



March 14, 2019

Catrina Felder  
Public Space Committee Coordinator  
Government of the District of Columbia  
Department of Transportation  
Public Space Regulation Division  
1100 4<sup>th</sup> Street SW – 3<sup>rd</sup> Floor  
[PublicSpace.Committee@dc.gov](mailto:PublicSpace.Committee@dc.gov)

Re: Comments on the Small Cell Guideline

Dear Ms. Felder:

The DC Preservation League (DCPL) is the citywide nonprofit dedicated to the preservation and protection of the historic and built environment of our Nation's Capital. As such, we are very concerned about the potential visual impact on our many historic resources with the potential installation of 5G and small cell infrastructure under the proposed guidelines. In DCPL's opinion, the ruling by the Federal Communications Commission (FCC) excluding issuance of licenses for small cell infrastructure from review under Section 106 of the National Historic Preservation Act was wrong as a matter of law. We will be following litigation on this point closely and urge the Public Space Committee to bear in mind the very real possibility that the FCC action will be reversed.

While the Draft Small Cell Design Guidelines (provision 6.1) recognize the existence of "areas of special interest" including all historic districts and individual landmarks, they offer no meaningful protection for historic properties. The proposed guidelines would merely keep installations off the front or side boundaries of individually listed properties and somewhat down unnamed alleys in historic districts. The only viewsheds protected are those designated as part of the L'Enfant Plan, that is, within the historic City of Washington, long since incorporated into the wider District of Columbia. Without additional protection, bulky small cell installations could proliferate just outside the boundaries of important individual properties and on the streets and in the alleys of historic districts, greatly affecting the visual quality and welcoming environment of our Nation's Capital.

Thus, it is imperative that the Small Cell Design Guidelines provide more specific restrictions on installations in historic districts and around individual landmarks. If the highest level of protection is to be provided to the Federal Core Interest Area, all special interest areas should receive that same treatment. All designated historic properties and districts – whether designated under the Old Georgetown Act of 1950 or the Historic Landmark and Historic Districts Protection Act of

1978 – are now subject to the same design review standards. This equality of treatment must be reflected in the Small Cell Design Guidelines.

Further, the new guidelines must explicitly recognize and give priority to the placement of small cell installations on rooftops, wherever possible. It is the potential clutter of new poles and equipment along the streets and within the streetscape that is most troubling about the proposed installation of small cell infrastructure. Wherever that equipment could be installed on rooftops, it would relieve the pressure on DC's limited public space. It would also help protect our many valuable street trees. While the guidelines (provision 8.4) recognize the need to protect street trees and their critical root zones, in fact they lay the groundwork for ongoing competition among trees, poles and other equipment and will result in an ongoing enforcement challenge. It would be much better to limit the scope for new installations in these so-called amenity areas (aka "tree boxes") from the beginning.

Finally, the proposed guidelines offer a large loophole whose negative impact may quickly be seen – installations of different sizes and shapes on existing wood poles. These are generally the utility poles found along both rights-of-way and alleyways throughout the district. The guidelines (provision 9) would allow any holder of a Master License Agreement (or multiple holders) to install, with the consent of the pole owner, any and all manner of equipment on an existing wood pole as long as all the equipment had a grey powder coated finish. Under provision 5.3.3, exposed wires are also uniquely permitted in this situation. So, along with the many wires hanging along our alleys and some of our streets, residents and visitors to the Nation's Capital can now look forward to seeing multiple boxes of different sizes and shapes and their attendant wires hanging from the numerous wood poles that already exist.

The District of Columbia's dramatic viewsheds, both within the L'Enfant Plan and outside the original city boundary were intentionally designed. Laws restricting utilities such as overhead lines were enacted in the city to preserve these important views. Even today, the Section 106 process allows for consulting parties to minimize impacts of signage, overhead wires or extensive mast arms in historic districts. Consultation ensures that all parties are at the table, allowing for a dialog exchange that can achieve a common goal without destroying the character of our important historic landmarks and districts.

The guidelines must provide for design review of any such equipment by the appropriate agencies and insist that the Public Space Committee include this review in the proposed draft Small Cell Design Guidelines.

We appreciate your attention to our comments.

Sincerely,



Rebecca Miller  
Executive Director