

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

MEMORANDUM

TO: D.C. Zoning Commission
FROM: *JS for*
Andrew Altman, Director
DATE: November 8, 2002
CASE 01-02
SUBJECT: Supplemental Report on proposed zoning text amendments regarding development standards and review procedures for antennas, antennas towers and monopoles in all zone districts (11 DCMR).

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The Zoning Commission asked the Office of Planning to provide additional information on various issues raised by testimony at the public hearing October 17, 2002 on case number 01-02, regarding Antennas, Antenna Towers and Monopoles.

- Setbacks for antenna towers and monopoles from residentially developed or zoned property.

Both the proposed matter-of-right provisions (§2608.1 (a)) and the proposed special exception review criteria (§2611.7) stipulate that towers and monopoles have a one-one setback from residentially developed or zoned property. For clarification OP proposes that the §2608.1 (b) include a direct reference to 2608.1 (a) and that 2608.1 (a) include the following language:

2608 ANTENNA TOWERS AND MONOPOLE IN M INDUSTRIAL ZONES (M)
(matter of right)

- (a) *An antenna tower or monopole shall be set back a minimum horizontal distance equal to its total height as measured from the ground, from THE NEAREST PROPERTY LINE OF any residentially developed or zoned property;*
- (b) *Except as provided IN (a) above, each part of an antenna tower or monopole shall be removed from each lot line a minimum distance equal to the greater of the following:*
- (1) *Twenty (20) feet, or*
 - (2) *A distance of at least one-third (1/3) of the total mounted height;*

This provision will provide additional safety from tower collapse, falling debris, falling ice and would reduce the lure of an "attractive nuisance."

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CASE NO. 01-02
EXHIBIT NO. 124
Exhibit 124

- Additional criteria for equipment cabinets and shelters placed on the ground and their exemption under §411.15 11DCMR.

OP recommends that §411.15 be amended by the addition of the following language:

*411.15 For purposes of this section, mechanical equipment shall not include telephone equipment, radio, television, or electronic equipment of a type not necessary to the operation of the building or structure. **THIS SECTION SHALL NOT INCLUDE EQUIPMENT CABINETS OR EQUIPMENT SHELTERS FOR THE OPERATION OF WIRELESS ANTENNAS THAT ARE NOT NECESSARY TO THE OPERATION OF THE BUILDING OR STRUCTURE.***

In addition, OP recommends that the proposed §2613 regarding the placement of such cabinets and shelters be amended as follows:

2613 EQUIPMENT CABINET OR SHELTER

2613.1 If an antenna equipment cabinet or shelter is provided on the roof of a building or structure, it shall be erected or enlarged as follows:

- (a) It shall be set back from all exterior walls a distance at least equal to its height above the roof upon which it is located;*
- (b) It shall harmonize with the main structure in architectural character, material, and color;*
- (c) It shall not exceed eighteen feet six inches (18 ft. 6 in.) in height above the roof upon which it is located.*

2613.2 IF AN ANTENNA EQUIPMENT CABINET OR SHELTER IS PROVIDED ON THE GROUND, IT SHALL BE SUBJECT TO THE FOLLOWING:

- (a) IT SHALL BE REGULATED AS AN ACCESSORY BUILDING SUBJECT TO ANY APPLICABLE CRITERIA WITHIN EACH ZONE, AND**
- (b) IT SHALL HARMONIZE WITH THE MAIN STRUCTURE IN ARCHITECTURAL CHARACTER, MATERIAL, AND COLOR.**

2613.3 An antenna equipment cabinet or shelter which does not comply with the above requirements may be permitted through the special exception process set forth in § 2610.

- Fuller explanation of “maximum practical extent”;

This phrase was agreed to by the antenna regulation review group as a way of recognizing that some solutions for placement and screening of antennas may not be practical due to unique features of the site, building, antenna or screening option. Such uniqueness may be existing location of penthouses, the need to paint the antenna as opposed to screening for historic preservation reasons, the weight of the antenna with screening material on a roof that is not structurally strong enough to carry it, or

existing architectural features that can camouflage antennas. The phrase is not intended to bypass other specific placement requirements.

- The Office of the Chief Technology Officer's (OCTO) request to be exempt from the proposed regulations.

OP has not seen the details of the OCTO antennas or their location onsite or building but OP will work with OCTO to ensure that the necessary technology is in place to meet their needs. OP cannot make a recommendation on the request at this time.

In addition to the above issues, OP also supports the following proposals raised during testimony:

- Maximum installed capacity limits for Towers and Monopoles both by-right and as may be approved by special exception. This would require an identification of the maximum number of each type of antenna that could be placed on a proposed tower or monopole and the estimated maximum RF limits that could be generated. This information would help the tower operator stay within the RF standards established by the FCC and would allow for cumulative impact assessment.
- Maintenance Plan detailing how the tower or monopole manager will control ice build-up, falling ice and potential falling debris; The plan should also address the how inoperable antennas will be removed.
- A prohibition on the placement of advertisements on towers, monopoles, antennas and equipment cabinets and shelters;
- A prohibition on tower lighting, except as may be required by federal regulations.

Expiration of Permits:

OP does not recommend that antenna permits have an expiration or renewal date. The National Capital Planning Commission (NCPC) which does require renewal of antenna permits is a federal body reviewing and regulating antennas on federal buildings and tenant space. This gives them a more building management role with a much more finite amount of antennas. The District reviews all antenna applications on all private property throughout the city. An expiration or renewal requirement on would overload the review process.

As a point of reference, the table below represents the number of antenna permit applications filed and the number of antennas the applications represent, for the last three years. These numbers are based on OP records.

Year	Matter-of-Right		Special Exception Cases
	# Applications	# Antennas	
2000	31	284	0
2001	89	582	1 monopole approved by BZA 1 monopole withdrawn
2002	27 to date	131	0

CORRECTIONS

Rear Yard for SP zone

OP notes that it incorrectly cited the Rear Yard section for the SP zone as 535.12 and it was subsequently advertised as such in the DC Register. The correct section citation is for Rear Yard in the SP zone is **§534.12**. In addition to the wrong section citation, the text cited references the “side yard” when it should correctly reference the “rear yard.”

The correct text for advertisement is as follows:

*Add the following new ~~§535.12~~ **§534.12***

534 REAR YARDS (SP)

534.12 Antennas, antenna towers and monopoles shall comply with the side **REAR** yard requirements as specified in chapter 26.

Height Sections

OP also notes out that the proposed language regarding height was not uniform between chapters and that §400 HEIGHT OF BUILDINGS OR STRUCTURES (R) was **inadvertently omitted**.

OP recommends that §400.3, §530 .3, §30.3, §770.3, §840.2 and 930.3 be amended to include the following clarification regarding special exception reviews *and* mayoral signatures:

400 HEIGHT OF BUILDINGS OR STRUCTURES (R)

400.3 A spire, tower, dome, pinnacle, minaret serving as an architectural embellishment, or antenna may be erected to a height in excess of that which this section otherwise authorizes in the district in which it is located. **This section shall not be interpreted to bypass otherwise required special exception reviews OR MAYORAL APPROVALS.**

530 HEIGHT (SP)

530.3 Spires, towers, domes, pinnacles or minarets serving as architectural embellishments, penthouse over elevator shaft, ventilator shaft, antenna, chimneys, smokestacks or

fire sprinkler tanks may be erected to a height in excess of that which this sections otherwise authorizes. **This section shall not be interpreted to bypass otherwise required special exception reviews OR MAYORAL APPROVALS.**

630 HEIGHT (CR)

630.3 Spires, towers, domes, pinnacles or minarets serving as architectural embellishments, penthouse over elevator shaft, ventilator shaft, antennas, chimneys, smokestacks or fire sprinkler tanks may be erected to a height in excess of that which this sections otherwise authorizes. **This section shall not be interpreted to bypass otherwise required special exception reviews OR MAYORAL APPROVALS.**

770 HEIGHT (C)

770.3 Spires, towers, domes, pinnacles or minarets serving as architectural embellishments, penthouse over elevator shaft, ventilator shaft, antennas, chimneys, smokestacks or fire sprinkler tanks may be erected to a height in excess of that which this sections otherwise authorizes. **This section shall not be interpreted to bypass otherwise required special exception reviews OR MAYORAL APPROVALS.**

840 HEIGHT (CM/M)

840.2 Spires, towers, domes, pinnacles or minarets serving as architectural embellishments, penthouse over elevator shaft, ventilator shaft, antennas, chimneys, smokestacks or fire sprinkler tanks may be erected to a height in excess of that which this sections otherwise authorizes. **This section shall not be interpreted to bypass otherwise required special exception reviews OR MAYORAL APPROVALS.**

930 HEIGHT (W)

930.3 Spires, towers, domes, pinnacles or minarets serving as architectural embellishments, penthouse over elevator shaft, ventilator shaft, antennas, chimneys, smokestacks or fire sprinkler tanks may be erected to a height in excess of that which this sections otherwise authorizes. **This section shall not be interpreted to bypass otherwise required special exception reviews OR MAYORAL APPROVALS.**

Grammatical Correction:

2601.2

- a) The exact legal name, address of ~~principle~~ **PRINCIPAL** place of business and telephone number of the certifying engineer;
- c) The exact legal name, address or ~~principle~~ **PRINCIPAL** place of business and telephone number of the person to whom correspondence is to be sent;