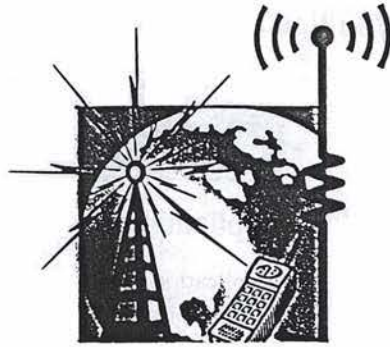




KEY ELEMENTS OF A CELLULAR TOWER ORDINANCE

A local government normally has in place a general zoning ordinance which it periodically reviews and revises in light of societal, technological, and other changes. Following the deregulation of the telecommunications industry by the Telecommunications Act of 1996, communities across the United States witnessed a dramatic increase in wireless facilities applications.

Many cities and counties found themselves without an adequate framework to deal with these rapidly proliferating technologies. In some places, local governments were better prepared because the early growth of the cellular telephone industry in their areas had led to comprehensive land use and zoning procedures for the siting of towers. Other communities, realizing the changes that would occur with deregulation, began to restructure their ordinances even in advance of the federal legislation. Most cities and counties, however, have been handling siting requests on a case-by-case basis while trying to educate themselves and their constituents about these new technologies and the most effective means for integrating them into the fabric of the community's life and landscape.

Overview

To begin implementing the provisions of the 1996 Act, local governments must have or enact zoning ordinances that consider the placement of cellular towers in local communities. After reviewing the Act's provisions, local officials should have appropriate personnel review the locality's zoning ordinance. Many communities may find that they have no local ordinance regulating the placement of cellular towers, that their current ordinance completely prohibits towers, or that it is not designed to accommodate emerging technologies such as personal communications services. Any of these situations presents a problem for the locality.

In the absence of an ordinance, the industry might argue that it has a right to place towers in any location in the community. On the other hand, an ordinance that bans the placement of towers anywhere in the community violates the 1996 Telecommunications Act if the ban prohibits access to the services provided by the industry.

Local officials should have appropriate personnel review the locality's zoning ordinance.

In drafting or reviewing local zoning ordinances, localities should remember that they can regulate the placement, modification, and construction of a tower so long as the regulation does not preclude the ability of a consumer to use wireless services. Otherwise, localities are free to enact ordinances that permit the placement of towers in accordance with the concerns and needs of the community.

While ordinances are as different as the city, town, or county for which they are written, local governments should consider including the criteria and examples in this chapter as they review and revise their laws. These examples are cited because they balance three important things: 1) the need to protect communities from the disadvantages of uncontrolled proliferation and placement of wireless facilities, 2) the legitimate desires of local citizens to access and use the new technologies as quickly as possible and 3) the legitimate right of businesses to exercise free trade.

Some ordinances are general and some are very specific. Approaches vary with the problems that are foreseen. For example, Greenburgh, New York, has set up a "tiered" system of acceptable sites. Commercial locations are favored

Whenever possible and a service provider must appear before the zoning board if a commercial location cannot be found. The next favored site is a nonresidential zone, then a residential zone, but, "no less than 350 feet from schools, parks, playgrounds, day-care centers and health-care facilities."

In Kansas City, Missouri, the Mid-America Regional Council has produced two useful booklets for its member governments. The "Wireless Telecommunications Tower Ordinance Guide" is a reference manual drawing on local ordinances and model ordinance documents from across the country. The "Wireless Guidance Package" discusses standards, protocols and other criteria to be considered in revising telecommunications ordinances.

Other localities have formed various types of task forces. The Memphis/Shelby County, Tennessee Office of Planning and Development formed its wireless communications task force with representatives of the local government, the electric, gas and water utilities, and the wireless companies. Martin County, Florida officials set up a task force on which they invited all interested participants to become involved. The goal of the task force was to become acquainted with the Telecommunications Act and how it affects local governments.

Defining What Is Covered by the Ordinance

The first part of the ordinance should provide a full and complete definition of what the ordinance intends to cover. Modern technology evolves so rapidly that trying to describe the full array of currently available wireless facilities is difficult. Several major types of facilities have been used for telecommunications transmissions, however. They include broadcasting towers, two-way radio towers, fixed point microwave dishes, commercial satellites and receiving dishes, and, most recently, cellular and PCS towers.

In order for local officials, industry representatives, and the public to engage in discussions about the siting of telecommunications facilities, and to make accurate decisions about their placement and construction, the ordinance should define each type of wireless facility and be amended, as necessary, to accommodate technological changes. The Jefferson County, Colorado Telecommunications and Land Use Plan, adopted May 8, 1985, amended January, 1993 and June, 1995 is an excellent example of how this definition should be written. It defines facilities in detail and includes pictures of various types of facilities in the text of the ordinance.

The ordinance should define each type of wireless facility.

Application Requirements

Application requirements and procedures for telecommunications providers requesting a permit to site a wireless facility are also of primary importance since a clear, concise application often can avert future problems. Jefferson County, Colorado provides an excellent explanation of what it requires from any tower applicant. Its provisions demonstrate serious research by the county's planning department and other local agencies and indicate that a fair and efficient review process is in place. Their ordinance requires that applicants provide:

- site and landscape plans drawn to scale;
- a report including a description of the tower with technical reasons for its design;
- documentation establishing the structural integrity for the tower's proposed uses;
- the general capacity of the tower, and information necessary to assure that ANSI standards are met;
- a statement of intent on whether excess space will be leased;
- proof of ownership of the proposed site or authorization to utilize it;
- copies of any easements necessary;
- an analysis of the area containing existing topographical contours; and
- a visual study depicting "where within a three mile radius any portion of the proposed tower could be seen."

This ordinance and its accompanying "Low Power Mobile Radio Communications Land Use Plan Addendum" are recommended reading for any locality dealing with cellular siting issues.

Co-Location

Local ordinances often require service providers to maximize the use of an existing or proposed wireless tower through co-location. Co-location occurs when two or more providers place their transmitting facilities together in the same location or on the same tower or monopole. These facilities may provide identical, competing services or a variety of different

KEY ELEMENTS OF A CELLULAR TOWER ORDINANCE

telecommunications services. By using existing towers or poles, the need to erect new structures can be reduced and their overall visual presence in a jurisdiction can be minimized, without compromising their technical utility.

Although competitors may complain, most communications towers can – and typically do – carry several transmitters of different providers. A local government that wants to encourage co-location may want to provide incentives, such as a shorter processing time for applicants who are willing to locate on a tower that has already been approved. (This would be based on the reasonable conclusion that such a site requires less additional evaluation compared to the legitimate evaluation and review needed for a new site.)

Another way to foster co-location is to require that service providers exhaust all possible avenues for sharing space before granting a permit for a new tower. Carroll County, Maryland's Ordinance No. 122 requires the applicant for a tower siting to show the need for the tower and to show that all alternatives to the construction of a new tower have been exhausted. The ordinance also requires the applicant to submit an affidavit stating that space on the proposed tower will be made available to future users when technically possible.

***Most communications towers can –
and typically do – carry several transmitters
of different providers.***

Local governments may specifically require in their ordinances that competitors cooperate and negotiate fairly with each other regarding co-location leases. To facilitate co-location among competitors, local governments also may request that providers in an area develop plans for co-location when building their systems. Service providers have been reluctant to engage in such collaborative planning, arguing that cooperation among competitors could raise antitrust concerns. Local governments have a right, however, to adopt ordinances that promote co-location among providers as long as they do not discriminate among them.

When construction of a new facility is needed, local governments may require that the structure be built with the capacity to enable co-location. The Wentzville, Missouri ordinance is a good example of this. It states, "If a tower is constructed, it shall be three times the capacity of intended use in order that secondary users could lease the balance of the tower capacity at a reasonable rate."

In Palm Beach County, Florida, tower applicants must send a certified-mail announcement to all other tower users in the area, stating their siting needs and/or sharing capabilities. Applicants cannot be denied space on a tower unless mechanical, structural, or regulatory factors prevent sharing. Other local ordinances, including those of Jefferson County, Colorado, Oldham County, Kentucky, and Multnomah County, Oregon, offer detailed examples of co-location provisions and leasing terms.

Joint Ventures and Use of Public Property

Local governments can invite private telecommunications providers to bid on the construction of towers which would be shared by the local government for public safety communications and by the telecommunications provider for its own needs.

Examples of joint ventures include: leasing space to telecommunications providers on an existing or new public safety tower; leasing space to telecommunications providers on public structures that are not otherwise used for telecommunications, such as a water tower or on top of a city or county office building; leasing street light stations and publicly-owned utility poles; or leasing publicly-owned land for construction of wireless facilities. Local governments also may consider constructing new towers on publicly-owned lands expressly for the purpose of generating lease revenues from providers who will site their facilities on such towers.

A city or county that seeks to construct or lease public property for use by telecommunications providers must take care to subject its own site and structural plans to the same close scrutiny that it expects of outside applicants. Otherwise its actions, though serving the public interest, may be challenged as discriminatory by wireless providers or private property owners.

***Local governments also may consider
constructing new towers on publicly
owned lands.***

Local governments should also remember that as a tower owner they may incur additional liabilities and that leasing public structures requires compatibility reviews. For example, if a single water tower serves the entire community, the risks of damage or water contamination may outweigh the benefits of co-location. Any structure that has a radio antenna on it that extends more than 20 feet above the structure also is subject to FCC and FAA aeronautical limitations and requirements and must be registered with the FCC by the owner. Moreover,

Siting Cellular Towers: What You Need to Know, What You Need to Do

eral law makes the tower owner, not just the wireless service provider, responsible for safety, compliance with FCC and FAA rules, and other regulations, including painting and lighting. In this context, the term "tower" includes any structure to which an antenna is attached, including buildings.

Management responsibilities involving multiple user antenna sites can be time consuming, and the local government may wish to hire a site manager, using a percentage of the rental revenue.

The City of Greensboro, North Carolina plan calls for the city to lease city property for communication tower construction. The city also identified existing city facilities that can accommodate antennas. The City of Sunnyvale, California entered into an agreement to issue permits to use city-owned light poles and traffic signals for installation of communications equipment in exchange for a fee and other services.

The management responsibilities involving multiple user antenna sites can be time consuming.

Safety

Most ordinances require some setback from adjoining properties. Setback distances are the minimum distance between the tower and the site's lot lines. These are usually expressed as a percentage of tower height. In tower siting, setbacks are useful for their aesthetic impact and to establish safe zones for falling tower debris or collapse.

Since George's County, Maryland has adopted an ordinance with standards that affect the installation of towers, the equipment building, and accompanying landscaping. The ordinance includes a section that not only sets the height and setback requirements, but also states what color the tower must be painted. Durham, North Carolina includes a special section on "Dimensions" in its ordinance. This section includes specific dimension requirements for towers as well as setbacks, minimum lot size and buffers. Like many other communities, the City of Roswell, Georgia adopted an ordinance requiring a setback equal to the height of the tower.

While numerous studies have been conducted by scientists, nobody can successfully alleviate concerns with positive proof that there are absolutely no health risks associated with the radiofrequency emissions emanating from antennas and other wireless facilities.

In tower siting, setbacks are useful for their aesthetic impact and to establish safe zones for falling tower debris or collapse.

Some localities, such as Oldham County, Kentucky, Jefferson County, Colorado, Multnomah County, Oregon, and King County, Washington, use setbacks in an effort to address the issue of potential health risks of electromagnetic radiation. For example, the Jefferson County, Colorado telecommunication plan suggests practical measures to reduce exposure to residents, such as placement of facilities on tall, existing towers or buildings, an adequate buffer separating towers from residential and commercial uses, and a calculation of expected radiofrequency levels for the habitable structure nearest to the proposed tower. In Greenburgh, New York's ordinance, the health issue is addressed by creating a body to monitor antennas to make sure that federal emission standards are met. It is financed by an escrow account made up of a percentage of permit and leasing fees.

Aesthetics

Another major consideration for many communities is the aesthetic quality of cellular towers and their compatibility with adjoining property. In order to maintain the aesthetic and historic nature of Mount Vernon, the home of George Washington, a cellular tower has been camouflaged as a tree. Other towers have been mounted on billboards or hidden in church steeples.

The Orange County, Florida ordinance requires careful design, siting, landscape screening, and camouflaging to maintain the aesthetic quality of the surrounding area. It requires landscaping and screening materials to be installed including "a row of shade trees a minimum of 8 feet tall and a maximum of 10 feet apart planted around the perimeter of the fence; and a continuous hedge at least 30 inches high at planting capable of growing to at least 36 inches in height within 18 months planted in front of the tree line referenced above." A Jefferson Parish, Louisiana ordinance requires certain towers to be disguised as trees and be "aesthetically and architecturally compatible with the environment."

Aesthetic considerations and requirements extend to the treatment of wireless facilities when placed on buildings, whether historic or contemporary. The San Francisco, California ordinance establishes guidelines for rooftop installation of antennas. The Plano, Texas ordinance allows an

KEY ELEMENTS OF A CELLULAR TOWER ORDINANCE

antenna to be attached to the facade of a building as long as it is painted to match the structure. It also allows installation of wireless facilities on roofs and on electric and water towers as long as they do not exceed a certain height.

Jefferson County, Colorado established visual impact policies in its Telecommunications Plan. It devotes an entire section of its ordinance to minimizing the visual and noise impacts of communications equipment. It states that telecommunication facilities "should result in a minimal visual impact for those residents in the immediate area and for those in the larger community who view these facilities from a distance." To assist communities in minimizing visual impact, the ordinance provides examples and measures that can be implemented for both new and existing structures. These include providing a three-year time period for existing sites to comply with requirements to make "equipment buildings compatible with the surrounding area by considering coloring, texture of materials, landscaping and screening."

Lighting, Structural Integrity, and Extra-jurisdictional Requirements

Lighting for communication towers is required when the towers are tall enough to be under FAA regulation. The Jefferson Parish, Louisiana ordinance states, "When lighting is required and is permitted by the FAA or other federal or state authority, it shall be oriented inward so as not to project onto surrounding residential property."

The ordinance prepared by the City of Durham, North Carolina requires all towers to comply with the lighting restrictions of the FAA and conform to all applicable building requirements. To ensure a tower's structural integrity, Greenburgh, New York's ordinance requires an operational certificate prepared by a professional engineer from the owner or operator of a new tower within 45 days of the initial operation. This certification must indicate compliance with all applicable regulations.

Lighting for communication towers is required when the towers are tall enough to be under FAA regulation.

The sample ordinance guide prepared by the Mid-America Regional Council includes sample wording for a building code prepared by the Atlanta Regional Commission. This paragraph requires that towers comply with the standards published by the Electronic Industries Association and all applicable local building codes.

Maintenance and Parking

A few local ordinances include standards for maintaining the tower or antenna facility as well as for parking. The Multnomah County, Oregon ordinance addresses most extensively the issue of facility maintenance. It includes a requirement to describe anticipated maintenance needs, including frequency of service, personnel needs, equipment needs, and traffic, noise, or safety impacts of such maintenance. It also suggests that the transmission facility be automated "to the greatest extent possible to reduce traffic and congestion." Parking requirements generally do not apply to cellular towers unless the equipment building is staffed.

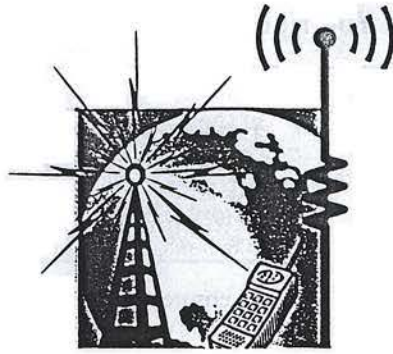
Abandonment

As both technologies and business conditions change, providers may occasionally find that they no longer need previously-constructed towers. Most ordinances restrict the time in which an unused tower may stand to between six and 18 months, with some requiring the tower applicant to cover the demolition costs. A few have penalties if the tower is not removed within the designated time. The Wentzville, Missouri ordinance requires "the owner to provide the city with a copy of the notice to the FCC of intent to cease operations and ... [gives] ninety days from the date of ceasing operations to remove the obsolete tower and accessory structures."

While concern with the abandonment of structures is focused on towers and monopoles today, community ordinances may in time need to address the abandonment of smaller antennas and other facilities mounted on rooftops and other locations, as changing technologies eventually make them obsolete.

Things To Think About

- Does your current ordinance directly prohibit wireless facilities and services or unintentionally discriminate against any category of provider?
- Is the volume of applications for site permits such that you need time to review and revise your ordinance? Have you discussed moratoria with your city or county attorney? Have you organized a process of research and citizen involvement to minimize the length necessary for a moratorium? Have you informed both industry and the public about its purpose, procedures and duration?
- Have you considered how you will develop a written record to justify your zoning actions concerning towers and antennas under the new ACP?
- What steps can you take with local media, wireless providers, and others to educate the public about the new technologies and ways to accommodate them in your community?
- Is it feasible to create an advisory committee with industry and civic representation to develop a comprehensive wireless strategy for your community and a set of guidelines for the preferred placement and design treatment of necessary facilities?
- Does your ordinance encourage the siting of antennas on buildings and other existing structures? Have you identified the full range of such places in your community where facilities can be sited without adversely affecting public health and safety or community appearances?
- Does your ordinance encourage the siting of wireless facilities on the same tower? Are you able to encourage cooperating with one another to share the public utility of towers and other facilities?
- Have you identified sites appropriate for towers and monopoles, if needed?
- Is your community prepared to lease public property to wireless service providers?



CONSENSUS BUILDING: GOVERNMENT, CITIZEN, AND INDUSTRY COLLABORATION

Planning for the siting of towers and antennas provides an excellent opportunity for citizens to become connected to local government and involved in local decision-making. It can also provide an opportunity for local elected leaders, department heads, and citizens to coordinate their efforts and to gain a better understanding of the telecommunications industry.

Siting decisions affect citizens where they live and work. They also can affect the local economy – the availability of local telecommunications infrastructure is an important factor in attracting new businesses and industries and in retaining existing ones. Because these issues are important to communities, citizens should welcome the opportunity to provide input into the decision-making process and become more informed about siting issues.

The variety of approaches to integrating community and industry concerns into the siting of towers and antennas can be as broad as the variety of technologies involved. By involving both the community and industry early in the planning process, local governments can develop a sustainable telecommunications strategy to foster competition among wireless service providers and ensure that community aesthetics and property values are preserved.

Local governments have implemented a number of effective approaches to involve citizens and industry in the development of local plans concerning tower and antenna siting. These approaches range from traditional public hearings run by local councils, planning commissions, or public agencies involved with telecommunications, to the establishment of independent advisory groups, commissions, task forces, education programs and industry-sponsored meetings. Interlocal working groups

also have been created to facilitate coordinated planning for wireless facilities among neighboring localities.

Local governments have implemented a number of effective approaches to involve citizens and industry in the development of local plans concerning tower and antenna siting.

By involving citizens in issues related to telecommunications, local governments can obtain assistance from them in guiding the decision-making process and removing potential barriers to both government and industry action. Citizens who are able to express their concerns, participate in discussions, and make an impact are more likely to support the final decisions of local leaders.

Telecommunications Advisory Groups

The creation of telecommunications advisory groups can help bridge the gaps between the community, local governments, and industry when developing local telecommunications plans.

For example, when Jefferson County, Colorado was faced with a considerable demand for telecommunications facilities, the County Commissioners appointed a telecommunications advisory group (TAG). The group was comprised of ten volunteer representatives from the local community, industry, and public agencies. The committee was charged with developing a set of policies to be used as a guide for making land use decisions on the siting and design of towers and antennas. The TAG, working with county planning staff, considered issues such as the demand for new towers and antennas, engineering

and economic concerns, visual and noise impacts, residential interference, and property values. Decision-making was done by consensus to ensure that the TAG's recommendations were not biased in favor of any interest group.

Once the TAG completed its recommendations, the county planning commission held public hearings and solicited written public comment. Once the commission considered public comments, changes were made to the recommendations and the commission adopted them as a telecommunications land use plan.

Telecommunications Commissions

In July 1996, San Francisco, California approved the creation of a new Department of Telecommunications. The department took over functions previously handled by several other departments, with special attention paid to tower and antenna sitings. A five-member Telecommunications Commission appointed by the mayor has oversight responsibilities for the department. The commission is comprised of community residents, local government officials, and people with an industry perspective.

Interagency Wireless Communications Task Forces

The Memphis/Shelby County, Tennessee Office of Planning and Development formed a wireless communications task force to analyze ways in which the city and county can accommodate industry growth while minimizing the effect that tower sitings may have on residential neighborhoods. The task force consists of representatives from city and county governments, Memphis Light, Gas & Water Division, and the city's competing wireless companies: BellSouth Mobility, Intercell, and Cellular One.

Interlocal Coordination

According to local officials in Broward County, Florida, the most successful strategies to deal with tower and antenna sitings have been developed among neighboring local governments. Those strategies recognize the wisdom of working interlocally to provide a degree of uniformity in tower ordinances in a given region: from planning, legal, and financial perspectives, it simply makes good sense. In Broward County, the issue of tower and antenna sitings has evoked a variety of responses. Those responses include the passage of temporary ordinances and full and partial moratoria on sitings.

The most successful strategies to deal with tower and antenna sitings have been developed among neighboring local governments.

To ensure a coordinated approach in dealing with permit requests for tower sitings, the Broward County cities of Coconut Creek, Coral Springs, Davie, Miramar, and Pembroke Pines entered into an interlocal agreement to share the services of an attorney consultant who works with the cities to prepare telecommunications ordinances to regulate tower sitings.

However, the cities' leaders do not anticipate that one model ordinance can cover all the different situations in their communities. As a result, each has committed to work together to provide significant input into the various needs assessments that will be undertaken. According to the city manager in Coconut Creek, "the important thing is that we need to share whatever expertise we have and work together."

Industry-Sponsored Meetings

Industry will gain little by locating in a community amidst citizen opposition. In order to facilitate community involvement in decision-making over permits and other industry requests, local governments may consider recommending to industry representatives that they hold public meetings regarding their proposals. Local governments may also consider offering municipal facilities for such meetings.

In October 1996, Sugar Creek, Missouri adopted a temporary moratorium on tower sitings in order to review a possible telecommunications ordinance. To garner community support for the proposed siting during the moratorium, Sprint Spectrum organized a meeting at a municipal building and invited residents to air their views about the proposal. Twenty-five residents attended the meeting and expressed concerns over the potential impact of the siting on property values, interference with satellite television, and public health. The meeting gave Sprint the opportunity to get a better understanding of citizen perspectives, answer residents' questions, and give them certain assurances regarding the impact of Sprint's proposed actions.

Community Education

Local governments should consider developing educational resources about tower and antenna sitings for use by citizens and local government staff. These resources may be printed or put on a local government home page with other information concerning the locality's management of telecommunications infrastructure.

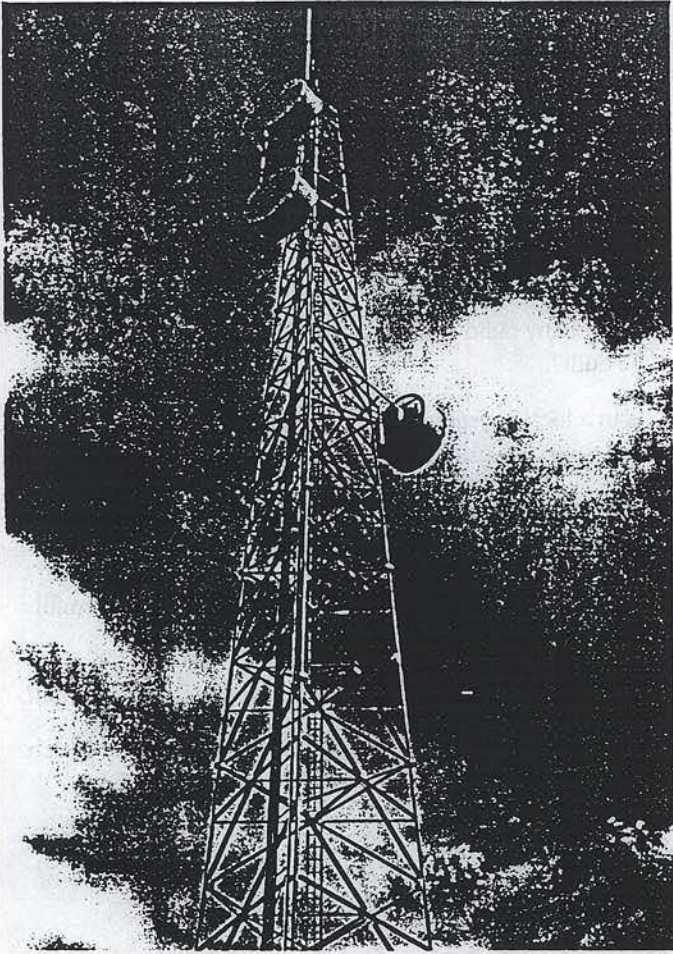
In November 1996, Greensboro, North Carolina issued a six page "tutorial," "Monopoles, Radio Towers and Land Use", for residents and staff that details the city's involvement in the placement of towers and antennas within the city. The tutorial gives background on trends in service demands in the city over the last few years and provides detailed answers to commonly asked questions through a written question and answer format.

Local governments should consider developing educational resources about tower and antenna sitings for use by citizens and local government staff.

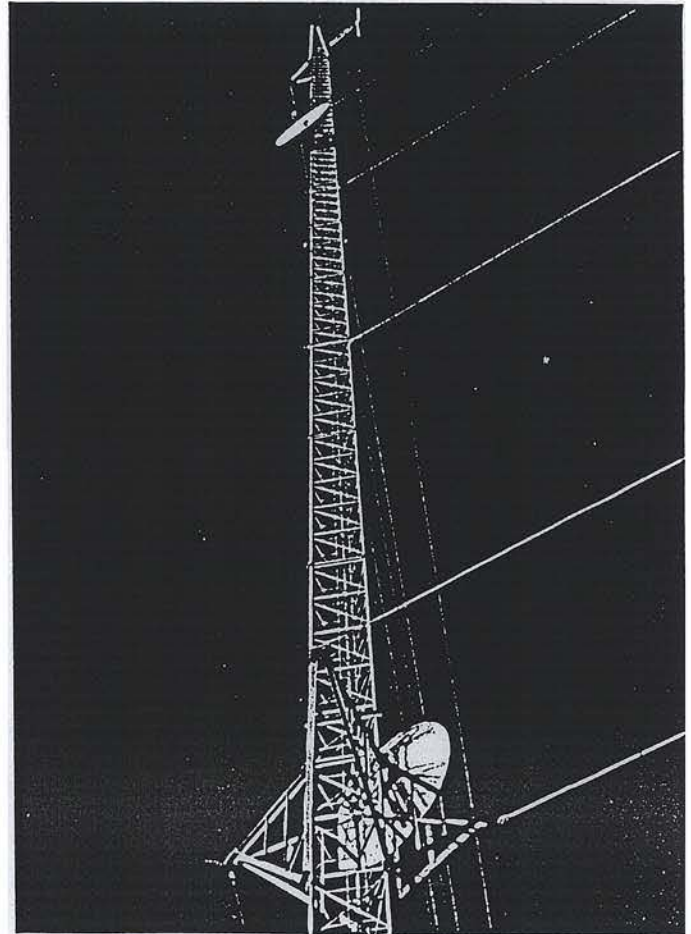
The tutorial poses and answers the following questions:

- What is the telecommunications industry?
- Which companies offer telecommunications technology to our community?
- Why can't the carriers use existing infrastructure for transmitting needs?
- What do wireless radio communication transmitting structures look like?
- How many radio communications structures will have to be built?
- Can a locality regulate where these structures are built, and does Greensboro have any such regulations?
- Can carriers share the same radio communication structures?
- Do radio communication structures transmit any harmful radio waves?
- Are they safe for our community? Can these structures fall?

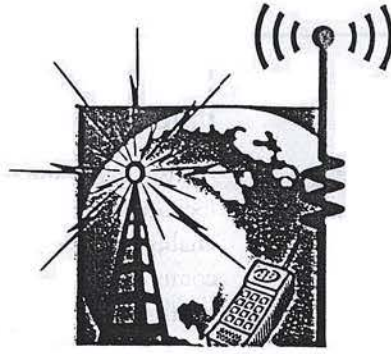
The tutorial concludes with a description of the ways in which Greensboro has worked to facilitate relations with industry.



Self-supporting tower.



Guyed tower.



A SEVEN STEP TELECOMMUNICATIONS STRATEGY CHECKLIST

One of the most effective ways to address the changes occurring in your community as a result of the Telecommunications Act of 1996 is to develop a strategy checklist for responding to technology and telecommunications issues.

Why a checklist? Because one of the worst things a community can do is respond on an ad hoc basis to the individual requests for variances, ideas for partnerships, and zoning applications coming from wireless providers who want to do business in the community.

Instead, consider developing a coherent, strategic approach for dealing with the issue of tower siting that considers the unique needs and concerns of your locality. Following the seven steps here should help prepare your community to successfully address a wide array of tower siting issues.

Step 1. Educate yourself.

Use the new technology of the Internet and visit the home pages of industry associations, the FCC, and your own associations at the state and local level. These home pages will permit you to see how the information critical to understanding events, as well as people's reactions to them, is currently disseminated to different audiences (including those who may have an opinion different than your own.)

Step 2. Develop your strengths.

Local governments have certain rights and powers that are under attack by legislative and legal actions at the state or national levels. It is important to know what those rights are and make sure that they are properly reflected in today's technology-rich environment. A zoning ordinance or

franchise agreement written decades ago may still have validity and could even be strengthened through smart legislative action. Spend some time researching the current status of your zoning and rights-of-way ordinances, and remind yourself of your rights and privileges.

Step 3. Develop an appreciation for the larger issue of bandwidth management.

Cellular and PCS transmissions are only part of the "spectrum" through which we can transfer data streams. Local elected and appointed officials should develop a thorough understanding of all spectrum aspects – from public safety and walkie-talkie bands to cable TV signals – and consider them as one big information superhighway that must be coordinated and made to work efficiently for the taxpayer.

Resources to help in getting up to speed: local colleges and universities that sponsor training sessions for public employees; state and federal agency training programs open to local officials; expert consultants; and your own local staff. The benefits from a learning effort will be visible almost immediately.

Step 4. Staff up and centralize responsibilities.

Tower siting is complex. Your jurisdiction will benefit from two simple management steps: 1) the creation and/or strengthening of a project team, task force, or committee that properly reflects the various public sector stake-holders, and 2) the selection of a jurisdiction-wide coordinator to manage all applications from and negotiations with the telecommunications industry.

By developing a team approach, your community will benefit from the experiences of others. In addition, the creation of a

“team” or “task force” to serve as the single point of reference will also help solve industry complaints about local government’s inability to provide a “one-stop-shopping” approach to the application process. A team approach also provides an infrastructure management perspective that cuts across all technologies and tries to maximize taxpayer return on the jurisdiction’s infrastructure investment and assets.

Step 5. Plan a strategy for community involvement.

Most citizens will not focus on the complexities of tower siting until it becomes a crisis – that is, until a tower siting application impacts their own neighborhood or a tower site is approved for their backyard. For this reason, it is critical to develop a comprehensive, community-wide communications strategy that clearly delineates what is known, what is feared, and what can be gained from community involvement in this issue. Being proactive by helping your constituents understand the tower siting issue and sharing examples of leadership with other communities is an excellent way to avert disaster later on down the line.

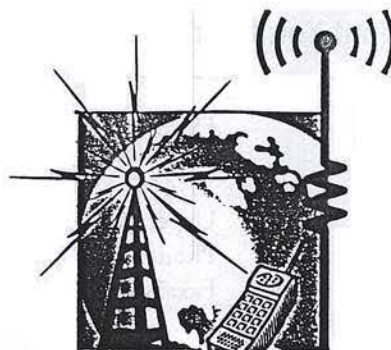
Step 6. Consider ways to generate revenues and improve government services.

As cyberspace commerce increases, some futurists predict an erosion or virtual elimination of sales tax revenues to localities. In addition, it is becoming increasingly difficult to collect revenues from cable, telephone, and other franchise holders. Strategic siting of antennas or towers in your community may produce revenue streams and increase economic development activity at a time when they are most urgently needed.

Institutional Networks (I-Nets), Public, Educational and Governmental (PEG) channels, high speed data/phones, e-mail, access to the world wide web, and payment transfers are just some of the government service improvements taking place in communities across the country as a result of successful local government negotiations with the telecommunications industry. Seeing the opportunity to significantly improve community service delivery using PCS and other new telecommunications technologies is a negotiating objective that can reduce ongoing costs and improve service delivery to citizens.

Step 7. Work with other communities and industry.

Consider forming task forces or working groups with other localities in your metropolitan region. This approach will enable you to learn from the siting experiences of other communities – to emulate their successes and avoid their conflicts. Consider reaching out to industry and community groups as well. City and county leaders who are strategic will create alliances by reaching out to these other interests to advance consensus on a joint strategy that benefits the locality. Then, working together, such an alliance can implement a joint strategy.



APPENDIX-RESOURCE CONTACTS

Listed here are the addresses of some national organizations, local governments, FCC staff, and wireless industry representatives that may be able to provide copies of zoning ordinances cited in this book or other information on the issue of siting cellular towers.

Local Government Associations

American Planning Association
122 South Michigan Avenue, Suite 1600
Chicago, IL 60603-9604
Internet: <http://www.planning.org>

International City/County Management Association
777 North Capitol Street, NE, Suite 500
Washington, DC 20002
Internet: <http://www.icma.org>

National Association of Counties
440 First Street, NW, 8th Floor
Washington, DC 20001
Internet: <http://www.naco.org>

National Association of Telecommunications
Officers and Advisors
1650 Tysons Blvd., Suite 200
McLean, VA 22102
Internet: <http://www.natoa.org>

National League of Cities
1301 Pennsylvania Avenue, NW
Washington, DC 20004-1763
Internet: <http://www.caiss.com/nlc/>

Public Technology, Inc.
1301 Pennsylvania Avenue, NW, 8th Floor
Washington, DC 20004
Internet: <http://pti.nw.dc.us>

Local Governments

San Francisco, CA
Mayor's Office
401 Van Ness Avenue, Room 366
San Francisco, CA 94102
Phone: 415-554-6141
Fax: 415-554-6113

Sunnyvale, CA
Mayor's Office
PO Box 3707
Sunnyvale, CA 94088-3707
Phone: 408-730-7473
Fax: 408-730-7699

Jefferson County, CO
Board of Commissioners, Chair's Office
100 Jefferson County Parkway
Golden, CO 80419
Phone: 303-271-8525
Fax: 303-271-8941

Coconut Creek, FL
Telecommunications Group of Broward County
c/o City Managers Office
City of Coconut Creek
4800 West Copans Road
Coconut Creek, FL 33063
Phone: 954-973-6720
Fax: 954-973-6777

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Martin County, FL
Board of Commissioners, Chair's Office
2401 Southeast Monterey Road
Stuart, FL 34996
Phone: 407-288-5400
Fax: 407-288-5432

Orange County, FL
Board of Commissioners, Chair's Office
201 South Rosalind
Orlando, FL 32801
Phone: 407-836-7370
Fax: 407-836-5879

Palm Beach, County
Department of Planning, Zoning and Building
100 Australian Avenue
West Palm Beach, FL 33406
Phone: 561-233-5200
Fax: 561-233-5165

Roswell, GA
Mayor's Office
38 Hill Street
Roswell, GA 30075
Phone: 404-641-3727
Fax: 404-594-6186

Oldham County, KY
Office of the County Judge
100 West Jefferson
La Grange, KY 40031
Phone: 502-222-9357
Fax: 502-222-3208

Jefferson Parish, LA
Parish President's Office
PO Box 9
Gretna, LA 70054
Phone: 504-736-6400
Fax: 504-364-2633

Carroll County, MD
Board of Commissioners, President
225 North Center Street
Westminster, MD 21157
Phone: 410-848-4500
Fax: 410-848-0003

Prince George's County, MD
County Council Chairman
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772
Phone: 301-952-3700
Fax: 301-952-3238

Sugar Creek, MO
City Hall
103 S. Sterling
PO Box 8537
Sugar Creek, MO 64054
Phone: 816-252-4400 x28
Fax: 816-252-7082

Wentzville, MO
Mayor's Office
City Hall, 310 West Pierce Blvd.
Wentzville, MO 63385
Phone: 314-928-4455

Greenburgh Township, NY
Town Supervisor's Office
Town Hall, Box 205
Elmsford, NY 10523
Phone: 914-993-1540
Fax: 914-993-1545

Durham, NC
Mayor's Office
101 City Hall Plaza
Durham, NC 27701
Phone: 919-560-4333
Fax: 919-687-0896

Greensboro, NC
Mayor's Office
PO Box 3136
Greensboro, NC 27402-3136
Phone: 910-373-2396
Fax: 910-373-2117

Multnomah County, OR
Board of Commissioners, Chair's Office
1120 Southwest Fifth Avenue
Portland, OR 97204
Phone: 503-248-5222
Fax: 503-248-3093

Appendix

Memphis/Shelby County, TN
Board of Commissioners, Chair's Office
160 North Main
Memphis, TN 38103
Phone: 901-576-4301
Fax: 901-576-4283

Plano, TX
Mayor's Office
PO Box 860358
Plano, TX 75086
Phone: 214-424-6531
Fax: 214-424-0099

King County, WA
County Council, Chair's Office
516 Third Avenue, Room 1200
Seattle, WA 98104
Phone: 206-296-1009
Fax: 206-296-0198

Atlanta Regional Commission
3715 Northside Parkway
200 Northcreek, Suite 300
Atlanta, GA 30327
Phone: 404-364-2500
Fax: 404-364-2599

Mid-America Regional Council
600 Broadway
300 Rivergate Center
Kansas City, MO 64015
Phone: 816-474-4240
Fax: 816-421-7758

Federal Communications Commission

FCC "fax-on-demand" system which can be used to obtain
FCC facts sheet and public notices at 202-418-2830.

FCC Wireless Telecommunications Bureau home page at
<http://www.fcc.gov/wtb/wirehome.html>.

The Telecommunications Act of 1996 in general:

Office of Legislative and Intergovernmental Affairs
Phone: 202-418-1900
Fax: 202-418-2806

Federal regulation of wireless communications services in general:

Rosalind K. Allen, Deputy Chief, Wireless
Telecommunications Bureau
Phone: 202-418-0600
Fax: 202-418-0787
E-mail: rallen@fcc.gov

Antenna structure siting, licensing issues and technical matters:

Steve Markendorff, Broadband Branch, Wireless
Telecommunications Bureau
Phone: 202-530-6008
Fax: 202-418-1412
E-mail: smarkend@fcc.gov

Commission guidelines on radiofrequency emissions:

RF Safety Program, Office of Engineering and Technology
Phone: 202-418-2464
Fax: 202-418-1918
E-mail: rsafety@fcc.gov

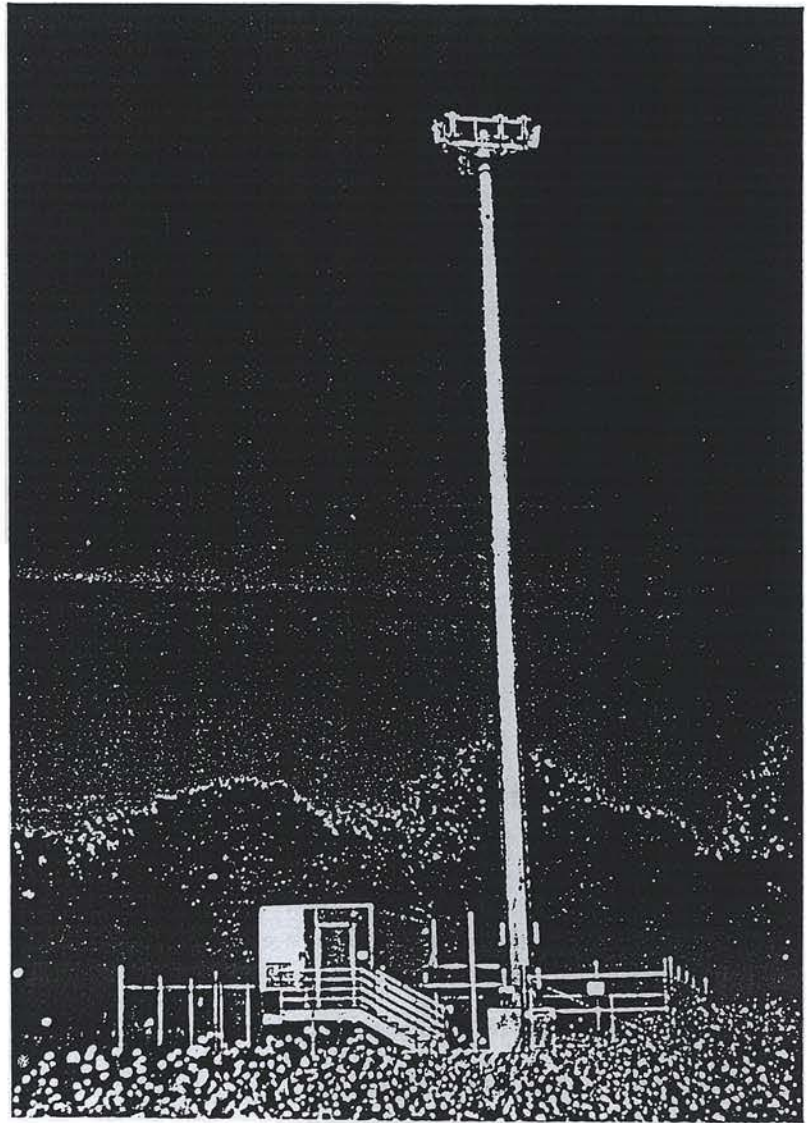
Transmitter power, antenna structure painting and lighting requirements:

Dan Emrick, Compliance Division, Compliance and
Information Bureau
Phone: 202-418-1170
Fax: 202-418-2813
E-mail: demrick@fcc.gov

Private Sector Associations

Cellular Telecommunications Industry Association
1250 Connecticut Avenue, NW, Suite 200
Washington, DC 20036
Phone: 202-785-0081
Fax: 202-785-0721

Personal Communications Industry Association
500 Montgomery Street, Number 700
Alexandria, VA 22314
Phone: 703-739-0300
Fax: 703-836-1608



Monopole with shelter.