

Ordinance No.: 18-34  
Zoning Text Amendment No.: 17-11  
Concerning: Antennas on Existing  
Structures  
Draft No. & Date: 2-10/16/17  
Introduced: October 10, 2017  
Public Hearing: November 14, 2017  
Adopted: December 5, 2017  
Effective: December 25, 2017

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF  
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN  
MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsor: Councilmember Floreen

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**AN AMENDMENT** to the Montgomery County Zoning Ordinance to:

- revise the uses for a dish antenna; and
- revise the use standards for antennas on existing structures that include a broadcast studio

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 1.4.	“Defined Terms”
Section 1.4.2.	“Specific Terms and Phrases Defined”
Division 3.5.	“Commercial Uses”
Section 3.5.14.	“Accessory Commercial Uses”

**EXPLANATION:** ***Boldface** indicates a Heading or a defined term.*  
*Underlining indicates text that is added to existing law by the original text amendment.*  
***[Single boldface brackets]** indicate text that is deleted from existing law by original text amendment.*  
*Double underlining indicates text that is added to the text amendment by amendment.*  
***[[Double boldface brackets]]** indicate text that is deleted from the text amendment by amendment.*  
*\* \* \* indicates existing law unaffected by the text amendment.*

## OPINION

Zoning Text Amendment No. 17-11 was introduced on October 10, 2017. It would allow a dish on an existing structure with a broadcast studio to be 22 feet in diameter.

In its report to the Council, the Montgomery County Planning Board and Planning Department staff recommended approval with an amendment to include a definition of “Media Broadcast Studio”.

The County Council held a public hearing on November 14, 2017 to receive testimony concerning the proposed text amendment. In addition to the testimony of the Planning Board representative, Bob Harris spoke in favor of approving ZTA 17-11. The Director of the Department of Technology Services, Sonny Segal, was scheduled to speak at the hearing on behalf of the County Executive. In written testimony, he wanted to ensure that these large rooftop antennas are compatible in urban areas and suggested that larger antennas only be on buildings that are at least 200 feet tall.

The text amendment was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.

The Planning, Housing, and Economic Development Committee held a worksession on November 11, 2017 to review the text amendment. After careful review of the materials of record, the Committee recommended that ZTA 17-11 be approved with the definition of Media Broadcast Studio recommended by the Planning Board. The Committee was not persuaded that larger antennas should be restricted to buildings 200 feet or taller.

The District Council reviewed Zoning Text Amendment No. 17-11 at a worksession held on December 5, 2017. The Council agreed with the Committee’s recommendation to approve ZTA 17-11 as amended.

For these reasons, and because to approve this amendment will assist in the coordinated, comprehensive, adjusted, and systematic development of the Maryland-Washington Regional District located in Montgomery County, Zoning Text Amendment No. 17-11 will be approved as amended.

## ORDINANCE

*The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:*

1           **Sec. 1. DIVISION 1.4 is amended as follows:**

2    Division 1.4. Defined Terms

3       \*   \*   \*

4    **Manufactured Home:**

5       \*   \*   \*

6    **Media Broadcast Studio:** Any facility used to create or produce radio, television  
7    or other electronic media programming. A broadcast studio may include studios,  
8    stages, editing facilities, post production facilities, and equipment for program  
9    distribution and receipt via satellite, wire, or fiber optic cable. A Media Broadcast  
10   Studio does not include a Media Broadcast Tower. See Section 3.5.2.B.

11       \*   \*   \*

12           **Sec. 2. DIVISION 3.5 is amended as follows:**

13    Division 3.5. Commercial Uses

14       \*   \*   \*

15    **Section 3.5.14. Accessory Commercial Uses**

16       \*   \*   \*

17    C.    Antenna on Existing Structure

18       \*   \*   \*

19           2.    Use Standards

20       \*   \*   \*

21                   a.    Antennas are limited to the following types and dimensions:

22       \*   \*   \*

23                           iii.    satellite, radar, or microwave dish antennas with a  
24                                    maximum diameter of 8 feet. If the building includes a  
25                                    media broadcast studio, a dish may have a maximum  
26                                    diameter of 22 feet; and

27       \*   \*   \*

**Sec. 3. Effective date.** This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council