

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF PLANNING



Office of the Director

**MEMORANDUM**

DATE: April 10, 2001  
TO: Zoning Commission  
FROM: Office of Planning  
RE: Antenna Ordinance Revisions:  
Procedural Steps and Round Table Issues

The Office of Planning has begun surveying and summarizing surrounding jurisdictions' ordinances, including Fairfax County, Montgomery County and Prince George's County, and has been involved in the NCPC Antenna Task Force. OP has also been in contact with the FCC Local and State Government Advisory Committee in an effort to gather and coordinate information for the revisions to the District's antenna and broadcast tower regulations. OP proposes that the process continue with the involvement of an advisory group that will help focus and review new proposed regulations. OP recommends the following actions and preliminary time frame:

**Procedural Steps:**

- 1) Convene an advisory group, may require more than one meeting. (mid May-June)  
Review roundtable issues.  
Consider roundtable and other issues to be addressed in the proposed ordinance revisions; this will require consultation with the Office of Corporation Counsel regarding FCC regulations  
Review other ordinances and zoning powers.
- 2) OP will prepare a draft ordinance and coordinate with OCC. (late June)
- 3) Advisory Group will review the draft and suggest changes. (early July)
- 4) A proposed ordinance with a report outlining the positions and recommendations of the advisory group (and any outstanding issues) will be prepared and submitted for the advisory groups comment prior to final proposal to Zoning Commission. (July/August)
- 5) OP will recommend a proposal to the Zoning Commission for setdown and public hearing with a consensus report outlining the positions and recommendations of the advisory group. (August/September)

Note: Time frame to further detailed after consultation with citizen participants

ZONING COMMISSION  
District of Columbia

Case 01-02R  
Exhibit 35

**Roundtable Issues:**

OP prepared the encapsulated list of the major issues raised by the individuals and groups who presented information to the Commission at the roundtables held on March 5 and 19, 2001.

**Environmental Health:**

- 1) RF Emission was the foremost issue raised by the residents. There was great concern expressed about the FCC levels and the cumulative measure of RF emission.
- 2) Issues were raised regarding the RF emission of various antenna types, the cumulative effect of the antennas and human access to their location.
- 3) Within the FCC standards, concerns were raised about verifying and enforcing compliance with RF levels
- 4) The existing RF emission levels in Tenleytown and how they could be determined were questioned.

**Towers**

- 1) There was significant discussion about special exception review of all towers and the 1989 ZC order. The OCC and OZ were looking into this issue to determine the status of the regulations
- 2) Setbacks and height of towers was raised relative to safety issues (possible falling ice, falling tools, bird collisions and wind damage), and neighborhood character
- 3) The RF emission levels and the cumulative effects of multiple carriers/broadcaster was raised regarding towers.
- 4) The effects of multiple towers on a neighborhood was raised; related issues were RF interference, character of neighborhood, National Capitol skyline and RF emission levels.
- 5) It was suggested that the City require "Evidence of Need" for any new towers to deter speculative towers.
- 6) It was suggested that the City also require towers make provisions for co-location of antennas to reduce the potential overall demand for towers.

**Antenna Types:**

- 1) Many speakers stressed the position that the various types of antennas should be classified and regulated separately from broadcast towers. The industry representatives were very strong on their position that the roof-top and wireless antennas should not be captured in the same requirements as the broadcast towers.
- 2) Additional definitions need to be added to the regulations including monopoles and the roof-top options.

**Regulations:**

- 1) Drawing on the current regulations, the industry reps felt any new regulations should continue to include matter-of-right provisions for certain classes of antennas.
- 2) Provisions for Special Exception Review were suggested for towers and possibly after a threshold for roof-top antennas. It was also suggested that review criteria be established for such review.

- 3) The issue of requiring towers to provide for co-location of services and evidence/self-certification of FCC compliance was supported by many speakers
- 4) Other regulation issues include assessment of the visual effects, designating appropriate zoning districts, limiting the approval as is done by NCPC and providing a clause that requires removal of unused or outdated equipment.
- 5) The regulations were encouraged to strengthen the Setbacks / Height / appearance standards and include associated structures and cabinets.
- 6) Local Enforcement of federal regulations was also suggested to be included as a means to force evidence of compliance and due to the low enforcement ability of the FCC.

Other Issues:

- Neighborhood property value
- Ability to provide adequate service
- Public /ANC notification
- Sharing of Antennas

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If you have any additional questions or comments please contact Jennifer Steingasser at 202-442-8808.