



COUNCIL OF THE DISTRICT OF COLUMBIA

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Phil Mendelson
Councilmember-At-Large

Office: (202) 724-8064
Fax: (202) 724-8099

November 8, 2002

Ms. Carol Mitten, Chairman
D.C. Zoning Commission
441 4th Street, NW, Suite 210
Washington, DC 20001

Re: Case No. 01-02 (Antennas)

Dear Ms. Mitten:

I write to urge that the Zoning Commission approve, with minor revisions, the regulations proposed by the Office of Planning (OP) regarding the regulation of antennas, antenna towers, and monopoles. There is a need for stronger zoning regulations for antennas and antenna towers.

There are several provisions in the Office of Planning's proposal that I especially support. First, I agree with OP that antenna towers and monopoles are inconsistent with the purposes of residential (R) districts and the C-1 (neighborhood shopping) districts and I support the proposed prohibition on new antenna towers and monopoles in those districts.

Second, I strongly support the provisions of section 2601, Certification of FCC Compliance. This section, especially the requirements that the certification include information on the radio frequency (RF) radiation to be generated by the proposed antennas and on the cumulative RF radiation generated by all other antennas at the proposed site and within 200 feet, is particularly important. If approved, the District government and its citizens would have real information on the levels of RF radiation around the city. Also, the District's Department of Health would have a baseline from which it can monitor RF radiation levels and ensure that the FCC RF emission guidelines are not exceeded.

I urge the Commission to require that any applicant for a new antenna tower or monopole, whether matter of right or subject to the special exception process, be required to include in the application information on the maximum capacity of the tower or monopole, including the number and type of antenna the tower could hold and the estimated maximum RF radiation emissions from the tower or monopole when filled to capacity. This information will assist in determining the necessity for the requested height and whether the tower or monopole is likely to be in full compliance with both the FCC's cumulative site and individual antenna RF emission levels once used to capacity.

I am concerned about the alternative provisions on "stealth structures." While it is desirable to have the maximum possible screening of antennas to protect the aesthetics of the Nation's Capital and its many historic areas, these provisions could be used to allow what are really new antenna towers or monopoles in areas where they otherwise would be prohibited. If an antenna does not fit within the matter of right categories – as a ground-mounted, roof-mounted, building-mounted or exempt antenna – then it should be subject to the special exception process. In all cases, whether or

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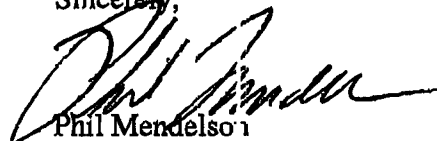
not the antenna is a "stealth structure," adequate screening and setbacks should be required. The problem with the stealth structure provisions is that instead of hiding an antenna in an existing structure, this provision could be used to authorize the construction of what amounts to a new tower or monopole without regard to whether new towers/ monopoles are authorized in that zoning district.

I urge you to carefully review the request of the Office of the Chief Technology Officer (OCTO) for an exemption from the zoning regulations for the upgraded antenna system the District Government is installing for its public safety/emergency preparedness (PS/EP) networks. This upgraded antenna system will serve to protect public safety, but we don't want to see it installed in a manner that jeopardizes public health and safety in other ways or unnecessarily and negatively affects the scenic beauty and skyline of the Nation's Capital. The zoning regulations provide comprehensive criteria for determining how to best locate antennas, both private and public. I would urge the Commission not to exempt the PS/EP networks from these regulations, but to work with OCTO to expedite the processing of their applications pursuant to them.

Finally, I support the recommendation of the Office of the People's Council that 1) a public hearing be held on applications, 2) all applicants be required to file an environmental impact statement or assessment, and 3) 11 DCMR 211.7, which provides for Historic Preservation Review Board and the Commission on Fine Arts review, be retained.

Thank you for considering my comments on this case.

Sincerely,



Phil Mendelson
Councilmember-At-Large



Council of the District of Columbia

Fax Transmission from the Office of

Councilmember At-Large Phil Mendelson

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DATE:	11/8/02
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RE:	
COMMENTS:	Comments on Antenna Regulation
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Councilmember At-Large Phil Mendelson
1350 Pennsylvania Avenue, NW, Suite 400
Washington, DC 20004
(202) 724-8064 ph.
(202) 724-8099 fax