



ADVISORY NEIGHBORHOOD COMMISSION 3-C
GOVERNMENT OF THE DISTRICT OF COLUMBIA
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TESTIMONY OF ADVISORY NEIGHBORHOOD COMMISSION 3C
AT ZONING COMMISSION ROUND TABLE ON REGULATIONS CONCERNING ANTENNAS, ANTENNA
TOWERS, AND THE STRUCTURES ON WHICH THEY ARE ERECTED
March 5, 2001

Mr. Chairman, my name is Nancy MacWood and I am the Chair of ANC 3C. I appreciate the opportunity to testify today on standards that should be included in Title 11, Zoning, District of Columbia Municipal Regulations concerning development standards for antennas and antenna towers. ANC 3C has consistently supported a review of the relevant regulations in order to insure the safety and health of people living, working and visiting our city and to safeguard the unique aesthetic that brings millions of visitors to the District of Columbia each year. At its regular, monthly meeting on September 25, 2000 ANC 3C approved a resolution supporting ANC 3E's request for an expedited hearing before the Board of Zoning Adjustment to revoke American Tower's building permit for a new tower at Tenley Circle. On December 18, 2000, ANC 3C approved a resolution expressing its concern about the proliferation of antennas and antenna and broadcast towers in the District of Columbia. On February 26, 2001 ANC 3C unanimously passed a resolution urging the DC Council to extend the moratorium on construction of towers over 200 feet to towers less than 200 feet, such as the cell tower proposed for Penn Branch Shopping Center, until the Mayor develops a comprehensive plan for telecommunication antenna equipment that safeguards our residents and our city's unique beauty. At the same meeting ANC 3C again unanimously approved a resolution outlining some of the specific provisions that we would recommend be included in any rewriting of the pertinent regulations.

ANC 3C has two overriding concerns. The first is for the health and safety of our residents, particularly the elderly and children. The second is for the preservation of the natural beauty and the created beauty found throughout the District of Columbia. The technological explosion that occurred in the 1990s should not dictate the future of a city that more than any other American city represents our country's rich past and our promising future. It seems more appropriate that the District of Columbia should display the foresight and courage to manage creatively and assertively an industry that is moving too fast to consider its legacy on our population.

ANC 3C has considered the substantive law governing antennas and antenna towers to be the Zoning Commission's February 2, 1989 Order No. 587. We continue to support the provisions in Section 211 and 212 that require a special exception for the construction of antenna towers over 12 feet in residential districts and 18.5-20 feet in commercial districts. Similarly, we support the requirement for setbacks on all lot lines at least 1/6 the height of the proposed tower. Reasonable spacing of towers away from population areas is extremely important. The prospect of falling ice or falling metal from wind or storm damage or defective structures injuring pedestrians and damaging cars or adjacent structures is less likely the farther the tower is from lot lines. Applying the same rationale, ANC 3C urges the Zoning Commission to exclude public spaces, such as sidewalks, parks, and streets, from being counted as part of the setback allowance. The consistent implementation of these provisions will provide citizens in every ward in the city the opportunity to participate meaningfully in land use decisions that impact their communities.

ANC 3C wants to emphasize our concern that everyone living, working, or visiting the District of Columbia be protected from adverse conditions related to the siting of antenna towers. We would therefore recommend that the Zoning Commission increase the required setbacks from all lot lines when towers are constructed adjacent to hospitals, schools or universities, nursing homes, homes for the aged, senior citizen centers,

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and residences. A setback of one foot for every 6 feet of tower is not sufficient when the tower is in proximity to people who will have prolonged and unavoidable exposure to radio frequency emissions. While there may not be definitive evidence that radio frequency radiation exposure will adversely effect public health, there are increasing numbers of studies that report it well could. Other countries and other American cities have taken this threat seriously and have acted to reasonably contain the public health impacts while addressing the desire for state of the art telecommunications. In this regard, the Federal Communications Commission (FCC) requires applicants for FCC permits for antennas to inform hospitals and other health care institutions about the equipment being installed so that potential interference can be avoided. It seems to ANC 3C prudent at this time to insure that our children, our elderly, our sick and our families are shielded as much as possible from radio frequency radiation by requiring additional setbacks of towers in the locations mentioned above.

ANC 3C further recommends that the Zoning Commission require data on radio frequency emissions for each antenna on a new or pre-existing antenna tower as well as data on the aggregate radio frequency emissions for the entire tower as part of the permitting process and a new renewal process. While the Federal Communications Commission (FCC) has exposure standards, they have little or no means of enforcing them. It is critical that the District of Columbia ensure its citizens that it intends to enforce the FCC limits on radio frequency emission exposure. We can do this by requiring applicants to provide radio frequency emission field measurements taken by a certified professional for each proposed new antenna as well as the cumulative emissions from a site where the antenna or antenna tower is to be erected. The same standards should apply to antenna additions to existing towers. By collecting this information the District of Columbia can insure its residents that it will utilize all available means to protect the public health and will not allow exposure to radio frequency emissions to exceed the FCC limits.

In recognition of the extraordinary advances that are taking place in telecommunications technology, ANC 3C recommends that zoning regulations be amended to parallel the National Capital Planning Commission's time limit guidelines for antennas erected on federal property. (See "Guidelines and Submission Requirements for Antennas on Federal Property in the National Capital Region.") NCPC limits approval to a period of five (5) years with renewals predicated on an assertion of continued need, continued adherence to all current permitting requirements and the absence of alternatives that would improve the visual siting and/or the radio frequency emissions. The addition of a renewal requirement should not pose an onerous burden on applicants. Whatever additional burden it does place should be balanced against the predictable advancements in this industry, the need to insure compliance with current FCC safety standards and the concern to maintain the public health.

Finally, ANC 3C ends its statement with the most obvious recommendation. We live in the most beautiful city in America, arguably one of the most beautiful in the world. Every generation has its challenges and one of yours is to thoughtfully shepherd technological advancements into our city while being respectful of our past and mindful of future generations who will, we hope, still consider the District of Columbia the showcase of our heritage. One need only trace the route into Washington from Interstate 495 with the view of the Washington National Cathedral eclipsed by antenna towers at Tenley Circle to understand how easily technology can undo the carefully planned aesthetics associated with the District of Columbia. We therefore recommend that the zoning regulations regarding permitting of antenna towers include consideration of the impact of the siting of the tower on the skyline and important vistas in the District of Columbia. ANC 3C further urges the Zoning Commission to exclude all non-residential antennas from historic districts or historic or landmark properties, which are subject to Title 11 zoning regulations, and ANC 3C urges that replaced, non-functioning or abandoned antennas or antenna towers be dismantled

ANC 3C appreciates the opportunity to share with you our recommendations. We hope that you will carefully consider them.

- Testimony Presented by Nancy MacWood, Chair, ANC 3C