

Statement of Diane A. Pecor
for the Zoning Subcommittee of the
Committee of 100 on the Federal City

**Public Hearing, October 17, 2002 Re: Case No. 01-02
(Text Amendment – Regulation of Antennas, Antenna Towers, and Monopoles)**

Members of the Zoning Commission:

Thank you for this opportunity to comment on the business before us this evening, the proposed regulations on antennas, antenna towers, and monopoles. I make my comments on behalf of the zoning subcommittee of the Committee of 100 on the Federal City, the District's oldest citizen advocacy organization for planning and preservation.

There is much to praise in these proposed regulations, not least of which is they stem from a serious (real) participatory process and evidence careful attention to balancing competing goals: citywide coverage for telecommunications services and protection of public health and safety. We believe several points that will facilitate the District's ability to monitor actual adherence to the regulations (and to ultimately propose remedies for non-compliance) deserve special mention.

1. First, this text amendment clears up much of the confusion that existed in earlier regulations and defines the territory by providing separate definitions for "antenna," "antenna tower," and "monopole."
2. Second, the previous scatter-shot of antenna regulations has been replaced by a new Chapter 26 in which all the antenna regulations have been consolidated, something citizens especially will appreciate.
3. Third, a business that intends to install a transmitting antenna will be required to include (with its application for a building permit) a certification letter from a licensed engineer verifying that the antenna complies with FCC and OSHA standards. This certification amounts to being the first step in the District's ability to monitor radiation levels and to enforce regulations about them.
4. Fourth, overall, the regulations for new towers and monopoles have been substantially strengthened. They would be allowed as a matter of right only in industrial (M) districts, not at all in residential or neighborhood shopping (C-1) districts, , and only as a special exception in other districts.

To recap, what's good and right about these proposed regulations is they go a long way toward cleaning up the visual clutter towers present, particularly important in historic

districts, toward protecting the public health, and eliminating the dangers to safety that exist under current arrangements. We would recommend, however, that the Commission amend several parts of these proposed regulations. Each of the changes we recommend would provide shelf-life to the proposed regulations and would demonstrate that fixes require long-term monitoring and attention, not one-time action.

1. The District should require that an applicant who wants to erect an antenna-tower or monopole submit a maintenance plan with its application. The plan should include a maintenance schedule, specific details about ice build-up prevention, and instructions about how the owner proposes to protect the public from falling debris. The regulations should empower the BZA to expand required setbacks if that is what is needed to protect the public from falling debris.
2. The District should require an antenna-tower or monopole applicant to provide a complete description about the tower or pole, especially detail that identifies the unit's maximum capacity, the generic type of antenna it will hold, and its estimated radiation emissions when filled to capacity. Moreover, the District should require the tower owner to file regular and periodic reports about these matters once the tower or pole is constructed.
3. While it may appear early to address conditions for renewal, the District should now determine what kinds of information it needs prior to renewal consideration and under what conditions it will renew an application. For many reasons, including potential technological change, we would suggest the Zoning Commission limit antenna permits for a set period of time, preferably somewhere between 5-10 years.

We have welcomed the public process that generated these proposed regulations and stand ready to work with the Zoning Commission and others to produce, monitor, and enforce strong antenna regulations. Again, we appreciate this opportunity to testify.