMMUNITY ZONES.

DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.

Sec. 27-541.01.02. Wireless telecommunications facilities.

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

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

(A) It shall be concealed within the opaque exterior of a structure or be attached to a public utility tower, a multifamily dwelling at least five (5) stories in height, a structure owned 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;

(B) It shall not be attached to a public school or library;

(C) It shall not exceed the following dimensions:

(i) Twenty (20) feet in length and seven (7) inches in diameter for whips;

(ii) Ten (10) feet in length and two (2) feet in width for panels;

(iii) Seven (7) feet in length and one (1) foot in diameter for cylinders; or

(iv) Seven (7) feet in diameter for parabolic dishes;

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

(E) It shall not support lights or signs unless required for aircraft warning or other safety reasons.

(2) The related telecommunications equipment buildings or enclosures shall comply with the following standards:

(A) [It] They shall not exceed a total of five hundred sixty (560) square feet of gross floor area or twelve (12) feet in height;

(B) The buildings or enclosures shall be screened by means of landscaping or berming which is deemed by the Planning Board (or its authorized representative) to be adequate to screen fifty percent (50%) of the building from any adjoining land in a Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, or any approved Conceptual or Detailed Site Plan);

(C) When attached to an existing building, [it] they shall match the construction material and color(s) of that building; and

(D) When constructed as [a] freestanding buildings, [it] they shall be constructed of brick and its design shall coordinate with the design of any existing main building on the same lot or on an adjoining lot.

SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five (45) calendar days after its adoption.

Adopted this _____ day of _____, 2001

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.