

Testimony of the Kalorama Citizens Association
On
Case No. 01-02,
Text Amendment--"Regulation of Antennas, Antenna Towers, and Monopoles"

Good evening.

I am Ann Hughes Hargrove, Zoning Chairman for the Kalorama Citizens Association. I have come before you previously to express this organization's support for correction of the miscodification, which now has been accomplished through ZC Order 968, and to recommend certain changes in the regulations. We are pleased with the work of the Office of Planning and the resulting proposed improvements in definitions and organization, the strengthening of regulations for new towers and monopoles, and the requirement for certification of compliance with OSHA standards.

We testified previously regarding our concern in general about the growing number of installations citywide and in Ward 1, which is the smallest ward geographically but has the greatest density of population, resulting in little separation between installations, present and potential, and large residential populations. Therefore, for areas such as these, distancing criteria and restrictions are especially important, for reliance on the structure of zoning districts alone, as they are mapped, is insufficient.

We concur with the specific recommendations of the Cleveland Park Citizens Association, as put forward before the Commission last week. We want to focus on several additional points:

First, we would like to suggest that section 2607 ("Antenna Additions to Existing Antenna Towers, and Monopoles") add one word: "conforming" before "antenna tower or monopole". There are a number of non-conforming monopoles and antenna towers scattered about, which should be covered by section 2612. Additionally, the regulations should provide for the possibility that the zoning category in a particular area may change from, say, a C2-C4 zone, to a residential zone. And they should also recognize that there may be substantial change in technology or standards in the future. In fact, the NCPC guidelines are instructive as to this general problem: the District should consider similar requirements for all these installations--conforming or non-conforming--requiring renewals and compliance with certain conditions, after 5-10 years.

Second, I want to bring up a special issue: towers on roofs. In Ward 1, at 1420 Columbia Road, there is a building approximately 50-60 feet high which formerly belonged to C&P Telephone and now is a special center called the Calvary Bilingual Multicultural Learning Center. On the roof is an free standing antenna tower that is not an "architectural embellishment" that is approximately an additional 50 to 60 feet high, thereby not only lacking in conformance with the regulations about antennas but clearly exceeding the zone's 65 foot height limit and breaking the statutory height limit as well. The building, illustrated by the attached photograph taken from the rear, is surrounded by residential structures, and the tower is clearly visible at street level.

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Towers should not be allowed on roofs, unless there is a setback that is substantial, and then only in the M districts, where the current discussion in the proposed regulations appears to relate solely to on-the-ground towers and therefore should be modified if roof towers are allowed. In reading the definitions of "Antenna placed on a roof", "Antenna tower", and "building mounted antenna", there is an implication in these regulations that there are no roof towers. Additionally, if we allow any antenna or monopole structures on roofs, the regulations should require field monitoring of the RF radiation emissions in the open space area within 60 days if the area is used for recreation. Section 2604(e) should be modified accordingly. There are a number of buildings scattered throughout the city that may be candidates for roof towers.

Third, there have been representations by industry spokesmen that wireless monopoles should be allowed as a special exception in residential zones. Taking into account the cumulative affect of the complex and growing antenna environment, monopoles should be regulated carefully and not allowed by special exception in the residential zones.

Fourth, allowing an escape hatch from these regulations for the District government at the behest of the Office of the Chief Technology Officer seems to us to be unwarranted--there is no valid reason for exemption from a process which attempts to assure a comprehensive and logically created ordering of these uses for private or public sectors. I am distributing an interesting article from *USA Today* by Paul Davidson about the difficulty posed for police radios by virtue of the sheer volume of cell phones. This is occurring even with the utilization of the 800-megahertz band, which is fast filling up with use by the wireless industry and by industry towers whose strong transmissions create dead spots. Additionally, the newer 700 band allows private carriers to operate powerful transmission towers in channels that are too close for public safety, creating interference. Allowing unfettered growth of antenna towers, monopoles and antennas and industry dominance of bands increasingly impede the meeting of emergency and public safety needs, a continuing and worsening problem that can be solved only with action by the FCC to prevent private interests from interfering from these public functions. On 9/11/2001, people's cell phones were not working because of the traffic overload, nor could emergency workers get through. The new radios available to police and fire personnel pose their own problems as well, because of the complexity built into them in an effort to get around the more fundamental problems enumerated in this discussion. The solution to these problems is more complicated than merely giving latitude to OCTO to do an end run around the modest controls embedded in these regulations at the expense of public health and aesthetic considerations.

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Antenna tower installed on roof of Calvary Bilingual Multicultural Learning Center building (formerly C&P Telephone Company building), 1420 Columbia Road, N.W. Note play area adjacent to the tower base on the roof. All adjacent buildings are residential, including the large apartment house visible in the picture on 14th Street. The height of the building is estimated to be 50-60 feet. The tower is estimated to be 50-60 feet as well.