

WCF Issue List  
Last updated 4/7/2014

	Date	Issue	Policy/Master Plan Implication	Ordinance Implication
1	2/26/14	The PC noted the organization of the tower information in the MP needs to be improved to make it more readable.	Staff is developing a spreadsheet matrix. A draft has been reviewed by the PC and will be completed prior to adoption of the MP. The tower/site inventory has been developed and is available on-line.	None.
2	2/26/14	The PC raised concerns over health issues were raised. The PC asked staff to review federal law and determine what impacts local government can have over radio frequency levels when adopting a WCF ordinance.	Section 332(c)(7)(B)(iv) of the Federal Communications Act of 1996 limits the ability of local governments to "regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions...". In 2009 and 2011 memos to CDD, CBJ Law noted regulatory limitations and specifically noted that the federal law prohibited using the health effects of radio frequency emissions as a regulating factor.	See policy discussion.
3	2/26/14	The PC wanted to ensure that the telecommunications industry had input into the master plan and ordinance.	Staff has had phone conversations with industry reps and know that they are following the process. Staff is also using a consultant who is familiar with the industry who helped draft the both the MP and the ordinance. Both will continue to be disseminated to those within the industry for review and comment. Most recently, on 4/3/14 staff met with a Verizon Executive Director for State Public Policy, and their Government Affairs Consultant. During that meeting both indicated support for the effort and appreciated staff's efforts to provide a balanced approach to the effort. Verizon's representative indicated he thought the approach was well developed and did a good job providing options for the industry to get fair treatment while also providing for community involvement and protection. He indicated he would do his best to get formal written comments to staff addressing both their concerns and their support for staff.	See policy discussion.
4	2/26/14	The PC indicated they would like to see what types of towers and equipment the industry typically uses.	Staff has asked CityScape to provide DAS language to the MP.	Equipment descriptions are more appropriate in the MP than the ordinance.
5	2/26/14	The PC asked staff for user identification for WCF arrays.	Staff will attempt to identify the owner of the towers as discussed in issue #1. However, this information may not be available in a complete and timely manner before the master plan is complete. Ultimately, tower and array users should not influence the development of policies.	As with policy/master plan implications, the owner of a particular tower or array should not matter for the ordinance. The ordinance will dictate regulation of the use. The regulations will not allow staff to discriminate between users or applicants.
6	2/26/14	The PC asked if the Telecommunication Act of 1996 still apply? Does the community want to embrace/fight the restrictions from the Act that limit how a community regulates WCF's?	It does. Changes to the act would require congressional action because it is a federal law. CBJ CDD is working with Law and CityScape to research how health issues can be addressed in this process.	The ordinance will reflect the policy decision made as part of the master plan and will reflect compliance with federal laws.
7	3/10/14	The assembly asked if there was an FCC emission cap?	The cap is enforced by the FCC under the Telecommunication Act of 1996. This is addressed under pages 5 and 6 of the draft master plan.	The draft ordinance includes submittal requirements for a radio frequency report for the consultant to review as part of permit review. Radio frequencies will be required to meet FCC standards. <u>The ordinance will need to include language that states "failure to meet FCC frequency standards will void all land use approvals and cessation of activities at the site required until such time as either a new permit is obtained or the transmissions are shown to be in compliance with the FCC standards." or some such.</u>

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8	3/10/14	The assembly asked to explore camouflaging towers and sites	The master plan anticipates requiring camouflage for new towers. Staff will include camouflage as a factor when considering whether new towers are in harmony with the neighborhood.	The ordinance will reflect the policy decision made as part of the MP and will reflect camouflage as a harmony factor.
9	3/11/14	The PC asked if the MP and ordinance unique to Juneau? Or is it typical language from the consultant?	Yes and no. There are chapters in the MP that are generic while others are going to be specific to Juneau. For example, Chapter 1 will reflect the CBJ comprehensive plan, while Chapter 4 reflects the specific tower inventory for the CBJ.	The ordinance will address the specific policies reflected in the MP as adopted for Juneau. The ordinance will be unique to Juneau but will address issues that are universal to the WCF industry (like height, lighting, camouflage, etc.)
10	3/10/14	The assembly expressed a preference to not see towers in residential neighborhoods and near schools.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
11	3/10/14	What notification considerations will be given to new towers? Notification standards should be increased.	Increasing notice is a policy decision and language can be added if the PC or assembly requests it. Staff has prepared a quick hypothetical analysis for how many mailed notices could occur for notice to all owners within 500-feet, a half-mile, and a mile radius from a project.	Notification standards can be addressed with ordinance language. Existing Notice: 500 ft. to adjacent neighbors + Newspaper + Sign. Should the PC or assembly want to change the mailing distance policy, staff can suggest wording as necessary.
12	3/11/14	Comp Plan Standard Operating Procedures are missing from the MP. Staff identified SOP's 1, 3, 4, and 5 are missing.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
13	3/11/14	PC - Safety due to environmental considerations - several comments were aimed towards making sure that WCF structures could withstand the rigors of AK weather.	The master plan includes policies for Public Health & Safety (#1 and #2).	WCFs will need to have building permit review and submittal requirements include documentation for ensuring the safety of the structure. Additional regulation seem unwarranted given the proposed ordinance language.
14	3/11/14	PC regarding FCC licenses. How will CBJ be sure that facilities operate within FCC Standards?	A strong policy statement which states CBJs desire for all WCFs comply with FCC standards is warranted if desired. Staff will draft a policy if requested.	ADDITIONAL WORK NEEDED - NOT FINISHED
15	3/11/14	PC noted that public input into the MP and ordinance were an important issue. The PC requested that we provide as much opportunity to comment as possible.	Staff has noted this request and agrees that it is important. Comments have been solicited and submitted throughout the planning process.	Staff has noted this request and agrees that it is important. Comments have been solicited and submitted throughout the planning process.
16	3/11/14	PC members wanted staff to determine location controls that would allow the PC to influence where WCFs are placed within the community.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
17	3/11/14	PC members asked staff to try to clearly articulate standards.	Not a MP issue.	Where staff makes recommendations, each recommendation will include language that should address that issue. Should the suggested language be included by the PC or Assembly, the ordinance will updated to include the language where it best fits in the final ordinance version.
18	3/11/14	The PC noted that the "rim shot" option was raised as a desirable option for controlling locations.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
19	3/11/14	The PC requested a matrix for what local agencies can and cannot regulate.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
20	3/11/14	The PC requested a "plain language" version of the ordinance if possible.	Not a MP issue.	Simplify wording where needed. However, a plain language of the ordinance would not be able to be completed while still meeting the adoption deadline.
21	3/11/14	PC - Pre and post project monitoring of radio frequencies was requested to be required in the ordinance.	See responses for #2 and #7.	See responses for #2 and #7.
22	3/11/14	The PC asked what will happen when it is found a tower or facility is found to not be in compliance with their FCC or local permit?	Not a MP issue.	Staff would report it to the FCC to investigate.

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23	3/11/14	Staff was asked by the PC to provide an expert opinion for how WCFs affect property values.	Requiring an appraisal as part of the submittal is a policy decision. The proposed code says the CDD Director can request "(4) Other items deemed by the Director to be relevant in determining whether a proposed WCF complies with Title 49." But, and appraisal might require technical abilities not currently available at the CBJ. So third party review would be required to implement this policy. Staff would like the cost for this review to be passed on to the applicant and not the responsibility of the CBJ. Also, appraisers are in short supply so this work would have to be shipped to the third party who might be outside SE Alaska (like in Anchorage or in Washington for example). Would this be required for collocations? or just new towers?	If the policy is to require appraisals the ordinance would need the following language for required submittals: <u>"Documentation from a qualified appraiser, analyzing the proposed project's impact on property values;" this language may need work...</u>
24	3/11/14	What will happen when a tower is taken out of service? The PC would like to see something added requiring the removal of structures which are no longer in use.	MP addition <u>"Towers and structures which are no longer in use should be removed. Towers that are unused for more than a total of 12 consecutive months shall be removed."</u>	Ordinance addition to the language already proposed in the ordinance. <u>"WCF towers and structures should be removed within 180 days of cessation of use. Failure to remove such towers or structures will result in code enforcement action by the department, by any means necessary, up to and including through fines and liens against the property on which the tower and/or structure is located."</u>
25	3/10/14	The assembly asked staff to please clarify the FAA and FCC lighting standards.	FAA Advisory Circular (AC) AC 70/7460-1K is the AC for Obstruction Marking and Lighting. Staff will discuss this issue in it's staff report.	FAA Advisory Circular (AC) AC 70/7460-1K is the AC for Obstruction Marking and Lighting. Staff will discuss this issue in it's staff report.
26	3/10/14	The assembly asked staff to please clarify when painting and striping is required by the FAA.	FAA Advisory Circular (AC) AC 70/7460-1K is the AC for Obstruction Marking and Lighting. Staff will discuss this issue in it's staff report.	FAA Advisory Circular (AC) AC 70/7460-1K is the AC for Obstruction Marking and Lighting. Staff will discuss this issue in it's staff report.
27	3/10/14	The assembly asked staff to clarify, what is neighborhood harmony? (Page 7 of the MP)	Used Surveys to define what is harmonious.	Used Surveys to define what is harmonious
28	3/10/14	The assembly asked staff to clarify how will the protection of the natural environment be addressed? (Page 6 of the MP)	CBJ code, as well as state and federal agency reviews already address developments that might occur within critical areas like wetlands, riparian corridors, or near eagle nests. Additional regulations or policies are not generally warranted for WCFs with the possible exceptions for migratory bird impacts. Staff reviewed the August 2000 USF&W guidelines for bird strikes from towers. These guidelines have been on the WCF website for review. The staff report will discuss recommendations for both the inclusion of policies regarding bird strikes, and for not including the policies.	<u>Should policies regarding migratory bird concerns be included in the MP, staff suggests that ordinance include the following language: "New towers with guy wires are prohibited unless the applicant can show why the tower requires guy wires, and, that the proposed tower can be found substantially consistent with the US Department of Interior, Fish and Wildlife Service Service Guidelines for Siting, Construction, Operations, and Decommissioning of Communications Towers, dated August 2000."</u> This language would allow applicants to avoid the issue by designing their proposal in a manner that avoids the use of guy wires, which are the primary concern outlined for migratory birds. It also allows for applicants who must include guy wires in their proposal, the opportunity to argue their circumstances before the PC as part of their CUP process.
29	3/12/14	A citizen submitted a comment regarding local authority to regulate WCF's. Specifically he encourages CBJ to regulate lighting and the prohibition of lit towers in residential zones. He suggests shorter towers are a viable way to avoid lights, even if it means more towers would result.	See response for #25.	See response for #25.
30	3/20/14	Public: Cell towers should not be in the flight pattern if they impose a risk to aviation-not even with lighting	See response for #25.	See response for #25.
31	3/20/14	Public: Notification balloons should be used to provide better notice to those who will see the cell tower.	See response for #11.	Currently in draft Ordinance

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32	3/20/14	Public: There needs to be recourse and/or dispute resolution when the public broadly objects to a permit.	Public may appeal decision (in code)	Public may appeal decision (in code)
33	3/20/14	Public: Public notice for cell towers must be much more widespread and over a longer period of time to allow adequate public participation.	See response for #11.	See response for #11.
34	3/20/14	Public: The application must be accurate regarding the height, placement, lighting, emissions, etc.	Not a MP issue.	Application reviews for fully completeness are a procedural and process issue, not a regulatory one.
35	3/20/14	Public: Emissions must be "independently" verified and monitored on an accepted schedule.	See responses for #2 and #7	See responses for #2 and #7
36	3/20/14	Public: Impact on the neighborhood values, character, and public comment must be heavily weighted when considering tower permits.	See response for #27.	See response for #27.
37	3/20/14	Public: Before the moratorium is lifted, current cell towers must be certified at safe levels of emissions and be required to be in conformity or be de-commissioned.	See responses for #2 and #7	See responses for #2 and #7
38	3/20/14	Public: Electromagnetic radiation effects are cumulative. What standard of personal and community exposure is "acceptable"?	See responses for #2 and #7	See responses for #2 and #7
39	3/20/14	Public: Any application for a cell tower permit should result in advance notification to all affected neighbors, not just those within a set number of feet of the tower. Especially when a tower is located on an island or near water, the impacts on those directly across the water need to be taken into account, even when they are at a greater distance.	See response for #11.	See response for #11.
40	3/20/14	Public: Notice should include notice to all neighborhood associations as well as through newspaper publications and posting on area facilities.	See response for #11.	See response for #11.
41	3/20/14	Public: Applications should be complete and fully describe all aspects of the proposal, including lighting levels; the applicant should not be allowed to change any features of the construction after the permit is issued. An applicant or user that builds a tower out of compliance with a permit should be subject to a penalty, including up to removal of the tower.	Not a MP issue.	See response for #34.
42	3/20/14	Public: Anticipated levels of radiation should be determined by a qualified engineer and be set out in the application and the notice.	See responses for #2 and #7.	See responses for #2 and #7.
43	3/20/14	Public: The application should fully describe the proposed lighting and painting.	See response for #34.	See response for #34.
44	3/20/14	Public: During the notice period, the applicant should do a "balloon test" in which a sizable balloon is sent up at the site to the level of the top of the planner tower, so neighbors can assess what it will look like; neighbors should be given advanced notice of the test by direct contacts.	See response for #11.	See response for #11.

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45	3/20/14	Public: Before an application is ruled on, the applicant should conduct a neighborhood impact study that assesses the complete impacts on all neighbors, and should include address all concerns of the FCC and other requirements of the law, including impact analysis under the National Environmental Policy Act. The impact study should include an analysis of how water will affect lighting and radiation as received or perceived by neighbors.	See responses for #2, #7 and #27.	See responses for #2, #7 and #27.
46	3/20/14	Public: The neighborhood impact study should include an assessment of the impact on view sheds and on areas used for tourism and for recreation, including scenic corridors.	See # 45	See # 45
47	3/20/14	Public: Each application should include a wildlife impact study that assesses impacts on wildlife, including migratory birds, and proposes complete mitigation measures. No towers should be allowed in areas important for bird migration or nesting.	See response for #28.	See response for #28.
48	3/20/14	Public: The proposed ordinance should include a ban on construction of cell towers on or within half a mile of the Mendenhall wildlife refuge and any other area considered critical wildlife habitat or important recreational areas by any federal, state, or local agency.	See response for #28.	See response for #28.
49	3/20/14	Public: All applicants for cell towers should be required to collocate on existing towers before applying for construction or use of a new towers.	Requiring collocation would be a difficult policy to enforce. It would assume that all service areas are equal and doesn't account for technical needs. Policies already strongly support collocation and the ordinance reflects this policy.	The proposed ordinance includes language for new towers that requires information be submitted that shows there is a compelling reason why collocation was explored but was not found to be a viable alternative. Staff feels this issue is adequately addressed.
50	3/20/14	Public: All towers shall demonstrate design by a qualified engineer that protects the structural integrity of the tower from winds and avalanches prevalent in the Borough.	See the response for #13.	See the response for #13.
51	3/20/14	Public: All towers shall be constructed with the maximum amount of designed mitigation against impacts on neighbors, including shielding neighbors from lights by using only upward-shining lights.	Lighting is an issue addressed by the FAA advisory circular and the FCC and FAA consult when reviewing FCC applications. The PC and assembly will be asked to determine whether lighting should have a policy and regulations placed in the ordinance.	See policy discussion.
52	3/20/14	Public: No towers should be constructed in aircraft flight patterns, approach paths, or commonly used flight areas.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
53	3/20/14	Public: No CBJ permit shall be issued unless the applicant demonstrates compliance with all FCC and other federal requirements.	Not a MP issue.	See response for #22.
54	3/20/14	Public: Any permit shall require a qualified technician to assess radiation levels at regular intervals no greater than one month, with the results available to the public and posted on the CBJ website.	Not a MP issue.	ADDITIONAL WORK NEEDED - NOT FINISHED

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55	3/20/14	Public: All permit applications shall, upon application from neighbors, be subject to mediation at the expense of the application in order to resolve neighbor disputes before formal consideration of the permit.	Not a MP issue.	Mediation is not binding so it can't be assumed that all issues would be settled. Would failure to reach a mediated settlement prior to application be grounds for an appeal? CBJ is the review authority and it cannot delegate that authority to a mediator. CDD has an application and appeal process in place. Requiring mediation before problem is identified would be difficult to enforce for staff accepting the application at the counter. How would applicant's prove they engaged in mediation? Neighbor issues may not be legal or enforceable so how would the CBJ land use review process handle mediation agreements they have no authority to enforce? Staff strongly recommends that this idea not be added to the MP or ordinance.
56	3/20/14	Public: All tower permits should require a bond for removal costs and shall not be permitted for any period that exceeds what an engineer estimate to be the useful life of the technology that requires a tower of that design and location.	Bonding would be a policy choice. Staff is concerned about the needed staff/process continuity needed to maintaining bonds for long periods (30 years?). Staff changes. Bonding institutions close. Bond premiums don't get paid. In addition, the cost to an applicant would be considerable. It would mean that applicants not only need to come up with construction funding, but it frontloads deconstruction costs as well. In addition, a bond is a form of financial guarantee to ensure an action happens (like tower removal). Bonds would tie up a large sum of money and after many years of inflation (say 30?) the amount of the bond would likely be too little for the CBJ to actually get the work done. So in theory, unless the bond is for 4x to 8x deconstruction costs, it could simply serve to cause applicants to walk away because the money they would get back from the bond...would be less than what they need to take the facility down. Staff strongly advocates that bonding for removal not be required. Staff would prefer to use existing tools, like code enforcement and the proposed ordinance language, to facilitate the removal of unused or abandoned facilities. Adding bonding and demolition project management workload would not be a desired outcome from the WCF planning process.	See policy discussion.
57	3/20/14	Public: Protect the Mendenhall Wetlands Complex (since some of the privately-owned lands also get lots of bird activity), including Fish Creek area by setting a buffer of 200 feet from boundaries. And protect the Eagle Beach State Recreation area (buffer of 500 feet around it), and the Boy Scout Camp, Berners Bay- specifically the coastal meadows at the mouth of Lace and Antler River, and the mouth of Cowee Creek.	See response for #28.	See response for #28.
58	3/20/14	Public: To avoid interfering with migrating hawks (they fly along the tippy tops of alpine peaks, especially during high wind periods. Placing towers closer to the tree line would be safer.	See response for #28.	See response for #28.
59	3/20/14	Public: Place towers near trees and away from coastal or alpine meadows to protect resident and migrating birds.	See response for #28.	See response for #28.

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60	3/20/14	Public: No lights is best, and in some cases it looks like towers under 199 feet could get away with being unlighted. If they must be lighted, then a minimum number of white lights with a minimum number of flashes (maximum pause between flashes) allowed by FAA.	See response for #25.	See response for #25.
61	3/20/14	Public: Thin guy lines should be avoided, and if they must be guyed out, then they should be marked with wavy flagging type or something to make them more visible to birds.	See response for #28.	See response for #28.
62	3/25/14	PC: What is worst for bird strike: wired telephone wires or towers?	See response for #28.	See response for #28.
63	3/25/14	PC: Add Preserve Public Health & Safety under Purpose & Intent; Address RF Emissions in regulation	The master plan includes policies for Public Health & Safety (#1 and #2).	See responses for #2 and #7.
64	3/25/14	PC: Affect to property value (add to purpose and intent)	See response for #23.	See response for #23.
65	3/25/14	PC: Under Abandonment: Who and what should be returned to natural state?	See response for #24.	See response for #24.
66	3/25/14	PC: Add under 49.65.900(b) Need to add: "...balances needs of industry, market.." in paragraph.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
67	3/25/14	PC: Add an "If, then..."statement for Preference List	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
68	3/25/14	PC: Add DAS, Rec. places in MP in Preference List	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
69	3/25/14	PC: Concealing language needs to very clear of what it needs to look like.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
70	3/25/14	PC: Are ex. Figures still used in Ordinances?	Not a MP issue.	At this point, the sample figures have not been created or selected. Text to replace the figures can easily be developed if directed or requested to do so.
71	3/25/14	PC: Can a light be incorporated w/ Balloon testing?	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
72	3/25/14	PC: Are all HAM radios exempt?	Not a MP issue.	The existing ordinance includes language for HAM exemptions. Final wording can be adjusted if necessary.
73	3/25/14	PC: Add public health a safety to Ordinance	The master plan includes policies for Public Health & Safety (#1 and #2).	See responses for #2 and #7.
74	3/25/14	PC: How is the presentation of the Ordinance an objective review?	Not a MP issue.	Staff is reviewing the issues that have been raised as part of the public process. Those issues include policy and regulatory areas. Staff is taking those issues and performing research as necessary, then applying their best professional judgment in how those issues can best be addressed by the WCF planning process. Where possible, staff is suggesting language that will provide predictability and clarity for all parties in the review process (i.e. applicants, consultants, neighbors, staff, PC members, and assembly members). This should allow for policy and regulatory decisions to be made during the planning process, that makes implication more efficient and effective.
75	3/25/14	PC: Missing piece of educating public for presentations and the implications to service.	Staff noted this comment and at the 3/27/14 public meeting did a much better job educating the public on the implications of the design and harmony issues being discussed. Attendees made note that things had a much better explanation the second time. Staff continues to try to clarify and educate citizens when any contact is made.	See policy discussion.
76	3/25/14	PC: How will the new Ordinance be incorporated in Title 49, TPU?	Not a MP issue.	The new ordinance will be section 49.65.900 of the CBJ.
77	3/25/14	PC: Affects to Property Value?	See response for #23.	See response for #23.

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78	3/25/14	PC: Example figures: narrative could be adequate	Not a MP issue.	At this point, the sample figures have not been created or selected. Text to replace the figures can easily be developed if directed or requested to do so.
79	3/25/14	PC: See how Table 1 can be put into TPU	Not a MP issue.	Staff will address this as part of the final adoption language.
80	3/25/14	PC: Do we need increase heights for roof-top/ attached WCF in Table 1	Not a MP issue.	Staff will make any specific change recommended by the PC or assembly.
81	3/25/14	PC: Do the carriers in town have a list of future WCF's for Juneau?	Unless a specific locational plan is adopted as part of the MP, staff has no way of knowing where future applications will be located.	Staff reviews applications which are submitted on a case-by-case basis. It has not way of predicting or requiring disclosure of future project sites.
82	3/25/14	PC: Does the FCC regulate/ monitor combine RF emissions from collocation (multi arrays)?	See responses for #2 and #7. ALSO 54	See responses for #2 and #7.
83	3/25/14	PC: Full cut-off lights should already be addressed in code. Remove from ordinance?	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
84	3/25/14	PC: Are high voltage utilities required to be sign in existing code? If yes, then remove from ordinance?	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
85	3/25/14	PC: Lights on towers: can these be shielded; why are some lit, flashing, others not?	See response for #25.	See response for #25.
86	3/25/14	PC: What is the threshold to screen accessory structures?	Not a MP issue.	Industry policy is to enclose ground equipment for security purposes. Any additional standards would be up to the regulations of each particular jurisdiction in which the facility is located or proposed.
87	3/25/14	PC: Noise per district?	Noise is a policy and regulatory decision that will have to be made. The survey results show that respondents prefer batteries as the quietest and most preferred option for being in harmony with the neighborhood. However, when it comes to using generators, survey results appeared to show that there was ambivalence about how the noise was controlled. It seemed a minor factor in harmony with the neighborhood. Also, back-up generators have minimal impact because of their infrequent and intermittent use.	See policy discussion.
88	3/25/14	PC: Define abandonment.	See response for #24.	See response for #24.
89	3/25/14	PC: Ensure consistent use of 'mile' and 'mile radius' when used in same context.	Not a MP issue.	For new tower submittals, all three subsections will be corrected to read " <b>mile radius</b> ".
90	3/25/14	PC: Strike out Middle Class or add excerpt	Staff was unsure what this statement was in reference to.	Staff was unsure what this statement was in reference to. Staff assumes the reference was added for legal reasons to ensure that the code recognizes the guiding statues.
91	3/25/14	PC: Add DAS to Master Plan	The request has gone to CityScape to include DAS in the MP.	Not an ordinance issue.
92	3/25/14	PC: Define DAS	The request has gone to CityScape to include DAS in the MP.	The most recent version of the ordinance include definitions for DAS.
93	3/25/14	PC: Are DAS defined and regulated by FAA?	Not a MP issue.	The FAA does not regulate WCF. The FCC does and DAS is simply a different kind of WCF. Staff assumes this comment was in relation to facilities like towers which have a height component. The FAA does have standards for lighting and marking structures when deemed necessary. Lighting is addressed in the response for #27.
94	3/25/14	PC: How does Assembly feel about length of Ordinance?	Not a MP issue.	Ordinance length could change over time and will be dictated by what the PC and assembly choose to add or remove from the ordinance. Staff will respond to those requests and motions as they occur.
95	3/20/14	How does collocation change the volume of electromagnetic radiation?	See responses for #2 and #7.	See responses for #2 and #7.



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96	3/20/14	Service must be provided without dead zones and with 4G service.	The MP will not trigger additional service demand or provision.	Same applies for the ordinance.
97	3/20/14	Collocation should be capped at the total FCC emission level. If collocation occurs and the tower is camouflaged there must be signage alerting the public that there is cell tower location at that site.	See responses for #2 and #7.	See responses for #2 and #7.
98	3/20/14	Public notification. The public must be alerted when cell towers are camouflaged.	Increasing notice is a policy decision and language can be added if the PC or assembly requests it. Staff has prepared a quick hypothetical analysis for how many mailed notices could occur for notice to all owners within 500-feet, a half-mile, and a mile radius from a project.	See policy discussion.
99	3/20/14	Signage. Caution public notice of equipment.	See response for #84.	See response for #84.
100	3/20/14	No cell towers in any scenic corridors or view sheds. No exceptions.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
101	3/20/14	Cell tower antenna should not be placed on buildings where many people work or congregate.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
102	3/20/14	Camouflage depends upon where towers are located. In industrial areas, towers may not need to blend in. In neighborhoods or view sheds then camouflage needs to be required.	See response for #8.	See response for #8.
103	3/20/14	Screening ground equipment depends on the location. In areas where security is an concern then enclose is one type. When in a neighborhood or view area then all options should be considered.	Security fencing is required for high voltage electrical infrastructure (which most WCFs are not) but the industry standard is to include security fencing. There is a policy in the MP for projects to be in harmony with the neighborhood (policy 4).	Existing CBJ code for conditional use permits review a projects design for harmony with the neighborhood. Applicant can ground equipment screening as an option to be in harmony with a neighborhood.
104	3/20/14	Most of Juneau is a view shed. Must consider neighborhoods with views. I live on a road "out the road" with a phenomenal view. I am not on the water but have a water view. A tower would be a major problem with value of property and livability.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
105	3/20/14	Tower types depends upon location. They should be least disruptive to area.	See responses for #2, #7 and #27.	See responses for #2, #7 and #27.
106	3/20/14	Screening lights should be 360-degree 3/4 the way up the light zone so that light goes up and out.	See response for #25.	See response for #25.
107	3/20/14	It is unconscionable to locate more towers in flight paths, especially because then they necessarily are and must be lighted, thereby negating viable public input on mitigating the intrusive effects of lighting. Add the option to the survey to gather realistic and usable data from the public. Also, please look into the shield or "baffle" mitigation measure for the Spuhn Island tower that would mitigate us North Douglas islanders from this light.	See response for #25.	See response for #25.
108	3/20/14	Signage indicating ownership, both lessee and property owner, and indication of danger.	Typically, property or business ownership is not a normally required item for policy and regulatory efforts. Properties and business are privately held and not subject to public disclosure laws like public entities are. This present a possible legal issue. CBJ Law has been asked if this is even legal.	See policy discussion.

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109	3/20/14	To equate the quality of North Douglas coastal scenic view shed with the much more developed view sheds such as Lemon Creek or even Fish Creek Road is ludicrous.	No action necessary.	No action necessary.
110	3/20/14	Locating a tower amidst the trees on a hilltop and then finding if needs FAA lighting required. Big mistake. Makes the trees moot.	See response for #25.	See response for #25.
111	3/20/14	Camouflage towers should be required in the view shed.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
112	3/20/14	Balloon and light test should be used so no one gets blindsided.	Not a MP issue.	Already in the draft ordinance.
113	3/20/14	Camouflaged towers look silly and stand out.	Deciding to include camouflage is a policy and regulatory decision. Staff would hope that applicants will choose an appropriate method for camouflaging their facility. If they do not, the conditional use permit should allow the CBJ to evaluation the merits of the design proposed.	See policy discussion.
114	3/20/14	Guy wired towers kill migrating birds at night. The USF&WL guidelines for cell towers should be used.	See response for #28.	See response for #28.
115	3/20/14	Birds get messed up with light at night when they migrate.	See response for #28.	See response for #28.
116	3/20/14	Overall preference is "don't light this thing!" But these towers should not be in air traffic patterns. Doesn't this seem like a "duh!"	See response for #25.	See response for #25.
117	3/20/14	Lighting is important for airplane safety.	See response for #25.	See response for #25.
118	3/20/14	Lighting, if required by FAA, should be viewable by airplanes, not houses.	See response for #25.	See response for #25.
119	3/20/14	Tall towers along the hillsides and away from the populated areas are preferable to afford collocation and lower impact to view shed.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
120	3/20/14	More towers are preferred in populated areas with reduced EMF's.	No staff response necessary.	No staff response necessary.
121	3/20/14	No lighting when in prominent view shed. No towers in prominent view sheds. Avoid all view shed corridors including the viewed area, not just the viewers standing place.	Lighting is an issue addressed by the FAA advisory circular and the FCC and FAA consult when reviewing FCC applications. The PC and assembly will be asked to determine whether lighting should have a policy and regulations placed in the ordinance.	See policy discussion.
122	3/20/14	Only the minimum lighting required by FAA. Explore shielding light below a certain plane thus allowing light specifically for aircraft.	See response for #25.	See response for #25.
123	3/20/14	Noise standards should follow the same criteria for generators supporting other facilities.	Not a MP issue.	This is correct. They will.
124	3/20/14	If a tower were on a mountainside then it should not be lighted.	See response for #25.	See response for #25.
125	3/20/14	Juneau should be protected from excessive cell tower populations. The MP should stipulate minimum additional towers or maintain the current number of towers.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
126	3/20/14	Location should be what works best for the need.	No staff response necessary.	No staff response necessary.
127	3/20/14	Cell towers should not be permitted in flight paths.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
128	3/20/14	Towers should not be permitted in view sheds. Protect what is being seen.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED

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129	3/20/14	Towers should not be permitted on islands unless they can't be seen.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
130	3/20/14	Towers need to be strong enough for anticipated winds and earthquakes.	See the response for #13.	See the response for #13.
131	3/20/14	Noise is not good in residential areas.	See response for #87.	See response for #87.
132	3/20/14	Setbacks must also consider situation where tower is on island or water edge and distant shores is interpreted as if it were next door.	ADDITIONAL WORK NEEDED - NOT FINISHED	ADDITIONAL WORK NEEDED - NOT FINISHED
133	3/20/14	Collocation is reasonable where towers in sparsely populated/remote areas with intention of minimizing EMF in populated areas.	Collocation is a stated policy of the MP. The health issues are not something that the CBJ can address as part of this planning process.	See policy discussion.
134	3/20/14	Vegetative appearance is more obvious than bare towers, thus observable.	No staff response necessary.	No staff response necessary.
135	3/20/14	Screening ground equipment really depends on the amount of equipment. In some cases the enclosures are not much larger than electrical transformers which are not screened.	Not a MP issue.	Industry policy is to enclose ground equipment for security purposes. Any additional standards would be up to the regulations of each particular jurisdiction in which the facility is located or proposed.
136	3/20/14	N/A	Intentionally left blank	Intentionally left blank
137	3/20/14	Towers are ugly so they should be camouflaged where they can.	Camouflage is one method that a company can use to design their project so it is in harmony with the neighborhood. There are already policies for this in the MP.	Existing CBJ code for conditional use permits review a projects design for harmony with the neighborhood. The proposed ordinance offers camouflage as an option under the definition of concealment. As currently structured, the ordinance would highly prefer concealed structures in its list of location preferences. If concealment and/or camouflage is required, language can be added.
138	3/20/14	There is a presumption that more collocations can be placed on a lattice tower. If that means fewer towers, then I'm for it.	No staff response necessary.	No staff response necessary.
139	3/20/14	Tower type must look to 1) visibility of neighbors and 2) bird obstruction. (What if eagles nest on a lattice tower? What would owner do?)	See various responses above.	Eagle nest removal would require review by a federal agency. Staff recommends that no additional local regulations be adopted as part of the WCF planning process.
140	3/20/14	What about moderate heights so there is an increase in coverage but less objectionable lighting?	In relation to the survey, short, medium, and tall are not defined. They are expressed as an idea to illustrate a type of tower. What could be considered tall on a flat open lot, might not be characterized as tall when at a hillside or remote location. But the commenter does recognize that height and lighting are connected. FAA standards typically start at 200-feet unless there are extenuating conditions.	See policy discussion.
141	3/20/14	Height is a function needed to provide service without dead zones.	No staff response necessary.	No staff response necessary.
142	3/20/14	The survey (master plan and ordinance) is limited and presumes that more harmful cell towers are needed just because someone says they are.	The survey was a tool to help staff gauge what citizens would prefer to see in WCF designs, in order to make them more in harmony with their neighborhood. There were no assumptions made about the need for more towers. Only an assumption that the PM and ordinance would need to be able to guide the review of future applications.	See policy discussion.
143	3/20/14	What is the impetus behind "the rush" to build cell towers?	Staff assumes that cell towers are built based upon customer demand and current service capacity issues encountered by each carrier company.	See policy discussion.
144	3/20/14	If some (towers are needed) keep them away from residences and keep these contained in buildings.	See responses for #10.	See responses for #10.

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145	3/20/14	The CBJ should stop "the rush" on adding cell towers by not permitting them. Do you realize they receive economic payments for placement on their property? Deter this growth.	CBJ is obligated to review applications against the codes that are adopted. The number of permits submitted are dictated by the individual choices of each potential applicant and can't be influenced by staff. Whether there is financial gain by the applicant cannot be factored into the review process as currently proposed. This is unlikely to change unless given specific instruction to do so by the PC or assembly.	See policy discussion.
146	3/27/14	Collocation is good to reduce footprint. However, building occupants may not want a tower so close to them. There are still unanswered safety questions regarding waves, plus the known issues of heat/noise/fire danger/tower falling etc.	Collocation is a stated policy of the MP. The health issues are not something that the CBJ can address as part of this planning process.	See policy discussion.
147	3/27/14	Blending with the existing environment is good but we need to know where the towers are via an easily accessible on-line map. (Sure put a tower on a building as long as it is not on top of or near to where I live or work.	There is a map of known WCFs in the MP. Also see response for #137.	This is not an ordinance issue. Staff will have the list of towers developed using the MP map. New projects will be tracked in the CBJ permit tracking software (Govern).Also see response for #137.
148	3/27/14	Consult best available science to make any lighting less hazardous to: 1) birds; 2) bats; and 3) human sleep patterns.	See response for #28. Though human health impacts from lighting is not addressed. Only safety ones.	See response for #28. Though human health impacts from lighting is not addressed. Only safety ones.
149	3/27/14	Towers should not be anywhere near Mendenhall glacier, on any island, alpine mountain top, or coastal meadow.	See response for #10.	See response for #10.
150	3/27/14	Who would want a loud tower in their neighborhood? Any time noise happens next to or on the water, it carries much further than on land. Also, sound travels really well up steep hills.	See response for #87.	See response for #87.
151	3/27/14	Towers that are lower are preferred because over 200 feet, the FAA will want lighting. In most situations a shorter tower is likely less hazardous to migrating hawks.	See responses for #25 and #28.	See responses for #25 and #28.
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