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By [Amanda Waldroupe](#)

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Local News

## What to Do if a Cell Tower is Proposed in Your Neighborhood



*Cell towers are being installed in neighborhoods all over Portland. Photo:  
©Heather Zinger.*

### UPDATED 3/7/11

In the last year and a half, many Portlanders living in Beaumont-Wilshire and Irvington, and now more recently in Woodstock and Eastmoreland, have found themselves battling the construction of cell phone and wireless antenna towers (**cell towers**) in their neighborhoods.

The struggle, with overtones of David and Goliath, has pitted neighbors against wireless carriers such as Clearwire, Sprint, and AT&T, who want to install the towers to provide denser wireless Internet coverage. Neighbors have also butted heads with the office of [Commissioner Amanda Fritz](#), who oversees the [Office of Cable Franchise and Management](#), the city bureau permitting and regulating cell towers.

Neighbors have attended meetings, learned about Portland's zoning and land use laws, researched other cities' ordinances that regulate and site cell towers, and written countless letters and emails opposing the construction of new towers.

"We have learned a great deal in that time for how that process works," says Colin O'Neill, who lives in Beaumont-Wilshire and is a founding member of [RespectPDX](#), an organization advocating against constructing cell towers. "It's very disorienting for people who [oppose these towers]."

But there are numerous things people can do if they find that a tower has been proposed in their neighborhood, and they oppose it. Here are some suggestions:

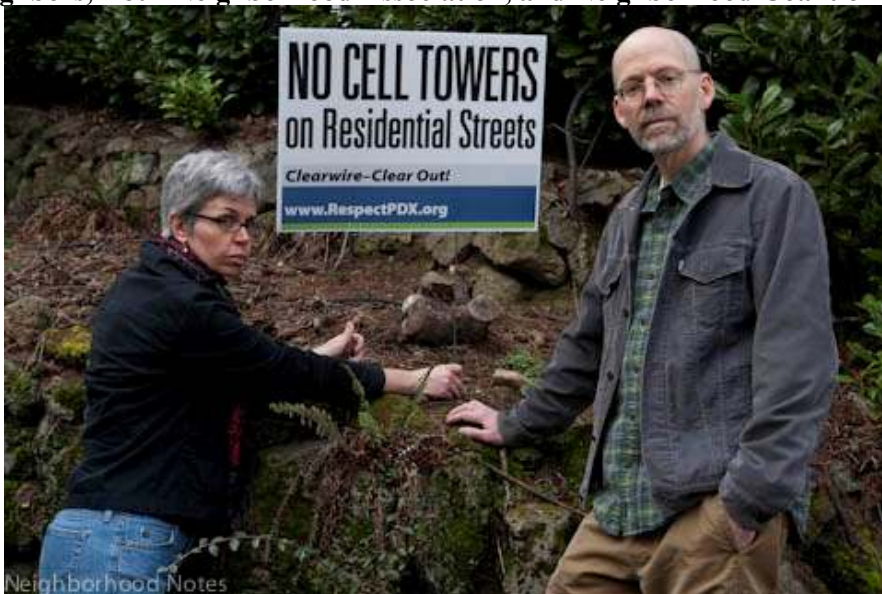
### **Don't Wait**



*Cell towers can be varied in their height and appearance.*

O'Neill says that people opposed to cell towers should not wait to become active until a tower is proposed in their neighborhood. The more people who contact Portland's City Council in opposition to cell towers in their neighborhoods, the more likely they are to take action. "The more people who talk to Amanda Fritz and OCFM and the more complaints they get, hopefully, over time, they will become better at listening to citizen input on this issue and taking the interests of the neighbors into account," says Ric Bernat, another founding member of RespectPDX.

#### **Talk to Other Neighbors, Your Neighborhood Association, and Neighborhood Coalition**



*Anne Trudeau and Rick Bernat of RespectPDX. Photo: ©[Heather Zinger](#).*

If a wireless carrier writes to you stating their intent to build a cell tower in your neighborhood, reach out to other neighborhoods. Wireless carriers are only required to communicate with people living in a 400-foot radius of the tower's proposed location—the equivalent of a block and a half. "It can just go unnoticed by people," says Bernat.

"If they go through a [coalition](#) also, you may find that other neighborhoods are having the same issue," says Steve Cole, who lives in the Irvington neighborhood.

Kupel and five others canvassed their neighborhood, raising awareness about the proposed SE Cesar Chavez tower, making contact with 350 households, and getting 319 people to sign a letter addressed to Clearwire opposing the tower. "Well over 90% of people said, 'thank you so much! we've been wondering what to do to oppose this,'" Kupel says.

Neighborhood associations and coalitions can also lend support—the Beaumont-Wilshire Neighborhood Association, for example, formally voted to oppose a Clearwire tower proposed on NE 37th and NE Fremont. Coalition offices can also provide information about how to contact City Council, provide meeting spaces, etc.

### **Learn About Portland's City Ordinance and City Code Regarding Cell Towers**



*Cell towers contain multiple antennas.*

Bernat says it is important to make sure that the wireless carrier is submitting an accurate and complete application to the Office of Cable Franchise and Management. The city code regulating cell towers is found in [Chapter 33.274 of the City Charter](#). Portland has a priority street system stipulating that wireless carriers must try to locate the towers on less residential streets. "It is something that could be beneficial IF it is implemented correctly," information written by RespectPDX says. RespectPDX has a [comprehensive toolkit](#) providing information about the city's regulations, how towers are sited in Portland, etc.

"Members of the public typically have no idea if these regulations even exist or that it holds some potential for them to weigh in and have their voice heard," says Kirk Ranzetta, a consultant who aided the Irvington neighborhood fight a tower proposed for NE Stanton and NE 22nd.

"If you're going to challenge the antenna going in, it's good to know all the bases you have for opposing it," Cole says.

### **Find Out if There are Any Adverse Effects**





*Some cell towers have equipment mounted to the pole.*

Wireless carriers are required to list all the adverse effects an antenna might have in a certain location, including negative aesthetic and visual effects, effects on neighboring homes or buildings, etc. Neighbors cannot claim that health impacts are a possible adverse effect, because the Telecommunications Act of 1996 preempts health from being a concern. (But if the health impacts of cell towers *do* concern you, don't give up, there are organizations that you can join to help create change on the Federal level.)

If there are enough adverse effects in a particular location, it might be reason enough to have the antenna located elsewhere. The Irvington neighbors hired an independent arborist who showed that many trees located around NE Stanton and NE 22nd would die because of equipment Clearwire would have installed in the ground. "It's important that the neighborhoods don't assume that any telecommunication company is going to look at all the adverse effects," Cole says.

#### **Ask if Alternative Sites Have Been Considered**



*Wireless carriers must prove there are no alternative locations to a proposed tower site.*

Wireless carriers are required to prove that there are no other places where the tower can be located. They don't always do this as completely as they should, and it is possible that there is a commercial or industrial area nearby, or a less residential area, that could be proposed as an alternative location by neighbors. RespectPDX recommends that neighbors do not suggest the alternative sites themselves, because it takes responsibility away

from the carrier, and may pit neighbors against each other.

But Dan Kearns, the city attorney for Mosier, worked in 2007 to stop a tower from being located in the town, considers this one of the strongest tools neighbors may have in their tool belt. "It would give them some argument or some protection for residential zones," Kearns says. "I think that neighborhood associations should get together and advocate [that] any cell tower proposed in a residential zone is subject to an alternative sites analysis."

### **Live in a Historic Neighborhood? Get SHPO Involved**



*Kirk Ranzetta at the proposed location of the cell tower he helped stop in Irvington. Photo: ©Heather Zinger.*

Neighborhoods listed as historic districts by the National Historic Preservation Act may have more protections against a cell tower than non-historic neighborhoods. A tower cannot be placed in a historic neighborhood if it can be demonstrated that the tower negatively affects the neighborhood's historic quality. The Irvington neighborhood was [designated a historic district](#) last year, and Kirk Ranzetta helped the neighbors appeal the issue to Oregon's State Historic Preservation Office (SHPO).

Ranzetta says wireless companies are required to file an application with SHPO, and SHPO has to agree that the neighborhood will not be adversely affected. "The applications are not always full or not always as accurate as they probably should be," Ranzetta says. Neighbors can then file a notice of objection to the Federal Communications Commission (FCC). "It's a little bit more of a legal challenge," Ranzetta says, and the FCC is legally required to respond to the objection.

### **Become a Consulting Party**

People with a demonstrated interest in the process can become consulting parties to the application to site a tower. Individuals or organizations can be consulting parties. RespectPDX, the Irvington Community Association and the Northeast Coalition of Neighborhoods are consulting parties to the tower proposed in the Irvington area. Ranzetta says that the wireless carrier and the FCC are required to share all the information related to a specific tower. "It forces everyone into a much more above table discussion," Ranzetta says.

### **Draw Out the Process**



Neighborhood Notes  
*A prolonged fight can encourage the wireless vendor to choose a different site.  
Photo: ©Heather Zinger.*

By becoming involved and active, neighbors can draw out the amount of time it takes for a wireless company to site a tower. Kearns says the companies "want them up and sited and operating quickly."

"The carriers will generally flip to another site if they run into any other site that promises to drag out," Kearns says.

**UPDATE 3/7/11:** ["Clearwire withdraws controversial cell tower applications after Northeast Portland neighbors and others push back"](#)  
by Larry Bingham, The Oregonian

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