

CAPTIONING
APRIL 12, 2011
CELLULAR COMMUNICATIONS ADVISORY COMMITTEE

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***that did not translate.**

>>NAVITA CUMMINGS JAMES: GOOD EVENING, EVERYONE, AND
WELCOME TO THE SECOND MEETING OF THE CELLULAR
COMMUNICATIONS ADVISORY COMMITTEE MEETING.

AS YOU -- AS SOME OF YOU MAY KNOW, WE ARE NOW BEING
TELEVISED LIVE.

WE ARE STREAMING ON HTV.

FOR YOUR INFORMATION, IT IS ON 622 BRIGHT HOUSE AND ON
CHANNEL 22 VERIZON FIOS.

WE ARE ALSO CAPTIONING THIS DISCUSSION, AND AUDIO -- AUDIO
RECORDS ARE BEING KEPT, AND IN FACT, THE CAPTIONING AND
AUDIO WILL BE AVAILABLE ON THE WEB SITE.

SO BE ADVISED WE ARE LIVE.

SO AGAIN, WELCOME, EVERYONE.

WE HAVE BEFORE YOU COPIES OF THE APPROVAL OF THE MARCH 8th
MINUTES WHICH WERE AVAILABLE ON THE WEB SITE, SO WE WOULD
LIKE TO ASK FOR YOUR APPROVAL OF THOSE MINUTES.

SO IS THERE A MOTION TO APPROVE THE MINUTES?

>> SO MOVE.

>>NAVITA CUMMINGS JAMES: IS THERE A SECOND TO APPROVE?

>> SECOND.

>>NAVITA CUMMINGS JAMES: AND ARE THERE ANY ADDITIONS,

CORRECTIONS, DELETIONS?

DO YOU NEED A MINUTE TO LOOK OVER THEM?

>>DAVID PAYNE: ANY DISCUSSION?

>>NAVITA CUMMINGS JAMES: HEARING NO DISCUSSION, ALL THOSE IN FAVOR OF THE MINUTES AS PRESENTED PLEASE SIGNIFY BY SAYING AYE.

[CHORUS OF AYES]

THOSE OPPOSED.

THE MINUTES ARE APPROVED.

THE NEXT THING THAT WE WOULD ASK YOUR APPROVAL OF IS THE AGENDA FOR TONIGHT'S MEETING, AND YOU SHOULD HAVE A COPY OF THAT BEFORE YOU.

AND I BELIEVE YOU DID RECEIVE A COPY OF THIS IN ADVANCE, AND SO IS THERE A MOTION TO ACCEPT THE AGENDA AS PRESENTED?

>> I WOULD LIKE TO SEE IF WE COULD ADD ONE SMALL PIECE.

>>NAVITA CUMMINGS JAMES: IF I COULD HAVE A MOTION AND THEN HAVE DISCUSSION.

>> SO MOVE.

>>NAVITA CUMMINGS JAMES: OKAY.

IS THERE A SECOND TO ACCEPT THE AGENDA AS PRESENTED?

>> I SECOND IT.

>>NAVITA CUMMINGS JAMES: OKAY.

NOW SECONDED.

YES, SIR.

>> [INAUDIBLE]

>>NAVITA CUMMINGS JAMES: AND PLEASE IDENTIFY YOURSELF.

>> SURE.

>>NAVITA CUMMINGS JAMES: WE HAVE REPORTERS THEY'D LIKE TO

KNOW WHO YOU ARE, AND THEY CAN'T ALWAYS SEE YOUR NAME.

>> SURE.

MIKE ROTHENBURG.

WE HAVE A FEW NEW MEMBERS ON THE COMMITTEE FROM -- WHO WEREN'T HERE PREVIOUSLY.

PERHAPS WE COULD GET A BRIEF INTRODUCTION.

>>NAVITA CUMMINGS JAMES: THAT IS PLANNED.

THAT IS PLANNED.

ALL RIGHT.

SO OTHER SUGGESTIONS FOR THE AGENDA?

THANK YOU FOR THAT.

ARE THERE OTHER SUGGESTIONS, AMENDMENTS?

HEARING NONE, ALL THOSE IN FAVOR OF THE AGENDA AS PRESENTED PLEASE SIGNIFY BY SAYING AYE.

[CHORUS OF AYES]

OPPOSED NO.

SO THE AGENDA IS ACCEPTED.

>>DAVID PAYNE: I DID WANT TO MAKE THE COMMENT THAT WE DISCUSSED, NAVITA, THAT THE LAST TWO ITEMS SEEM TO ME TO BE CRUCIAL THAT WE GET TO THOSE IN TERMS OF IDENTIFYING WHAT WE WANT TO DO WITH THE NEXT MEETING, SO IF WE GET TO 6:30 AND WE HAVE NOT YET ARRIVED THERE, I WOULD LIKE TO ASK AT THAT TIME THAT I INTRODUCE A MOTION TO MOVE AHEAD SO THAT WE CAN TALK ABOUT THE ISSUES THAT WE WANT TO TAKE UP AT THE NEXT MEETING, SO THAT'S -- I DON'T THINK IT REQUIRES ANY ACTION AT THIS MOMENT.

>>NAVITA CUMMINGS JAMES: SO WE DO HAVE AN IMPLICIT TIME AGENDA GOING ON HERE.

ALL RIGHT.

SO THAT IS FOR YOUR INFORMATION.

OKAY.

NEXT --

>> CAN I MAKE A SUGGESTION?

>>NAVITA CUMMINGS JAMES: YES, SIR.

>> MICHAEL BROOKS FOR THE RECORD.

NUMBER FOUR IS DISCUSSION/REVISION OF STATEMENT OF GOALS,
DOT, DOT, DOT, DOT, DOT.

I'M WONDERING IF -- JUST IN TERMS OF PRIORITIZING IF THAT
SHOULDN'T COME AFTER THE PRESENTATION JUST TO KEEP TIME
MOVING.

BUT LET'S NOT TAKE UP SO MUCH TIME THAT [INAUDIBLE]

>>DAVID PAYNE: WE WERE ACTUALLY CONCERNED ABOUT THE
OPPOSITE.

WE DISCUSSED THAT ISSUE, AND WE WERE CONCERNED THAT THE
PRESENTATIONS ABOUT THE ISSUES MIGHT RAISE ENOUGH
CONVERSATION THAT WE WOULD NEVER GET TO THAT STAGE OF
IDENTIFYING WHAT WE THINK HOPEFULLY ARE KIND OF PRO FORMA
AGREEMENTS IN THE DOCUMENT ABOUT THE STATEMENT OF GOALS AND
THE AREAS OF CONCERN, SO I DON'T KNOW THAT THE
PRESENTATIONS WILL CHANGE PEOPLE'S LEVEL OF INFORMATION TO
BE ABLE TO ACT ON THAT, SO THAT WAS THE RATIONALE FOR
PUTTING THIS FIRST.

DOES THAT MAKE SENSE?

>> OKAY.

>>NAVITA CUMMINGS JAMES: WE HAD ACTUALLY TALKED ABOUT
THAT.

WE HAD ACTUALLY TALKED ABOUT THAT.

SO THANK YOU.

ARE THERE OTHER SUGGESTIONS OR OTHER QUESTIONS?

OKAY.

NEXT IS WHERE WE'RE GOING TO INSERT THE RECOMMENDATION THAT -- THAT MICHAEL HAD ABOUT HAVING INTRODUCTIONS, AND I WILL LET YOU KNOW FROM THE FIRST MEETING WE DECIDED THAT WE WOULD HAVE AN INFORMAL WAY OF INTERACTING, SO FIRST NAMES ARE OKAY UNLESS SOMEONE HAS AN OBJECTION TO THAT, SO WE DO HAVE TWO -- AT LEAST TWO INDIVIDUALS WHO WERE NOT HERE AT THE LAST MEETING, AND WE WANTED TO HAVE AN OPPORTUNITY FOR THEM TO INTRODUCE THEMSELVES TO THE COMMITTEE.

BOTH OF THEM HAIL FROM USF, SO TOM ONE.

>> TOM ONE.

[LAUGHTER]

>> GOOD AFTERNOON.

GOOD EVENING.

I'M TOM MASON.

I'M PROFESSOR OF ENVIRONMENTAL AND OCCUPATIONAL HEALTH IN THE COLLEGE OF PUBLIC HEALTH.

I MOVED HERE FROM PHILADELPHIA IN 1993 WITH MY WIFE OF 37 YEARS.

I HAVE BEEN TEACHING FOR 40-PLUS.

MY AREA OF INTEREST IS REALLY IN VOLUNTARY ENVIRONMENTAL EXPOSURES THAT RESULT IN ILLNESS.

I WAS AT THE NATIONAL CANCER INSTITUTE FOR APPROXIMATELY 17 YEARS.

THEN I WAS ON FACULTY AT UNIVERSITY OF PENNSYLVANIA AND AT

THOMAS JEFFERSON, THE TWO OLDEST MEDICAL SCHOOLS IN THE UNITED STATES WHILE IN PHILADELPHIA, RELOCATED HERE.

I'M A CAREER OFFICER IN THE UNITED STATES PUBLIC HEALTH SERVICE.

I WAS ACTIVATED -- I WAS COMMISSIONED AT THE CDC BEFORE IT WAS CALLED THE CENTERS.

IT WAS THEN CALLED THE COMMUNICABLE DISEASE CENTER.

I HAD DARK HAIR AT THE TIME.

MY INTRODUCTION TO ENVIRONMENTAL HEALTH REALLY WAS AROUND AGRICULTURAL EXPOSURES.

I WAS ACTIVATED POST-9/11, AND I MOVED [INAUDIBLE] FROM THE NATIONAL CANCER INSTITUTE BACK TO ATLANTA TO THE CDC WHERE I SERVED FOR NINE CONSECUTIVE YEARS ADVISING THE DIRECTOR OF THE NATIONAL CENTER FOR ENVIRONMENTAL HEALTH.

AND I'M REALLY HAPPY TO JOIN YOU GUYS.

WE HAVE BEEN LIVING HERE FOR -- LIKE I SAID, SINCE 1993 AND HAVE BEEN ACTIVELY ENGAGED IN A NUMBER OF COMMUNITY AREAS AND ISSUES.

SO I'M HAPPY TO MEET YOU AND LOOKING FORWARD TO WORKING WITH YOU.

>>NAVITA CUMMINGS JAMES: AND WE'RE VERY GLAD TO HAVE YOU JOIN US TONIGHT.

>> THANK YOU.

>>NAVITA CUMMINGS JAMES: AND TOM TWO.

I'M SORRY I STARTED THAT WAY.

>> WELL, GOOD EVENING.

MY NAME IS TOM WELLER, AND I HAVE BEEN AT USF SINCE 1995.

I'M A PROFESSOR OF ELECTRICAL ENGINEERING, AND MY AREA OF

RESEARCH IS IN ELECTROMAGNETIC AND MICROWAVE DESIGN,
ANTENNAS AND THINGS OF THAT SORT.

I'M CURRENTLY THE ASSOCIATE DEAN OF RESEARCH IN THE COLLEGE
OF ENGINEERING AND WAS ASKED TO PARTICIPATE AS A NEUTRAL
OBSERVER, PARTICIPANT, AND THIS IS MY FIRST SUCH FORAY INTO
THIS TYPE OF COMMUNITY SERVICE, AND I LOOK FORWARD TO
PARTICIPATING.

>>NAVITA CUMMINGS JAMES: OKAY.

AND AGAIN, WE THANK YOU.

AND THEN I THINK WE HAVE ONE OTHER PERSON WHO IS JOINING US
FOR THE FIRST TIME.

YES.

>> I'M LEE VAUGHAN.

I LIVE NORTH SIDE OF TOWN.

I DO HAVE A BIT OF A PREPARED STATEMENT, SO I'D JUST LIKE
TO KIND OF PRESENT JUST A LITTLE BIT OF BACKGROUND
INFORMATION.

I LIVE AT 15408 WOODWAY DRIVE IN TAMPA, AND I RETIRED AFTER
27 YEARS IN THE COMMUNICATIONS FIELD IN THE AIR FORCE.

I SERVED AS AN ENLISTED MEMBER, MAINTAINING COMMUNICATIONS
EQUIPMENT.

I PLANNED INSTALLATIONS AND THEN INSTALLED AND MAINTAINED
THE SYSTEMS.

I DEPLOYED WITH SPECIAL OPERATIONS COMMAND FROM MacDILL TO
ESTABLISH COMMUNICATIONS IN HOSTILE ENEMY TERRITORIES.

I RETIRED AS DIRECTOR OF OPERATIONS FROM A COMMUNICATIONS
SQUADRON AT MacDILL, AND I UNDERSTAND TACTICAL, MOBILE
COMMUNICATIONS, AND I'VE GOT 27 YEARS OF EXPERIENCE IN THAT

AREA.

SINCE THE TIME -- I'M SORRY.

IN 2009 THERE WAS A CELL TOWER PLANNED AT BUCHANAN MIDDLE SCHOOL IN THE NORTH SIDE OF TOWN WHICH WAS ADJACENT TO MY HOME.

IN FACT, MY HOME WAS WITHIN THE FALL RADIUS OF TOWER HEIGHT.

MY WIFE AND I SPENT THOUSANDS OF DOLLARS OF OUR OWN MONEY DEFENDING OUR RIGHT TO ENJOY OUR HOME FREE OF HAZARDS OF FALLING TOWERS, TOWER DEBRIS, NOISE, AND OBSTRUCTION OF VIEW FROM THE CELL TOWER THAT WOULD HAVE BEEN BLOCKING AN ENTIRE BACK AREA OF OUR HOME.

MY INTEREST IN THE CELL TOWER ZONING ISSUES IS TO HELP ENSURE THAT CITIZENS OF HILLSBOROUGH COUNTY DON'T HAVE TO LIVE IN A -- IN THE SAME KIND OF FEARFUL SITUATION BY HAVING AN ENCROACHMENT UPON THE ENJOYMENT OF THEIR FREEDOMS.

I DON'T THINK THAT ANY PRIVATE CITIZEN SHOULD HAVE TO SPEND THEIR OWN PERSONAL DOLLARS, YOU KNOW, DOLLARS OF THEIR OWN MONEY TO DEFEND THEMSELVES LIKE MY WIFE AND I DID.

HILLSBOROUGH COUNTY ZONING AND PLACEMENT OF CELL TOWERS ON SCHOOL PROPERTIES AND OTHER COUNTY PROPERTIES IS -- IT'S NOT THE MOST RESTRICTED.

IN FACT, IT'S ONE OF THE MORE LAX ZONING WITHIN THE STATE OF FLORIDA AND WITHIN THE NATION, IN FACT.

IT ALSO INVITES INDUSTRY TO OBSTRUCT AND PUT PEOPLE AND PROPERTY IN DANGER, AND I DON'T THINK THAT SHOULD BE ALLOWED.

I'D LIKE TO SEE MORE FAIR AND EQUITABLE ZONING TO HELP PROTECT CITIZENS OF HILLSBOROUGH COUNTY.

>>NAVITA CUMMINGS JAMES: THANK YOU.

>> THANK YOU.

>>NAVITA CUMMINGS JAMES: THANK YOU.

IS THAT EVERYONE?

EVERYONE NOW HAS HAD AN OPPORTUNITY TO INTRODUCE HIM OR HERSELF TO THIS COMMITTEE, SO THANK YOU.

WE HAVE SOME INDIVIDUALS WHO ARE OBSERVING.

WOULD YOU MIND STANDING AND TELLING US WHO YOU ARE.

WE JUST NEED YOUR NAME AND WHO YOU ARE.

JUST WE WANT TO KNOW WHO'S IN THE ROOM WITH US.

>> I'M CATHY VALDES.

I'M FROM THE SCHOOL DISTRICT.

>>NAVITA CUMMINGS JAMES: THANK YOU.

>> AND I'M LORRAINE DUFFY SUAREZ.

I'M ALSO WITH THE SCHOOL DISTRICT.

>>NAVITA CUMMINGS JAMES: THANK YOU.

>> CYNTHIA SHELLABARGER WITH CULBREATH HEIGHTS CIVIC ASSOCIATION.

>>NAVITA CUMMINGS JAMES: ALL RIGHT.

THANK YOU.

AND THEN WE HAVE -- FOR THOSE OF YOU WHO ARE NEW, WE DO HAVE STAFF HERE AND WE DO HAVE OUR CONSULTANT, SO WHY DON'T YOU JUST GO AHEAD AND INTRODUCE YOURSELVES AS WELL.

>> MY NAME IS DAVE GILDERSLEEVE.

I'M FROM WADE TRIM.

WE'RE CONSULTANTS HERE IN TAMPA.

>>JOE MOREDA: HI.

I'M JOE MOREDA.

I'M WITH DEVELOPMENT SERVICES IN HILLSBOROUGH COUNTY, AND WE ARE [INAUDIBLE]

>>ADAM GORMLY: I'M ADAM GORMLY.

I'M WITH THE COUNTY ATTORNEY'S OFFICE.

>>NAVITA CUMMINGS JAMES: THANK YOU.

>>DAVID PAYNE: WELL, OUR FIRST ITEM OF BUSINESS IN -- THE NEXT ITEM OF BUSINESS, AT LEAST -- AND WE WANTED TO SORT OF FRAME -- WE PREPARED A DOCUMENT THAT WAS CIRCULATED TO THE COMMITTEE THAT PROPOSED A STATEMENT OF THE GENERAL GOALS, THE AREAS OF CONCERN, AND THE POSSIBLE OUTCOMES, AND THIS WAS DONE BASED UPON OUR CONVERSATION LAST TIME, THE KINDS OF CONCERNS THAT PEOPLE EXPRESSED, AND NOT TO BE PRESUMPTUOUS IN ANTICIPATING WHERE WE THOUGHT MOST OF THESE THINGS WERE GOING TO HEAD, BUT IN ORDER TO GIVE US SOME SORT OF GUIDELINE FOR DISCUSSION -- AND IT IS A DRAFT, IT IS A PROPOSAL, AND WE DO ANTICIPATE COMMENTARY, BUT TO AT LEAST ANCHOR SOME SORT OF A CONVERSATION THAT WE COULD, YOU KNOW, IDENTIFY A WAY TO PROCEED.

WE WERE CONCERNED ABOUT COMMITTEE FATIGUE IF WE SPENT AN ADDITIONAL MEETING SIMPLY AIRING GENERAL CONCERNS WITHOUT GETTING TO IDENTIFY WHAT WE WANT TO DO NEXT, SO THAT'S THE SPIRIT IN WHICH THIS WAS OFFERED.

SO WE THOUGHT THE LEAST CONTROVERSIAL PART OF THE DOCUMENT IS THE GOAL OF THE COMMITTEE.

NAVITA FELT THAT WE SHOULD READ IT ALOUD.

>>NAVITA CUMMINGS JAMES: ALL RIGHT.

SO I THOUGHT IT WOULD BE IMPORTANT THAT WE ALL BE ON THE SAME PAGE.

I PERSUADED DAVID THAT THAT'S AN IMPORTANT THING TO DO, SO LET'S BE SURE WE ALL ARE HERE -- WE ALL KNOW THAT WE'RE HERE TO DO THESE THINGS, AND IF THERE ARE SOME DIFFERENCES OF OPINION, THIS IS THE TIME TO SPEAK NOW OR FOREVER HOLD YOUR PEACE.

THE CELLULAR COMMUNICATIONS ADVISORY COMMITTEE ACCEPTS THE TASK OF PROVIDING INFORMED ADVICE TO THE HILLSBOROUGH COUNTY ADMINISTRATOR'S OFFICE ON ISSUES RELATED TO THE LOCATION CONSTRUCTION AND REGULATION OF CELL PHONE TOWERS IN HILLSBOROUGH COUNTY, FLORIDA, AND TO THE GOVERNMENTAL PROCEDURES WHEREBY DECISIONS ARE MADE CONCERNING THE LOCATION, CONSTRUCTION, AND REGULATION OF CELL PHONE TOWERS IN HILLSBOROUGH COUNTY, FLORIDA.

THE CCAC HAS THE GOAL OF CONDUCTING INFORMED AND RESPONSIBLE REVIEW OF SUCH ISSUES AND PROCEDURES AND, WHERE APPROPRIATE, ADVANCING SPECIFIC RECOMMENDATIONS FOR CHANGES TO CODES AND PROCEDURES THAT GOVERN AND DECIDE THE LOCATION AND CONSTRUCTION OF CELL PHONE TOWERS IN HILLSBOROUGH COUNTY.

SO IS THAT YOUR UNDERSTANDING OF WHY YOU ARE HERE?

>> I GUESS I HAVE -- ONE COMMENT I HAVE IS JUST A CLARIFICATION, AND MAYBE PART OF THE WHOLE THING IS JUST TERMINOLOGY.

CELL PHONE TOWERS, OUR CODE READS, IS A WIRELESS COMMUNICATION SUPPORT STRUCTURE, AND I THINK THAT'S THE TERM WE -- WE NEED TO USE --

>>NAVITA CUMMINGS JAMES: OKAY.

WE CAN INSERT THAT.

>> -- BECAUSE NOT ALL OF THESE STRUCTURES ARE HOLDING CELL PHONE ANTENNAS ON THEM.

THERE'S A LOT OF OTHER TECHNOLOGY OUT THERE BESIDES THAT, AND IT'S ACTUALLY A POINT OF CLARIFICATION THAT I THINK OUR CODE NEEDS BECAUSE IN MY EXPERIENCE THE HEARING OFFICER LOOKED AT THE ATTORNEY DURING OUR HEARING AND ASKED IF -- IF THE COUNTY HAS -- HAS CLARIFIED THAT ISSUE IN TERMS OF WHAT TECHNOLOGY CAN AND CAN'T GO -- APPLY TO THESE STRUCTURES.

>>NAVITA CUMMINGS JAMES: OKAY.

SO WHAT IS THE LANGUAGE YOU'RE RECOMMENDING AGAIN?

>> FOR RIGHT NOW I WOULD AT A MINIMUM START WITH REPLACING "CELL PHONE TOWERS" WITH "WIRELESS COMMUNICATION SUPPORT STRUCTURES."

THAT'S THE WAY IT READS IN -- IN -- CURRENTLY READS IN OUR CODE, AND AGAIN, MAYBE THAT'S SOMETHING WE CAN DEBATE ABOUT OR DISCUSS WHETHER THAT NEEDS TO CHANGE IN THE CODE OR -- I DON'T KNOW WHAT THE OTHER CODES SAY, BUT I KNOW CELL PHONE TOWERS, I LEARNED IN OUR PROCESS THAT IT'S NOT A INDUSTRY TERM ANYMORE.

>>NAVITA CUMMINGS JAMES: IS EVERYONE IN THE COMMITTEE COMFORTABLE WITH MAKING THAT CHANGE?

ANYONE HAVE AN OBJECTION TO IT?

ALL RIGHT.

THANK YOU, MANNY.

ALL RIGHT.

OTHER SUGGESTIONS, RECOMMENDATIONS?

YES.

>> I'D LIKE TO FIGURE OUT A WAY ALSO TO ADDRESS THE WHOLE ISSUE THAT A LOT OF COMMUNITIES ARE ALSO FACING ON THE EAST COAST -- OR THE WEST COAST, I'M SORRY, AND IT'S THE TECHNOLOGY, MAYBE SOME OF THE OTHER MEMBERS WHO ARE FAMILIAR WITH THIS, THE BIG REFRIGERATOR BOXES THAT ARE ENDING UP ON UTILITY POLES IN FRONT OF PEOPLE'S HOUSES. THOSE ARE NOT -- THOSE ARE TELEPHONE POLES, SO HOW WOULD WE INCLUDE THAT IN THIS DISCUSSION AS WELL?

WHAT IS THAT CALLED?

>> I DON'T KNOW.

I'M NOT FAMILIAR.

>> DOES IT HAVE TO DO WITH CLEARWIRE, THE BOXES THAT --

>> I BELIEVE T-MOBILE HAS THEM AS WELL.

>> IF I MIGHT, I THINK WHAT YOU MAY BE TALKING ABOUT IS WHEN THEY HAVE A DISTRIBUTED ANTENNA SYSTEM THAT THEY HAVE SMALL ANTENNAS THAT GO ON POWER POLES AND ET CETERA, AND THERE IS A BOX, A BASE STATION THAT IS ATTACHED OR IT IS A -- AN ATTACHMENT TO A LARGER BASE STATION.

>> RIGHT.

>> BUT THAT'S PART OF -- AND -- AND I THINK FOLLOWING UP ON YOUR POINT, MANNY, WAS THAT WE ARE NOT JUST TALKING ABOUT TOWERS, WE'RE TALKING ABOUT WIRELESS FACILITIES.

>> UH-HUH.

>> AND THAT WOULD PROBABLY CAPTURE --

>> SO IT'S NOT JUST THE SUPPORT STRUCTURES, IT'S THE ACTUAL APPARATUS AND THEY'RE MOUNTING THEM ON TELEPHONE POLES,

WHICH I THINK WE SHOULD ADDRESS THAT AND WHETHER WE WANT THAT ALLOWED IN OUR COMMUNITY OR NOT.

>> WELL, CURRENTLY THE CODE ADDRESSES WIRELESS COMMUNICATION ANTENNAS AND WIRELESS SUPPORT STRUCTURES, BUT I THINK THERE IS A GENERIC TERM -- I DON'T HAVE THE CODE IN FRONT OF ME ENOUGH -- WIRELESS FACILITIES, BUT IF THERE'S NOT, I THINK THAT'S WHAT WE'RE TALKING ABOUT BECAUSE THE ORDINANCE ADDRESSES ALL PARTS OF THE WIRELESS --

>> OKAY.

>> -- FACILITY, AND A WIRELESS FACILITY WOULD INCLUDE THAT.

>> BUT THIS LANGUAGE -- DOES THIS LANGUAGE ADDRESS THAT BECAUSE IT DIDN'T SOUND LIKE IT TO ME?

>> IF YOU TOOK OUT CELL TOWERS AND PUT IN THE REGULATION OF WIRELESS FACILITIES.

>> RIGHT.

>>NAVITA CUMMINGS JAMES: WIRELESS COMMUNICATION SUPPORT STRUCTURES, FACILITIES.

>> AND FACILITIES.

>> AND FACILITIES.

>>NAVITA CUMMINGS JAMES: AND FACILITIES.

WOULD THAT WORK?

DOES THAT PICK UP THE APPARATUS PART TOO?

>> YES.

>>NAVITA CUMMINGS JAMES: OKAY.

>> TO YOUR UNDERSTANDING, THE LOCATION AND PLACEMENT OF THOSE IS SUBJECT TO THE SAME APPROVAL PROCESS AS --

>> NOT --

>> I DON'T BELIEVE --

>> NOT NECESSARILY, NO.

THE WIRELESS COMMUNICATION ANTENNAS AND THE EQUIPMENT THAT GOES WITH THEM IS REGULATED IN ONE WAY UNDER THE ORDINANCE, AND IT GENERALLY REQUIRES NOTHING MORE THAN A BUILDING PERMIT OR A MINOR REVIEW BECAUSE THEY ARE GOING ON EXISTING STRUCTURES.

THE WAY THE ORDINANCE IS ORIENTED NOW, AS MOST OF THEM IN THE STATE, THEY ENCOURAGE THE USE OF EXISTING STRUCTURES, SO BY PUTTING THE ANTENNA AND WHATEVER EQUIPMENT ON OR NEAR AN EXISTING STRUCTURE, THAT'S HANDLED ONE WAY, AND THEN THE TOWERS ARE HANDLED DIFFERENTLY.

AND IN THE PAST THE ONLY REAL ISSUE HAS BEEN ABOUT THE TOWERS.

>> WELL, ONLY BECAUSE -- I THINK ONLY BECAUSE THEY REALLY --
- THEY HAVEN'T BEEN PUTTING THEM HERE YET, BUT, YOU KNOW, IT'S KIND OF CREEPING ACROSS THE COUNTRY, AND SO I WONDER IF WE COULDN'T ADDRESS IT BEFORE IT GETS HERE BECAUSE APPARENTLY IN SOME CITIES WHAT'S HAPPENING IS THEY'RE -- THEY'RE PUTTING THEM UP AND CALLING THEM UTILITIES LIKE A TELEPHONE -- YOU KNOW, LIKE THE TELEPHONE POLES.

THEY'RE -- AND SO I -- AND WHAT CITIZENS GROUPS ARE SAYING IS THEY'RE NOISY, THEY'RE UGLY, AND IT SEEMS TO RUN ALONG THE SAME VEIN AS THE, YOU KNOW, CELLULAR TOWERS IS THAT THESE THINGS SHOW UP AND THEN CITIZENS GROUPS HAVE TO FIGHT THEM AND FIGURE OUT A WAY TO PREVENT IT FROM HAPPENING IN THEIR NEIGHBORHOODS.

>> THERE'S A PROXIMITY ELEMENT TOO THAT --

>> JUST A PRECAUTION, I GUESS, BECAUSE THE, YOU KNOW, SMART

METERING IS ANOTHER WIRELESS COMMUNICATIONS DEVICE, AND AT SOME POINT YOU'RE GOING TO BE EXPANDING THE SCOPE OF THIS TO UTILITIES, YOU KNOW, POWER UTILITIES AND THAT SORT OF THING IF WE'RE NOT CAREFUL WITH THE WAY WE DEFINE THE SCOPE.

>> RIGHT NOW, I MEAN, GOING BACK TO WHAT LAURA WAS SAYING, I THINK THIS WAS IN LAST TIME'S PACKET.

IT'S THE ACTUAL LAND DEVELOPMENT CODE, AND 611.29 TALKS ABOUT COMMUNICATIONS FACILITIES, AND IT LOOKS LIKE "A," "B," AND "C" TALK ABOUT ANTENNA AND EQUIPMENT JUST LIKE LAURA WAS DISCUSSING, AND THEN IN PART "D" IS WHERE IT GETS INTO THE WIRELESS COMMUNICATION SUPPORT STRUCTURE, SO IT LOOKS LIKE WE'RE TALKING ABOUT BOTH THE FACILITIES -- AND THERE WE'D BE TALKING ABOUT EQUIPMENT AND KIND OF WHAT CARRIE JUST BROUGHT UP, AND THEN OBVIOUSLY WE ALSO WANT TO TALK ABOUT THE STRUCTURES THEMSELVES.

>>DAVID PAYNE: SO IF WE SIMPLY ADD TO YOUR AMENDMENT "AND FACILITIES," WE WILL BE INCLUSIVE OF THESE THINGS, AND THEN LATER IF SUGGESTIONS ARE MADE, WE MIGHT WANT TO BE MINDFUL THAT WE WANT TO BE SPECIFIC ABOUT EXCLUDING CERTAIN ITEMS FROM THE RULES THAT WE SUBMIT.

>> OR, IF I MIGHT ADD -- AND FOR THE RECORD, LAURA BELFLOWER.

I DIDN'T SAY THAT EARLIER.

I THINK WE MAY OR MAY NOT WANT TO EXCLUDE THEM.

I THINK THE ISSUE ABOUT GOVERNMENT FACILITIES AND WHETHER THE GOVERNMENT SHOULD BE TREATED DIFFERENTLY THAN PRIVATE FACILITIES AND UTILITIES SHOULD BE TREATED -- I THINK

THAT'S AN ISSUE THAT'S VERY MUCH ON THE TABLE IN HERE.

>> THAT'S A CONVERSATION WE CAN HAVE --

>> THIS IS JIM PORTER.

MAYBE WE SHOULD HAVE MR. MOREDA JUST DESCRIBE HOW THOSE ARE PERMITTED NOW OR HOW THEY WOULD BE TREATED BECAUSE I DON'T KNOW WHAT YOU'RE TALKING ABOUT.

I DON'T HAVE A VISUAL OF IT, SO MAYBE STAFF HAS AN IDEA IF THAT CAME IN TODAY HOW THEY WOULD BE TREATED.

>>NAVITA CUMMINGS JAMES: JOE.

>>DAVID PAYNE: DO WE CURRENTLY PROCESS APPLICATIONS AND APPROVALS FOR THE KINDS OF DEVICES THAT WE'RE TALKING ABOUT?

>>JOE MOREDA: ARE YOU TALKING ABOUT THE LITTLE BOXES THAT EVERYONE HAS BEEN -- THE NEWSPAPER ARTICLES ARE TALKING ABOUT THEY'RE PUTTING ON TELEPHONE POLES AND SO FORTH, OR ARE YOU TALKING ABOUT THE ANTENNAS THAT WE SEE ON TOP OF THE CELL TOWER STRUCTURES NOW?

I WASN'T FOLLOWING THE DISCUSSION.

>> THE FIRST.

THE FIRST.

>> [INAUDIBLE]

>> THEY'RE ABOUT THE SIZE OF A REFRIGERATOR.

>> IT'S NOT JUST A SMALL BOX.

>>JOE MOREDA: OH, THE ONES I'VE SEEN IN THE NEWS ARE THE SIZE OF YOUR HAND.

>> THAT'S COMING.

>> THAT'S NOT --

>>JOE MOREDA: I HAVEN'T SEEN THE REFRIGERATOR-SIZED ONES.

>> IT'S NOT SOMETHING HILLSBOROUGH COUNTY --

>>JOE MOREDA: ESSENTIALLY OUR ORDINANCE REGULATES THE
PLACEMENT OF TOWERS.

THE ANTENNAS CAN GO ON EXISTING STRUCTURES, AND WE DON'T
REGULATE THAT.

WE REGULATE THE PLACEMENT OF THE TOWERS.

THAT'S WHAT --

>> WHO HAS ANY IDEA HOW MANY OF THESE SMALL BOXES, HANDHELD
BOXES ARE WITHIN THE COUNTY RIGHT NOW?

>>JOE MOREDA: TO MY KNOWLEDGE, I DON'T KNOW IF THERE ARE
ANY.

I THINK THEY'RE ROLLING OUT A NEW TECHNOLOGY.

I DON'T THINK THEY'RE -- I THINK THEY WERE TALKING -- MOST
ARTICLES I READ ARE, YOU KNOW, PROJECTING THAT IN THE NEXT
SEVERAL YEARS.

>> IF THEY DON'T REQUIRE A PERMIT, IS THERE ANY POSSIBILITY
THEY DO EXIST RIGHT NOW AND WE JUST DON'T KNOW?

>>JOE MOREDA: I SUPPOSE THE POSSIBILITY ALWAYS EXISTS.

>> THEY DO REQUIRE PERMITS.

THEY REQUIRE BUILDING PERMITS, THEY DON'T REQUIRE SITE PLAN
REVIEW NECESSARILY.

>> ARE WE TALKING ABOUT THE BOXES THAT ARE THE SIZE OF MY
HAND, THE REFRIGERATOR BOXES OR THE ANTENNA?

BUT IF THERE'S SOMETHING ON A TELEPHONE POLE, WE DON'T
REGULATE TELEPHONE POLES.

WE DON'T REGULATE ACTIVITY IN THE RIGHT-OF-WAY.

THE ZONING CODE REGULATES WHAT'S OUTSIDE OF THE RIGHT-OF-
WAY.

>> I THINK WE CAN PROBABLY GET INTO THIS MORE WHEN WE GET INTO THE WHOLE DISCUSSION, BUT I THINK THAT THE REFRIGERATOR BOX SIZE IS PROBABLY SOMEBODY THAT FOR WHATEVER REASON WAS NOT ABLE TO PLACE THE EQUIPMENT ON THE GROUND BECAUSE OF A LEASE SITUATION, AND THEY MAY HAVE HAD AN AGREEMENT WITH THE POWER COMPANY, SO THEY PUT IT UP ON SOME SORT OF STRUCTURE TO ATTACH IT BECAUSE THEY COULDN'T PUT IT ON THE GROUND FOR WHATEVER LEASING REASON OR WHATEVER REASONS.

THAT'S FAIRLY UNUSUAL, BUT IF THAT'S AN ISSUE THAT WOULD NEED TO BE ADDRESSED, THAT WOULD BE AN ISSUE THAT'S INCLUDED IN THE COMMUNICATION FACILITIES.

>> I THINK IT'S SLIGHTLY DIFFERENT THAN THAT.

THE TECHNOLOGY -- THE REASON THEY PUT THAT LARGER BOX FURTHER UP THE POLE IS TO GET IT CLOSER TO THE ACTUAL ANTENNA CONFIGURATION.

IT'S NOT BASED ON LEASING OF -- OF THE GROUND THAT IT WOULD SIT ON OR ANYTHING LIKE THAT, IT'S THE TECHNOLOGY AND THE WAVE LENGTH AND THAT KIND OF THING.

>> WHAT I WILL DO IS I WILL GET SOME ARTICLES AND FORWARD THEM TO -- OR WHO SHOULD I GIVE THEM TO SO I CAN SHARE THEM WITH EVERYONE SO THAT EVERYONE KNOWS WHAT I'M TALKING ABOUT AND COULD GET UP TO SPEED.

>> JOE.

>> JOE?

OKAY.

>>JOE MOREDA: FORWARD IT TO ME, AND THEN --

>>NAVITA CUMMINGS JAMES: DISTRIBUTE IT TO THE COMMITTEE

MEMBERS FOR ACCESS TO IT.

>>JOE MOREDA: IF YOU FORWARD IT TO ME, WHAT WE CAN DO IS WE CAN DISTRIBUTE IT TO THE COMMITTEE MEMBERS --

>>NAVITA CUMMINGS JAMES: OR PUT IT ON THE WEB SITE.

>>JOE MOREDA: OR WE CAN POST IT -- WE'LL POST IT ON THE WEB SITE.

>>NAVITA CUMMINGS JAMES: WOULD YOU DESCRIBE TO THE COMMITTEE HOW THEY COULD ACCESS THE WEB SITE.

>>JOE MOREDA: FIRST YOU NEED A COMPUTER WITH INTERNET ACCESS.

[LAUGHTER]

THAT'S A PREREQUISITE.

AND ACTUALLY, I WILL HAVE TO LOOK UP THE ADDRESS.

>> PERHAPS YOU CAN SEND US AN E-MAIL WITH THE URL.

>> THAT'S WHAT --

>>JOE MOREDA: I'LL GET THE ADDRESS.

IT'S ON THE COUNTY WEB SITE.

IF YOU GO TO THE COUNTY WEB SITE, IT'S ONE OF THE LINKS ON THE BOTTOM.

IT SAYS "CELLULAR" --

>> COMMUNICATIONS.

>>JOE MOREDA: -- "COMMUNICATIONS."

YEAH.

IT'S A BIG SQUARE BOX.

YOU CAN CLICK ON THAT AND IT TAKES YOU RIGHT TO IT.

IN ADDITION, I'LL GET THE SITE AND PROVIDE THAT TO YOU LATER IN THE MEETING.

>>NAVITA CUMMINGS JAMES: THANK YOU.

>>JOE MOREDA: ANYMORE QUESTIONS?

>>NAVITA CUMMINGS JAMES: YES.

>> COULD I ASK OR MAKE A SUGGESTION ON A CHANGE ON THE GOAL, AND FIRST OF ALL, I THINK YOU DID A VERY GOOD JOB OF CAPTURING THE MANY DISPARATE THINGS THAT WERE SAID. SUGGEST THAT IN YOUR LIST OF WHERE YOU SAY IN SEVERAL PLACES, LOCATION, CONSTRUCTION, AND REGULATION OF CELL PHONE TOWERS THAT THAT BE SWITCHED AROUND A LITTLE BIT TO BE THE REGULATION OF THE LOCATION AND CONSTRUCTION OF CELL PHONE TOWERS BECAUSE WHAT YOU'RE REGULATING IS THE LOCATION AND CONSTRUCTION, NOT OPERATION OF THE CELL PHONE TOWERS.

>>NAVITA CUMMINGS JAMES: THERE WAS ALREADY THE -- I LIKE -- OKAY.

THANK YOU.

AND THERE WAS ALREADY A SUGGESTION INSTEAD OF USING CELL PHONE TOWERS WE USE THE LANGUAGE "WIRELESS COMMUNICATION SUPPORT STRUCTURES AND FACILITIES."

>> RIGHT.

>>DAVID PAYNE: SO IS THAT AGREEABLE THAT THEY'RE NOT REGULATIONS THAT GO --

>> IN TERMS OF REGULATION, I DON'T KNOW WHERE IT WOULD FALL IN, BUT JUST LIKE THE ONE EXAMPLE WE TALKED ABOUT RIGHT NOW, WHAT IF THERE WERE ALL THESE BOXES, YOU KNOW, THROUGHOUT THE COUNTY, AND WHO WITHIN THE COUNTY IS -- IS, I GUESS, REGULATING THE -- ALL THIS EQUIPMENT OUT THERE FROM THE STANDPOINT OF, YOU KNOW -- LET'S SAY SOMEBODY WANTS TO PUT UP A TOWER TOMORROW.

WHO IS REGULATING TO FIGURE OUT WHETHER OR NOT THERE'S

ACTUALLY ANY OTHER TOWERS AROUND THIS AREA, AND RIGHT NOW THAT DOESN'T SEEM TO EXIST, AND THAT'S WHERE I THINK THE --
>> YEAH, IT DOES.

EVERYBODY HAS TO GO THROUGH THE PROCESS, BUILDING PERMITS, SITE PLAN REVIEW, PUBLIC HEARINGS IF IT'S A PUBLIC HEARING PROCESS.

>> I UNDERSTAND, BUT WHO -- WHO HAS THE ULTIMATE RESPONSIBILITY FOR FIGURING OUT WHETHER OR NOT THERE IS A NEED, LIKE IT SAYS IN OUR CODE, FOR THAT -- FOR THAT -- FOR THAT ANTENNA OR NOT?

>> IT'S PART OF THE SITE PLAN -- THE SPECIAL USE PROCESS.

>> WHO WITHIN --

>> BUT WHO WITHIN THE COUNTY BESIDES THE HEARING OFFICER WHO IS TAKING A ONE-PAGE LETTER FROM A RADIOFREQUENCY ENGINEER IS RESPONSIBLE FOR THAT -- FOR ANALYZING WHETHER OR NOT THERE'S A NEED FOR IT OR NOT?

AND THAT'S WHERE I THINK THAT REGULATION NEEDS TO STAY IN THERE.

>>NAVITA CUMMINGS JAMES: THAT'S PART OF WHAT WE'LL DO WHEN WE TALK ABOUT THE APPLICATION PROCESS.

>> I AGREE.

BUT THAT'S WHY I THINK WHERE REGULATION IS NEEDS TO STAY SEPARATE OR WHATEVER THE TERM NEEDS TO BE IN THERE, BUT I THINK IT NEEDS TO BE --

>> EXCUSE ME.

I WOULD TEND TO AGREE AS WELL BECAUSE OF THE ISSUES WE'VE HAD IN PUBLIC HEARINGS ON A NUMBER OF DIFFERENT APPLICATIONS, SOME CERTAIN TESTIMONY PROVIDED AT BOTH THE

COUNTY AND THE CITY HERE LOCALLY.

I THINK IT WOULD BE VERY GOOD TO KEEP THOSE SEPARATE BECAUSE WE MAY FIND THAT WE RUN INTO EITHER TECHNOLOGY ISSUES OR LAND USE ISSUES WHILE ULTIMATELY EVERYTHING COMES TO REGULATION BECAUSE IT CAN'T -- THE COUNTY CAN'T FORCE YOU TO DO ANYTHING OTHER THAN THROUGH REGULATIONS.

THERE'S A BIG PICTURE HERE THAT WE'VE BEEN ASKED TO LOOK AT.

>>NAVITA CUMMINGS JAMES: ARE YOU PERSUADED, LAURA?

>> NO, I'M NOT, BECAUSE WHAT YOU'RE DOING AND WHAT THE LOCAL GOVERNMENT -- THE ONLY AUTHORITY THE LOCAL GOVERNMENT HAS IS OVER THE ZONING ASPECTS, OVER THE REGULATION OF THE LOCATION AND THE CONSTRUCTION.

THE LOCAL GOVERNMENT DOESN'T HAVE ANY AUTHORITY TO REGULATE THE OPERATION OF THE FACILITY, SO WHAT YOU'RE REGULATING -- WHAT THE COUNTY WOULD BE REGULATING IS WHERE THEY CAN GO AND HOW THEY CAN BE BUILT, SO BY REGULATING THE LOCATION AND THE CONSTRUCTION OF THE -- WHATEVER WE'RE CALLING IT AS OPPOSED TO THE LOCATION, GOVERNMENT PROCEDURES CONCERNING THE LOCATION, CONSTRUCTION, THEN WHAT DOES REGULATION -- AND REGULATION MEAN UNLESS IT'S REGULATING HOW IT'S OPERATED?

>> AND I UNDERSTAND THAT THE CONCERN THAT MANNY RAISED WOULD BE INCLUDED IN THE REGULATION OF LOCATION AND CONSTRUCTION AND THAT'S NOT A PROBLEM.

>> CORRECT.

IT WOULD BE A FULL PROCESS, WHAT THE RULES ARE, WHAT THE PROCESS IS TO GO THROUGH IT AND WHAT THE APPROVAL -- THAT'S

PART OF THE REGULATIONS OF THE LOCATION AND CONSTRUCTION.

>> I THINK I DISAGREE, LAURA, BECAUSE -- AND BACK TO WHAT MANNY WAS SAYING ABOUT THE APPLICATION PROCESS.

WHEN I ATTENDED THE HILLSBOROUGH COUNTY -- I DON'T KNOW WHAT IT WAS.

I APOLOGIZE.

I DON'T REMEMBER WHAT IT'S CALLED, BUT IT WAS AT HCC.

THEY DO AN ANNUAL COUNTYWIDE WHERE PEOPLE COULD COME IN AND IT'S A GROUP OF COMMUNITY --

>> NEIGHBORHOOD SOMETHING.

>> NEIGHBORHOODS ASSOCIATION.

THERE WAS A PRESENTATION AT LAST YEAR'S MEETING, AND IT WAS FROM A CELL TOWER -- IT HAD A CELL TOWER FOCUS, AND THEY ACTUALLY SAID THAT THE DOCUMENT THAT'S RECEIVED BY THE COUNTY WHEN SOMEONE APPLIES FOR A CELL TOWER PERMIT, IT'S -- IT'S NOT A MATTER OF GOING OUT AND -- AND DETERMINING IF THERE'S USE OF CELL TOWERS IN THE AREA AND THINGS OUTSIDE OF JUST THE CONSTRUCTION AND THE LOCATION OF A SINGLE TOWER.

THEY SAID THAT AS LONG AS ANYBODY SUBMITS A LETTER THAT SAYS THERE'S A NEED FOR THIS TOWER, IT'S CONSIDERED A TOWER THAT IS NEEDED.

YOU DON'T EVEN HAVE TO PUT A JUSTIFICATION IN THE LETTER.

IT'S JUST A MATTER OF HAVING A LETTER ON FILE THAT SAYS SOMEONE HAS SAID THERE'S A NEED, THEREFORE, THERE'S A NEED.

>>DAVID PAYNE: BUT YOU DON'T SEE THAT FALLING UNDER THE REGULATION OF LOCATION AND CONSTRUCTION.

>> NO, IT'S ACTUALLY POPULATION, THE USAGE PERCENTAGE OF AN

EXISTING CELL TOWER IN COMPARISON TO THE NEED FOR AN ADDITIONAL CELL TOWER.

I THINK IT WOULD BE, SO IT'S NOT DIRECTLY RELATED TO LOCATION AND CONSTRUCTION.

>> I THINK WE'RE GETTING INTO THE SPECIFICS OF THE CODE AND WHAT THE CODE -- IT'S BEING INTERPRETED, AND I THINK ADAM IS GOING TO PRESENT US SOME INFORMATION THAT HITS THAT POINT HEAD-ON BECAUSE -- WELL, WHEN WE GET TO THE DISCUSSIONS OF HOW YOU REGULATE AND WHAT THE CODE SAYS AND WHAT HAS TO BE PRESENTED -- BUT IT IS STILL A QUESTION OF WHETHER YOU CAN BUILD A CELL TOWER IN THAT LOCATION OR NOT, SO IT'S NOT A QUESTION OF WHAT YOU NEED TO PROVE TO BE ABLE TO BUILD.

THE REGULATION ISN'T THE ANALYSIS ITSELF, THE REGULATION IS OF WHETHER YOU CAN BUILD IT THERE OR YOU CAN'T BUILD IT THERE AND WHAT HAS TO BE DONE TO BE ABLE TO GET THROUGH THAT PROCESS.

>>NAVITA CUMMINGS JAMES: OKAY.

LAURA, SO YOU STILL FELT -- YOU STILL WANT TO RECOMMEND THE CHANGE?

>> I DON'T KNOW THAT IT'S A HUGE ISSUE --

>>NAVITA CUMMINGS JAMES: [INDISCERNIBLE CROSS TALK]

>> -- BUT I THINK THAT IT IS IMPORTANT FOR PERSPECTIVE.

>>NAVITA CUMMINGS JAMES: I'M GOING TO PUT IT UP FOR A VOTE, ALL RIGHT, IF THAT'S OKAY, TO MOVE US ON, SO YOU HAVE THE OPTION OF -- DID YOU WANT TO JUMP IN?

>>DAVID PAYNE: JOE HAS A CLARIFYING MOMENT HERE.

>>NAVITA CUMMINGS JAMES: OKAY.

THANK YOU.

[LAUGHTER]

>>JOE MOREDA: CLARIFYING MOMENT.

I HAVE THE -- THE ADDRESS IF -- THOSE WHO ARE INTERESTED.

>>DAVID PAYNE: I MISREAD THAT.

SORRY.

>>NAVITA CUMMINGS JAMES: PLEASE GIVE IT TO US.

>>JOE MOREDA: GO TO WWW.HILLSBOROUGHCOUNTY -- THAT'S ALL ONE WORD -- DOT ORG.

AND THIS IS A FORWARD SLASH; RIGHT?

FORWARD SLASH CCAC, AND THAT SHOULD TAKE YOU TO THE SITE.

IF NOT, YOU CAN JUST GO TO WWW.HILLSBOROUGHCOUNTY.ORG, AND IF YOU GO TO THE RIGHT-HAND SIDE OF THE PAGE ON THE BOTTOM, YOU'LL SEE THE CELLULAR COMMUNICATIONS ADVISORY COMMITTEE. THERE'S A LITTLE BOX DOWN THERE.

IF YOU CLICK ON THAT, IT'LL TAKE YOU RIGHT TO IT, AND WE'RE POSTING ALL THE MINUTES, THE MATERIALS THAT ARE HANDED OUT, AUDIO FILES, AND THE CAPTION, SO IF YOU MISS A MEETING, YOU'LL BE ABLE TO GO THERE.

IF SOMEBODY GIVES US INFORMATION, WE POST IT ON THERE, YOU KNOW, PRETTY MUCH AS QUICK AS WE GET IT, AND SO THAT -- THAT SHOULD HELP A LOT OF FOLKS STAY ON THE SAME PAGE WITH WHAT'S GOING ON IF THEY MISS.

>>DAVID PAYNE: THE DOCUMENTS THAT WE PRODUCE AND THE MINUTES THAT WE CREATE ARE ALL POSTED THERE?

>>JOE MOREDA: CORRECT.

AND WHEN WE LEAVE HERE TONIGHT, WE'LL POST THE DRAFT MINUTES SO PEOPLE CAN REVIEW THEM BEFORE THEY COME TO THE

NEXT MEETING.

>>NAVITA CUMMINGS JAMES: THANK YOU.

>>JOE MOREDA: THANK YOU.

>>DAVID PAYNE: SORRY TO INTERRUPT.

>>NAVITA CUMMINGS JAMES: IT WAS A CLARIFYING MOMENT.

OKAY.

SO OUR OPTIONS ARE, OPTION NUMBER ONE IS TO LEAVE THAT SECTION, THAT FIRST PARAGRAPH AS IT IS WITH THE ADDED LANGUAGE, INSTEAD OF CELL PHONE TOWERS, WIRELESS COMMUNICATION SUPPORT STRUCTURES AND FACILITIES.

OPTION TWO WOULD HAVE THAT CHANGE THAT I JUST IDENTIFIED BUT -- AND, LAURA, CORRECT ME IF I'M WRONG -- ON SENTENCE -- ON LINE ONE, TWO, THREE, FOUR, AFTER "CONCERNING," WE WOULD INSERT THE WORDS "REGULATING THE LOCATION AND CONSTRUCTION OF SAID WIRELESS SUPPORT"; IS THAT CORRECT?

>> CONCERNING THE REGULATION OF, LOCATION AND CONSTRUCTION OF.

>>NAVITA CUMMINGS JAMES: OKAY.

SO THE LOCATION OF.

OKAY.

SO THE LOCATION OF -- REGULATING THE LOCATION AND CONSTRUCTION OF.

ALL RIGHT.

>> MAY I ASK A CLARIFYING QUESTION?

WHAT DID YOU INTEND WHEN YOU PUT THE WORD "REGULATION" IN THERE ORIGINALLY SINCE YOU'RE THE AUTHOR OF THIS?

WHAT WAS YOUR INTENT?

>>NAVITA CUMMINGS JAMES: THAT'S AN INTERESTING QUESTION.

[LAUGHTER]

>> BECAUSE I UNDERSTAND LAURA'S POINT, BUT I THINK SOME OF THE ARGUMENT HERE HAS BEEN ABOUT SEMANTICS BECAUSE THE LAW IS THE LAW AND YOU CAN ONLY -- THE COUNTY CAN ONLY REGULATE WHAT THEY CAN REGULATE, SO TO THE EXTENT THAT IT'S THERE AND THEY CAN'T DO SOMETHING, IT'S JUST MISLEADING, BUT IF -
-

>>DAVID PAYNE: FURTHERMORE, THE ROOT OF THE SENTENCE IS ISSUES RELATING TO THOSE THINGS WHICH IS SUFFICIENTLY GENERAL SO THAT --

>> YEAH.

>>DAVID PAYNE: -- IF THERE IS NO REGULATION AND NO PROPOSALS FOR REGULATION --

>> THAT'S THE WAY I READ IT, BUT I DIDN'T KNOW IF THE INTENT OF THE AUTHOR WAS DIFFERENT, SO --

>>NAVITA CUMMINGS JAMES: I THINK THERE WAS -- I MEAN, LAURA, YOU'RE BRINGING UP SOME ISSUES THAT -- SOME FINE DETAILS THAT WE WEREN'T QUITE MAKING AT THAT LEVEL, BUT I THINK WE WERE TRYING TO FIND LANGUAGE THAT WAS VERY INCLUSIVE OF THE VARIOUS KINDS OF THINGS THE COMMITTEE WOULD BE DOING AS OPPOSED TO BEING RESTRICTIVE.

>> AND WHEN I FIRST READ IT, I HAD NO OBJECTION TO IT, BUT THE MORE I LOOKED AT IT, I THOUGHT, WELL, WE COULD GET SIDEWAYS ON THIS JUST FROM THIS WORDING, BUT WE'LL SEE WHAT THE COMMITTEE WANTS TO DO.

>>DAVID PAYNE: HYPOTHETICALLY WE COULD MAKE A PROPOSAL TO DO SOME KIND REGULATION THAT WOULD OR WOULD NOT BE ADOPTED LATER, BUT I [INAUDIBLE]

>>NAVITA CUMMINGS JAMES: OKAY.

WELL, SINCE, LAURA, YOU STILL WANT US TO CONSIDER THIS, SO I'M GOING TO ASK THE COMMITTEE TO VOTE.

IF YOU WANT TO LEAVE IT AS AMENDED WITH THE LANGUAGE "WIRELESS COMMUNICATION SUPPORT STRUCTURES AND FACILITIES," WOULD YOU SIGNIFY BY SAYING AYE.

[CHORUS OF AYES]

IF YOU -- RAISE YOUR HANDS.

THAT -- OKAY.

AND JUST FOR COUNTING PURPOSES, FOR THOSE OF YOU WHO WOULD LIKE TO USE LAURA'S LANGUAGE, PLEASE RAISE YOUR HANDS.

OKAY.

SO WHAT THIS MEANS IS WE ARE GOING TO LEAVE THE LANGUAGE AS IS, BUT I THINK THERE WILL BE OPPORTUNITIES TO COME BACK AND RECLARIFY AS NEEDED.

>> OKAY.

>>NAVITA CUMMINGS JAMES: OKAY.

THANK YOU.

ANY OTHER SUGGESTIONS ABOUT HOW TO AMEND THIS, THE STATEMENTS?

YES, SIR.

>> I'D LIKE TO JUST CLARIFY.

WHEN YOU BEGAN SPEAKING YOU SAID THAT -- OR I THINK WHAT YOU SAID WAS THAT OUR GOAL WAS TO PIN THIS DOWN ONE TIME AND THEN THAT WILL BE CONSIDERED FINAL AND NOT TO BE CHANGED.

I WOULD JUST LIKE TO, IF WE COULD, LEAVE IT OPEN -- IF WE NEED TO DISCUSS SOMETHING, IF SOMEBODY WANTS TO COME BACK

TO THE GOALS AND OBJECTIVES AND MODIFY THEM IN THE FUTURE,
TO LEAVE THAT AS AN OPEN, AVAILABLE --

>>NAVITA CUMMINGS JAMES: THAT IS REALLY MY INTENT, BUT TO
GET US ALL ON THE SAME PAGE TODAY -- BUT AS I JUST SAID
WITH LAURA, THERE CAN BE THE POSSIBILITY THAT WE CAN COME
BACK AND REVISIT OUR UNDERSTANDINGS.

>> SURE.

>>NAVITA CUMMINGS JAMES: BUT FOR OUR DISCUSSIONS AS WE
MOVE FORWARD TODAY, IS EVERYONE COMFORTABLE WITH THIS?

>>DAVID PAYNE: WITH THE STATEMENT OF GOALS.

>>NAVITA CUMMINGS JAMES: WITH THE STATEMENT OF -- JUST
THIS PART, THE STATEMENT OF GOALS OF THE COMMITTEE.
THANK YOU.

I WON'T ASK FOR A VOTE ON THIS.

I'LL TAKE A CONSENSUS BY ACCLAMATION.

THANK YOU.

DAVID.

>> NOBODY THREW ANYTHING AT YOU.

>>DAVID PAYNE: ALL RIGHT.

THE AREAS OF CONCERN, ONCE AGAIN, WAS AN ATTEMPT TO
ANTICIPATE HOW THESE MIGHT BE GROUPED IN A MANAGEABLE WAY
IN PRIORITIES OR NOT NECESSARILY IN TERMS OF INDIVIDUAL'S
PRIORITIES BUT IN TERMS OF HOW WE MIGHT TAKE UP ISSUES
PERTAINING TO EACH OF THESE AREAS AND AS I HEARD THE
COMMITTEE TALK ABOUT THE CONCERNS THAT INVOLVED THEM LAST
TIME, SO I DON'T THINK THERE'S ANYTHING -- WELL, I'LL ASK
YOU IF THERE'S ANYTHING UNCLEAR ABOUT WHAT'S SPECIFIED
THERE OR ARE THERE THINGS THAT NEED TO BE ADDED OR CONCERNS

THAT YOU HAVE?

>> I -- I THINK THE THREE ITEMS HERE ARE VERY CLEAR AND PROVIDE, YOU KNOW, A REAL GOOD FRAMEWORK.

THE USE OF PUBLIC SCHOOLS' PROPERTIES WAS A UNIQUE SITUATION THAT AROSE THAT CREATED MUCH OF THIS CONTROVERSY. IT IS A VERY SPECIAL SITUATION, BUT AT THE SAME TIME, WE HAVE AN ADDITIONAL SPECIAL SITUATION ON MAKING APPLICATIONS WITH A LAND USE LAWYER TO HELP ME DEFINE THEM A LITTLE BIT BETTER, BUT WE HAVE OTHER INSTITUTIONAL LAND USES WHERE THESE ARE BEING PROVIDED SUCH AS YMCAs, CHURCHES, PUBLIC RIGHTS-OF-WAY, PUBLICLY OWNED PROPERTY, ET CETERA, SO I'D LIKE TO ADD A FOURTH SECTION THERE TALKING ABOUT USE OF OTHER INSTITUTIONAL PROPERTIES IN EXACTLY THE SAME WORDING AS NUMBER THREE.

>>DAVID PAYNE: AND YOU SEE IT'S USEFUL TO HAVE A FOURTH CATEGORY OR IF WE JUST EXPANDED NUMBER THREE TO INCLUDE OTHER PROPERTIES OR --

>> I THINK NUMBER THREE SHOULD STAND IN AND OF ITSELF BECAUSE THAT'S REALLY WHAT BROUGHT US HERE TO THE TABLE TONIGHT.

>> I GUESS I HAVE TO ASK WHY, THOUGH.

WHAT'S THE DIFFERENCE BETWEEN A SCHOOL PROPERTY AND OTHER INSTITUTIONAL PROPERTIES IF THEY'RE OWNED BY THE GOVERNMENT AND IF IT'S -- WHY IS THAT?

SHOULD THAT --

>>NAVITA CUMMINGS JAMES: NO, YMCA AND CHURCHES ARE NOT RUN BY THE GOVERNMENT.

>> I THINK HE WAS REFERRING BROADLY TO -- BUT COUNTY PARKS

ARE AND --

>>NAVITA CUMMINGS JAMES: NO, BUT HE -- GO ON, MICHAEL.

>> OR RIGHTS-OF-WAY WHICH ARE A VERY DIFFERENT TYPE OF LAND USE THAT TYPICALLY INVOLVE -- A TYPICAL RIGHT-OF-WAY FOR, SAY, THE VETERANS EXPRESSWAY IS TREATED VERY DIFFERENTLY IN THE CITY CODE, AND THAT IS IN A DIFFERENT -- IN A GENERALLY DIFFERENT SITUATION THAN, SAY, A SCHOOL DEEP IN A RESIDENTIAL AREA.

I'M NOT SAYING THERE ARE NO RESIDENTIAL AREAS ALONG THE EXPRESSWAY.

THE SCHOOLS AGAIN ARE UNIQUE WHICH BROUGHT US HERE.

THE YMCAs, THE CHURCHES AND PUBLIC -- YES, PUBLICLY OWNED PROPERTIES SUCH AS THE COUNTY-OWNED -- I THINK IT'S IMPORTANT TO LOOK AT IT AS A SPECIFIC PURPOSE OR A SPECIFIC ISSUE.

>> MY COMMENT, JUST COMING IN, WAS WHY DO WE SPECIFICALLY SAY JUST SCHOOL PROPERTY?

I THOUGHT IT JUST SHOULD BE ALL PUBLIC PROPERTIES AND THEN MAYBE ADD THE FOURTH AS OTHER INSTITUTIONAL PROPERTIES.

I DON'T KNOW HOW YOU FEEL ABOUT THAT, MICHAEL, BUT COMING IN I HAD MADE A NOTE THAT I THOUGHT IT SHOULD JUST BE ALL PUBLIC PROPERTIES.

>> WOULD IT MAKE SENSE -- AND I WOULD AGREE THAT THE SCHOOL ISSUE IS DISTINCT ENOUGH THAT THAT NEEDS TO BE ADDRESSED DISTINCTLY, BUT IT'S JUST THE LOCATION OF THEM RELATIVE TO SURROUNDING USES, I MEAN, BECAUSE IT'S NOT THAT IT'S A CHURCH PROPERTY ITSELF NECESSARILY, IT'S WHAT THE CHURCH IS INTERACTING WITH WHAT THE USE IS AROUND IT, SO THE LOCATION

RELATIVE TO SURROUNDING USES, WHICH KIND OF GOES BACK TO THE NEIGHBORHOOD AND PROPERTY CONCERNS, BUT I -- CORRECT ME IF I'M WRONG, BUT, I MEAN, YOU WOULD HAVE THE SAME CONCERNS IF IT WAS ON A COMMERCIAL PIECE OF PROPERTY THAT WAS NEXT TO A RESIDENTIAL AREA AS YOU WOULD IF IT WAS ON A CHURCH PIECE OF PROPERTY THAT WAS IN A RESIDENTIAL AREA, IT'S NOT BECAUSE IT'S A CHURCH, IT'S RELATIONSHIP TO THE RESIDENTIAL AREA MAYBE?

I DON'T KNOW.

>> UNIQUELY ZONED?

I DON'T KNOW.

>> WELL, THE ZONING ISSUES.

>> FROM A LAND USE AND ZONING STANDPOINT, THEY'RE GOING TO BE VERY SIMILAR.

IT'S JUST THEY SEEM TO HAVE DEVELOPED A LITTLE BIT OF A LIFE OF THEIR OWN IN THE COUNTY PROCESS.

I'M NOT REAL HARD AND FAST ON THIS, BUT I THINK WE'VE GOT TO NOT JUST ADDRESS SCHOOL ISSUES IN TERMS OF -- I MEAN, IT WAS PERCEIVED OR AT LEAST I HAD READ A WHILE BACK THAT SCHOOLS AND CHURCH PROPERTIES WERE CONSIDERED KIND OF SOFT TARGETS FOR DEVELOPING TOWERS OFF THE COMMERCIAL RIGHTS -- OFF THE COMMERCIAL LAND USES, OFF THE RIGHTS-OF-WAY.

>>NAVITA CUMMINGS JAMES: WELL --

>>DAVID PAYNE: I GUESS I WAS JUST CURIOUS ABOUT THE DECISION-MAKING OF A CHURCH, WOULD THAT BE DIFFERENT FROM -- I GUESS THE QUESTION'S ALREADY BEEN ASKED -- FROM A COMMERCIAL PROPERTY?

THAT'S NOT SOMETHING THAT THE CITY DECIDES FOR THE -- ON

BEHALF OF THE CHURCH.

>> TRUE.

IT IS AN INDEPENDENT JUDGMENT BASED ON THAT CORPORATE ENTITY, THE CHURCH, BUT AGAIN, THE CHURCH IS MORE LIKELY TO BE -- IS TREATED DIFFERENTLY IN A ZONING PROCESS.

IT'S ALLOWED IN RESIDENTIAL PROPERTY -- YOU KNOW, HIGH-DENSITY OR LOW-DENSITY RESIDENTIAL AREAS, SO VERY DIFFERENT THAN, FOR EXAMPLE, 7-ELEVENS OR ANY OTHER TYPE OF SIGNIFICANT COMMERCIAL USE.

>> AREN'T PRIVATE SCHOOLS AS WELL, THOUGH?

>> UH-HUH.

>> YEAH, I GUESS THAT'S ONE OF THE CONCERNS.

I AGREE WITH MIKE THAT I THINK IT NEEDS TO BE BROADENED.

I THINK YOU NEED TO LOOK AT ALL PUBLIC PROPERTIES.

THE POINT ABOUT THE SCHOOL SYSTEM, THOUGH, IS THE COUNTY CAN'T TELL THE SCHOOL DISTRICT NOT TO HAVE CELL TOWERS ON THEIR PROPERTY.

THE SCHOOL BOARD'S AN ELECTED BODY.

THAT'S THEIR DECISION.

THEY OWN THE PROPERTY JUST LIKE ANY OTHER PROPERTY OWNER.

SO TO THE EXTENT THAT IT'S GOING TO BE BROAD DISCUSSION ABOUT OTHER USES OTHER THAN JUST COMMERCIAL PROPERTIES, I THINK IT'S ENTIRELY APPROPRIATE, BUT I THINK WE NEED TO UNDERSTAND WHAT THE PARAMETERS ARE OF THAT AS WELL.

>>DAVID PAYNE: OKAY.

SO I HEAR TWO KIND OF SUGGESTED AMENDMENTS.

ONE IS TO BROADEN THE NUMBER THREE HERE TO INCLUDE ALL PUBLIC PROPERTIES AND THEN TO ADD A FOURTH, MAYBE A

DISTINCT SUGGESTION.

>> I THINK WE KEEP THREE AS PUBLIC SCHOOLS JUST BECAUSE IT'S BECOME -- IT'S BROUGHT A LOT OF US TO THIS TABLE, SO I THINK IT'S FINE TO BE THREE, BUT I JUST THINK WE SHOULD DEFINITELY INCLUDE ALL PUBLIC PROPERTIES IN NUMBER FOUR.

>>DAVID PAYNE: IN NUMBER FOUR YOU'RE SUGGESTING THE INCLUSIVE TERM --

>> "OTHER INSTITUTIONAL USES"?

>>DAVID PAYNE: OKAY.

>>NAVITA CUMMINGS JAMES: YOU SAID BEFORE USE OF OTHER INSTITUTIONAL PROPERTIES THAT WOULD PARALLEL NUMBER THREE.

>>DAVID PAYNE: SO READING IDENTICAL TO NUMBER THREE, ONLY SAYING "OTHER INSTITUTIONAL PROPERTIES."

>>NAVITA CUMMINGS JAMES: SO THOSE COULD BE EITHER PUBLIC OR PRIVATE?

>> THAT WOULD BE THE WAY I'D PERCEIVE IT, YES.

>>NAVITA CUMMINGS JAMES: OKAY.

>>DAVID PAYNE: OKAY.

ANY -- ANY -- EVERYBODY OKAY WITH THAT AMENDMENT?

>> UH-HUH.

>>DAVID PAYNE: OKAY.

ANYTHING ELSE ABOUT THESE THREE AS IDENTIFYING JUST SIMPLY THE AREAS OF CONCERN THAT WE COULD TAKE UP DISCREETLY? THEN FINALLY TO SORT OF ANTICIPATE A CONVERSATION THAT WE MIGHT HAVE ABOUT THE POSSIBLE OUTCOMES OF THESE DIFFERENT CONVERSATIONS THAT CLEARLY -- THE SUCCESSFUL RESULT WOULD -- UNDER NUMBER ONE THAT THE COMMITTEE COULD MAKE WITH SOME HIGH DEGREE OF CONSENSUS THAT ON PARTICULAR RESOLUTIONS

THAT WE WOULD RECOMMEND; TWO, THAT THERE MIGHT BE BODIES OF ISSUES THAT WE ARE NOT ABLE TO ACHIEVE SPECIFIC RECOMMENDATIONS AND CONSENSUS ABOUT THOSE BUT WE MAY STILL WANT TO REPORT THOSE WITH A RECOMMENDATION FOR FURTHER STUDY AS A COMMITTEE.

AND THEN FINALLY, THERE MAY BE SIMPLY ISSUES THAT CONSENSUS IS NOT GOING TO BE HAD AND TO ALLOW THE PEOPLE WHO ARE INVESTED AND CONCERNED ABOUT THOSE ISSUES TO FILE WHAT I CALL HERE A MINORITY REPORT, SO THAT'S BASICALLY THE MENTALITY BEHIND THAT SUGGESTION.

>> I HAVE A QUESTION ON THE INTENT OF THE MINORITY REPORTS. I DON'T KNOW IF YOU CAN, I GUESS, EXPAND ON THAT. I GUESS MY QUESTION WHEN I FIRST READ IT WAS WHY.

>>DAVID PAYNE: WHY?

>> YEAH.

>> BECAUSE OF YOUR CONCERN.

>> I MIGHT BE ABLE TO ADDRESS THAT.

IF YOU HAVE HALF OF THE COMMITTEE OPPOSED PLUS ONE OR HALF OF THE COMMITTEE IN FAVOR PLUS ONE FOR SOME CHANGE OR SOME RECOMMENDATION TO THE CODE AND THEN YOU HAVE THE OTHER HALF OF THE COMMITTEE MINUS ONE, IT -- IT COULD BE THAT THE ISSUES ARE WORTHY OF BOTH SIDES BEING -- REALLY OF BEING --

>> I GUESS I READ THIS AS THE POTENTIAL FOR A MEMBER OF THIS COMMITTEE TO SUBMIT SOMETHING TO THE -- TO THE COUNTY ADMINISTRATOR WITHOUT THIS -- THIS COMMITTEE EVEN HAVING SEEN IT.

THAT'S THE IMPRESSION I HAD.

>>DAVID PAYNE: I DON'T THINK THAT'S POSSIBLE.

I THINK -- OR WE COULD CERTAINLY MAKE SURE IT'S NOT POSSIBLE.

>> YOU SAID THAT MAY NOT BE SHARED, AND MAYBE I --

>> [INAUDIBLE] THE USE OF THAT WORD "SHARED" IS A LITTLE CONFUSING UNTIL YOU GET DOWN TO THE NEXT PARAGRAPH THAT TALKS ABOUT CONFIRMATION --

>>DAVID PAYNE: OH, SUCH ISSUES OR CONCERNS THAT MAY NOT BE SHARED, THE ISSUES OR CONCERNS ARE NOT SHARED AMONG THE MEMBERS, NOT THE DOCUMENTS.

>> THE DOCUMENT BECOMES A PUBLIC RECORD.

>> RIGHT.

>>DAVID PAYNE: SO I DON'T KNOW ABOUT THE SINGLE INDIVIDUAL WHO MIGHT FILE A MINORITY REPORT.

I DON'T KNOW THAT THERE WOULD BE SIGNIFICANT HARM AS A RESULT CONSIDERING THERE WOULD BE THE ONLY NAME ON THAT, BUT IN THE CASE OF --

>> I'VE DISRUPTED YOU.

DO YOU NEED EXTRA COPIES?

>>DAVID PAYNE: DID YOU HAVE COPIES OF THE PROPOSED -- THERE ARE SOME -- OKAY.

SO I THINK MAYBE JUST CLEAN UP THE WORDING THERE SO THAT WHAT IS SHARED IS THE ISSUES AND CONCERNS THAT ARE NOT SHARED.

SO IN THE CASE OF, SAY, TWO OR THREE MEMBERS OF THE COMMITTEE, I THINK THEY'RE STILL SUBJECT TO THE SUNSHINE LAWS AND WOULD HAVE TO ANNOUNCE ANY MEETINGS THAT THEY WOULD HAVE AND SO ANYBODY COULD ATTEND THOSE, SO I DON'T THINK THOSE AS A STEALTH OPERATION OF SOME SORT.

>> THOSE ARE AREAS I MISREAD OR MISUNDERSTOOD.
MY INTERPRETATION WAS THERE WAS THE ABILITY FOR ME TO WRITE
A REPORT, SUBMIT IT TO THE TWO OF YOU, NO ONE ON THIS
COMMITTEE KNOW ABOUT IT, AND IT BECOME PART OF THE, YOU
KNOW, COMPLETE PACKAGE THAT GOES TO THE COUNTY
ADMINISTRATOR AT THE END OF THIS ENTIRE PROCESS.

>>DAVID PAYNE: THAT WASN'T MY INTENT, SO --

>> AND I JUST WANT TO -- THAT WAS JUST WHY -- IF THAT WAS
THE CASE, THEN LET'S -- WHY DOESN'T THE PERSON JUST DO IT --
- WHY DON'T I JUST DO IT ON MY OWN TIME ON, YOU KNOW -- AS
A [INDISCERNIBLE CROSS TALK]

>>DAVID PAYNE: MY INTENT WAS REALLY THAT THERE MAY BE
PEOPLE WHO ARE DEEPLY VESTED IN ISSUES THAT THEY ARE NOT
ABLE TO PERSUADE THE ENTIRE COMMITTEE TO MAKE A
RECOMMENDATION, IN WHICH CASE THEIR EFFORTS WOULD NOT --
THEY WOULD NOT FEEL THAT THEIR EFFORTS [INDISCERNIBLE CROSS
TALK]

>> SO WE WOULD ALL AT LEAST HAVE --

>>DAVID PAYNE: AND THIS A CONDUIT TO COMMUNICATE THAT TO
THE COUNTY ADMINISTRATOR THAT THESE ARE ISSUES THEY ARE YET
CONCERNED ABOUT AND THAT WAS THE FULL INTENTION OF THE
CLAUSE.

>>NAVITA CUMMINGS JAMES: THIS IS LIKE OUR SUPREME COURT.
YOU CAN HAVE A MINORITY OPINION.

>> WELL, I AGREE WITH THAT.

JUST LIKE -- LIKE LEE SAID, WE MAY HAVE A PAPER THAT COMES
IN FRONT OF ALL OF US THAT WE ALL CAN'T COME TO AGREEMENT
ON, BUT -- AND THAT WOULD MOVE FORWARD.

MY CONCERN WAS JUST THAT THERE MAY BE SOMETHING THAT JUST GOES IN WITHOUT ANY -- ANY DEBATE, AND I THINK THAT SHOULD BE DISCUSSED OR CLARIFIED.

>>DAVID PAYNE: WELL, THE FINAL PARAGRAPH, ANY MINORITY REPORT THAT IS ADVANCED MUST BE MADE AVAILABLE TO ALL MEMBERS OF THE CCAC.

>>NAVITA CUMMINGS JAMES: NOW, IF YOU WANTED TO, WE COULD QUALIFY IT BY SAYING A CERTAIN NUMBER OF PEOPLE HAVE TO AGREE TO FILE A REPORT.

>> WELL, AGAIN, I JUST WANTED TO --

>>NAVITA CUMMINGS JAMES: OKAY.

>> AGAIN, I READ THE FIRST PART AND READ THE SECOND -- THE THIRD PARAGRAPH TOO MUCH -- THEY WERE TOO FAR APART FOR ME, I GUESS.

>>NAVITA CUMMINGS JAMES: ALL RIGHT.
YOU'RE OKAY?

>> I THINK HE WANTS TO SAY SOMETHING.

>> WELL, ACTUALLY, MY COMMENT WAS ALREADY -- ALREADY MADE. I WAS JUST WANTING TO GET TO THE LAST PARAGRAPH BECAUSE IF IT'S ONE, TWO, THREE, FIVE, WHATEVER, EVERYTHING HAS TO BECOME PUBLIC, AND FRANKLY, AS A MATTER OF COURSE, IF ANYONE WRITES SOMETHING IN HERE ABOUT THEIR OPINIONS AND SUBMITS IT TO THE COUNTY ATTORNEY, JOE MOREDA, OR THE ADMINISTRATOR, IT OBVIOUSLY IS A PUBLIC DOCUMENT --

>>NAVITA CUMMINGS JAMES: RIGHT.

>> -- ACCESSIBLE BY EVERYONE, BUT I THINK THE FINAL PARAGRAPH, AS LONG AS WE ALL COMPLY WITH THE FINAL PARAGRAPH, WOULD HOPEFULLY ALLEVIATE YOUR CONCERN.

>> PICKING UP ON WHAT NAVITA SAID AND WHAT MANNY SAID, THE EPIDEMIOLOGIST IN ME, THE PERSON WHO COUNTS EVENTS, NOT ABLE TO ACHIEVE A HIGH DEGREE OF CONSENSUS OR RESOLUTION, I DON'T KNOW WHAT THAT MEANS.

I REALLY DON'T BECAUSE -- ARE WE TALKING ABOUT A SIMPLE MAJORITY?

I KNOW WHAT "CONSENSUS" MEANS, AND THAT'S HIGHLY UNLIKELY, BUT I DON'T KNOW WHAT A HIGH DEGREE OF CONSENSUS DOES MEAN, AND SO MY SENSE IS IF -- IF INDEED WE'RE PLAYING BY THE USUAL RULES IN TERMS OF A SIMPLE MAJORITY IS ALL THAT'S REQUIRED TO PASS A MOTION, IS THAT WHAT YOU'RE REALLY SAYING, THAT ANYTIME AS A RESULT OF A DISCUSSION SOMETHING LESS THAN A SIMPLE MAJORITY IS OF LIKE MIND?

I -- I JUST DON'T KNOW.

>>DAVID PAYNE: OKAY.

I THINK A RECOMMENDED ACTION WILL BE FORWARDED AS A RECOMMENDED ACTION WITH A SIMPLE MAJORITY.

>> OKAY.

>>DAVID PAYNE: HOWEVER, ONE -- THAT VOTE WILL BE --

>> RIGHT.

>>DAVID PAYNE: -- INCLUDED, AND SO -- BECAUSE THIS IS AN ADVISORY FUNCTION.

>> NO, I UNDERSTAND.

>>DAVID PAYNE: WE'RE NOT PASSING LAWS.

>> BELIEVE ME, I UNDERSTAND THAT, AND I'VE SERVED ON A NUMBER OF ADVISORY COMMITTEES ALSO, BUT -- BUT I THINK YOU JUST HAVE TO BE CLEAR FROM THE STANDPOINT OF WHAT -- WHAT ARE YOU REALLY TALKING ABOUT FOR CONTINUED STUDY?

HE AND I -- AND JUST BECAUSE OF THE TYPE OF STUFF THAT WE DO AT THE UNIVERSITY, IT IS UNLIKELY THAT WE WILL EVER CONVINCED ALL OF OUR PEERS THAT WE'RE RIGHT.

IT WOULD BE WONDERFUL --

>>NAVITA CUMMINGS JAMES: UH-HUH.

>> -- BUT IT IS A MYTH IN ACADEMIC PURSUITS THAT THAT'S GOING TO HAPPEN, AND I THINK WHEN YOU -- WHEN YOU BRING TO THESE TYPES OF DISCUSSIONS, I THINK WE JUST HAVE TO BE VERY CLEAR AND UP FRONT, THIS IS WHAT WE'RE LOOKING FOR, THESE ARE THE DISCUSSIONS THAT WE WISH TO HAVE BECAUSE, QUITE FRANKLY, WE LOOK FOR DISSENT.

WE LOOK FOR DISSENTING OPINIONS BECAUSE THAT'S HOW WE LEARN, AND SO I CAN TELL YOU FROM MY OWN PERSONAL AND PROFESSIONAL EXPERIENCE, WHEN I'M WORKING WITH A CORPORATION, I ALWAYS, ONE, WILL NEVER SIGN AWAY MY RIGHTS TO PUBLISH, BUT TWO, WILL ALWAYS INCLUDE IN THOSE -- IN THAT CONTRACT THAT THEY HAVE THE RIGHT TO DISAGREE WITH ME, AND WE WILL SUBMIT MY MAJORITY PAPER FOR PRESENTATIONS AND THEY WILL SUBMIT A PAPER RIGHT THERE THAT SAYS THEY DON'T AGREE.

IT'S NEVER HAPPENED IN MY CAREER BECAUSE WE PUBLISH TOGETHER, BUT, I MEAN, THAT'S WHAT I'M SAYING IS THAT -- JUST BE CLEAR, DON'T GIVE ANYBODY ANY SORT OF WIGGLE ROOM FROM THE STANDPOINT OF WHAT IS IT WE'RE TALKING ABOUT.

>>DAVID PAYNE: UNDER NUMBER TWO THERE, WHAT IS SAID AND MY INTENTION IN DRAFTING IT WAS THAT A MAJORITY OF MEMBERS WILL VOTE TO ADVANCE THIS AS RECOMMENDED FOR FURTHER STUDY, OKAY.

>> THEN JUST SAY THAT.

>>DAVID PAYNE: WELL, IT DOES.

>> I DIDN'T READ IT THAT WAY.

>>DAVID PAYNE: WHEN DESIRABLE TO A MAJORITY OF CCAC
[INAUDIBLE]

>> AND CAN WE MAYBE JUST STOP IT THERE --

>>DAVID PAYNE: SURE.

>> -- AND SAY BUT ABOUT WHICH CCAC WAS NOT ABLE TO
ACHIEVE --

>> IT'S WHAT CAME AFTER THAT THAT TROUBLED ME.

>>DAVID PAYNE: ALL RIGHT.

THIS REPORT WILL INCLUDE A REPORT OF THE [INAUDIBLE]
DECISION TO FORWARD THE REPORT.

SO IF IT'S A 7-6 OR WHATEVER --

>> WHATEVER.

>>DAVID PAYNE: OKAY.

SO JUST SIMPLY STRIKE THE REMAINDER OF THAT SENTENCE.

OKAY.

OTHER -- OTHER ISSUES ABOUT THIS?

>> I WANT TO MAKE ONE COMMENT.

WHEN I FIRST READ THROUGH THIS, I HAD SOME OF THE CONCERNS
THAT FOLKS HAVE ALREADY EXPRESSED.

MAYBE IT'S THE USE OF THE WORD "MINORITY REPORT" BECAUSE I
THINK THAT THE EXCHANGE WE HAD HERE ON THE CORNER WAS MORE
IN LINE WITH WHAT I WOULD EXPECT IS A CONCURRING OPINION,
DISSENTING OPINION, RESPONSE, SO THAT MIKE DOESN'T HAVE TO
GO TO EIGHT DIFFERENT PLACES TO GET, YOU KNOW, THE PACKET
OF THE RECOMMENDATION AND HERE'S ALL THE MYRIAD -- VARIOUS

RESPONSES, THAT IT'D ALL BE TOGETHER SO THAT IT'S NOT ITS OWN STAND-ALONE REPORT BUT IT'S -- IT COULD BE A COLLECTIVE RESPONSE FROM GROUPS HERE, IT COULD BE INDIVIDUAL RESPONSES, BUT THAT WE TREAT IT AS A RESPONSE, NOT AS ITS OWN STAND-ALONE REPORT.

DOES THAT MAKE SENSE?

>>NAVITA CUMMINGS JAMES: YES.

>>DAVID PAYNE: UH-HUH.

OKAY.

SO THERE'S A RECOMMENDATION TO RENAME IT?

>> WE CAN CALL IT BANANAS IF YOU WANT.

I'M JUST SAYING THAT I DON'T THINK THAT IT'S FAIR TO THIS PROCESS TO HAVE EIGHT REPORTS FLOATING AROUND OR FRANKLY THREE.

>>NAVITA CUMMINGS JAMES: YOUR RECOMMENDATION IS HOW WE PACKAGE IT IN THE END.

>> HOW YOU PACKAGE IT, YES.

>>NAVITA CUMMINGS JAMES: THAT MAKES SENSE.

>>DAVID PAYNE: ALL RIGHT.

>>NAVITA CUMMINGS JAMES: THEMATICALLY HAVE EVERYTHING TOGETHER.

EVERYTHING ON THIS ITEM, HERE IS THE POSITION OF THE COMMITTEE, HERE ARE ANY RESPONSES, HERE ARE ANY MINORITY REPORTS OR WHATEVER WE CALL THEM, BUNDLE THEM ALL TOGETHER.

>> AND THERE HERE'S A TABBED DOCUMENT THAT YOU CAN SEND TO THE COMMISSIONERS.

>>NAVITA CUMMINGS JAMES: IT MAKES ABSOLUTE SENSE TO ME.

>> IT SEEMS TO ME THE EASIEST WAY TO DO THAT IS DON'T CALL

THEM MINORITY REPORTS, AND INCLUDED IN OUR RECOMMENDATIONS WOULD BE THE DISSENTING REPORT THAT WOULD GO RIGHT UP UNDERNEATH THE SAME -- IN THE SAME REPORT MUCH LIKE THE SUPREME COURT DOES WHEN THEY -- WHEN THEY FILE THEIR ANSWER OR THEIR OPINIONS.

THE DISSENTING REPORT IS RIGHT THERE WITH THEM SO IF YOU'RE RESEARCHING, YOU CAN SEE IT ALL IN ONE SPOT.

IT'S NOT NECESSARILY A MINORITY, IT'S JUST A DISSENTING REPORT.

I DON'T KNOW WHY YOU WOULD EVEN -- YOU DON'T EVEN NEED TO ADDRESS IT, YOU COULD SAY OUR REPORT WOULD INCLUDE THE DISSENTING SIDE -- THE DISSENTING POSITION.

>> OR JUST CALL IT DIFFERING POSITIONS OR DIFFERING VIEWS OR -- IF YOU DON'T WANT TO PUT A LABEL ON IT TO MAKE IT SOUND NEGATIVE VERSUS POSITIVE.

>>DAVID PAYNE: OR HOW WOULD YOU -- DO WE HAVE PROPOSALS FOR CHANGING THE WAY THIS IS PACKAGED THEN?

DO YOU WANT A STATEMENT AT THE HEADER OF IT TO SUGGEST THAT ALL OUTCOMES OF THE COMMITTEE WILL BE PRESENTED IN ONE FINAL REPORT, IT MAY INCLUDE THE FOLLOWING, AND THEN LIST THE THREE?

DOES THAT COVER THE ISSUE?

AND THEN WE CAN RENAME "MINORITY REPORT" "DISSENTING VIEWS."

>> SOUNDS LIKE WE'RE PROBABLY GOING TO RUN INTO THREE SCENARIOS, ONE WHERE EVERYBODY AGREES UNANIMOUSLY THAT SOMETHING SHOULD BE DONE, ONE WHERE A MAJORITY AGREES, AND ONE WHERE WE CAN'T COME TO AGREEMENT ON.

>> RIGHT.

>> RIGHT?

SO MAYBE WE CAN CATEGORIZE THEM INTO THOSE THREE.

>> AND I DON'T THINK --

>> AND WHAT WE CALL THOSE THINGS, I MEAN --

>> AND I'M NOT SO SURE THAT DOES A GOOD SERVICE TO THE COUNTY COMMISSION WHO'S APPOINTED THIS GROUP TO PROVIDE A MATRIX OF OPINIONS OVER A WHOLE WIDE RANGE OF ISSUES.

IT COULD BE VERY CONFUSING.

IT WOULD BE LIKE THE SUPREME COURT ANALOGY OF A DISSENTING OPINION.

>> EXCEPT WE'RE TALKING -- THE REPORT'S GOING TO END UP BEING 200 PAGES LONG, AND NOBODY, INCLUDING PROBABLY US, WILL READ IT.

[LAUGHTER]

>> SIT UP ON A SHELF SOMEWHERE.

>>NAVITA CUMMINGS JAMES: WELL, MY GUESS IS PEOPLE WILL READ THE RECOMMENDED ACTIONS, AND IT'LL BE UP TO THEM WHETHER OR NOT THEY WANT TO READ THE -- WHETHER WE CALL IT "DISSENTING" OR "MINORITY," SO I THINK IN THE PACKAGING -- OUR GOAL HERE WAS TO BE SURE THAT WE PROTECTED A MINORITY VOICE, AND WHETHER OR NOT IT'S -- AND THE IDEA THAT WE PACKAGE IT TOGETHER, I GUESS, QUITE FRANKLY, I WAS THINKING THAT'S WHAT WE WERE GOING TO DO, BUT HERE -- SO THIS WAS NOT NECESSARILY THE STRUCTURE OF HOW THE REPORT WOULD GO TO THE COUNTY COMMISSION AS OPPOSED TO LET ME BE SURE THESE THREE KINDS OF THINGS ARE INCLUDED IN THE REPORT THAT WE SEND TO THE COUNTY COMMISSION, SO IF YOU WILL TRUST US AND

KEEP REMINDING US THAT WHEN ANYTHING GOES FORWARD --
BECAUSE WE'LL HAVE DRAFTS THAT EVERYONE WILL REVIEW --
LET'S JUST -- IF YOU'RE COMFORTABLE WITH IT, LET'S JUST SAY
WE AGREE THAT THERE ARE GOING TO BE ACTIONS THAT EVERYBODY
AGREES WITH AND WE -- THE MAJORITY AGREES WITH WE CAN SEND
FORWARD, THERE ARE GOING TO BE SOME THINGS WE MIGHT WANT TO
RECOMMEND FUTURE STUDY, AND THEN THERE ARE GOING TO BE SOME
THINGS WHERE THERE ARE STRONG OPINIONS THAT DON'T REFLECT
THE -- THE MAJOR RECOMMENDATIONS, AND WE WILL PACKAGE THOSE
TOGETHER.

SO WE'RE TRYING TO SEE, YOU KNOW, JUST -- ON THE FRONT END
WE WANT TO TALK ABOUT -- BE CLEAR WHAT THE GOALS WERE, ON
THE BACK END WE WANTED TO HAVE A SENSE OF THIS IS WHERE
WE'RE HEADED, SO ARE YOU COMFORTABLE WITH THAT?

>>DAVID PAYNE: WITH THE SPIRIT OF THESE -- I THINK THE
MAIN THING --

>>NAVITA CUMMINGS JAMES: THE SPIRIT.

>>DAVID PAYNE: -- WAS TO HAVE A CONVERSATION ABOUT WHAT
OUR OUTCOMES WOULD BE, AND I THINK WE DID, RIGHT, SO WE'RE
MOSTLY AGREED THAT THESE ARE ALL POSSIBLE OUTCOMES AND THAT
WE WILL PRESENT OUR CONCLUSIONS AS ONE FINAL REPORT.

OKAY.

VERY GOOD.

ALL RIGHT.

THE NEXT ITEM ON THE AGENDA, IF WE SORT OF -- ANY OTHER
COMMENTS OR DISCUSSIONS ABOUT BASICALLY THE SPIRIT AND
INTENTIONS OF THIS DOCUMENT?

OKAY.

>>NAVITA CUMMINGS JAMES: THANK YOU FOR PARTICIPATING IN THAT CONVERSATION.

>>DAVID PAYNE: WE WILL AMEND IT AND CIRCULATE IT AGAIN FOR FURTHER COMMENTARY.

THE NEXT ITEM WAS TO -- CAN WE DECIDE -- PART OF THE PURPOSE OF THIS DOCUMENT WAS TO -- IN IDENTIFYING THESE AREAS WAS FOR THE COMMITTEE TO BE ABLE TO SELECT AN AREA TO BEGIN TO MAP FUTURE MEETINGS ON, SO WHAT DO WE DO NEXT SO THAT WE CAN HAVE A PRODUCTIVE AGENDA NEXT TIME.

SO IF WE UNDERSTAND THAT WE'LL TAKE UP THESE DIFFERENT TOPICS IN TURN, IS THERE ANY DISCUSSION -- I GUESS MY ANTICIPATION WAS THAT NUMBER ONE WOULD BE THE EASIEST TO TAKE UP FIRST.

>> IF -- LAURA BELFLOWER AGAIN FOR THE RECORD.

MY CONCERN ABOUT JUMPING IN TO ANY OF THESE AREAS OF -- IS WHETHER WE WILL HAVE A CONTEXT TO TALK ABOUT THEM, THE LARGER ISSUE LIKE WAS DISCUSSED EARLIER ABOUT WHETHER WE'RE TALKING ABOUT ALL WIRELESS FACILITIES OR WHETHER WE'RE TALKING MAINLY ABOUT TOWERS, IS THE MAJOR FOCUS TOWERS OR IS IT ALL FACILITIES, IS THE MAJOR FOCUS RESTRICTING THE AESTHETICS, SO THERE'S SOME ISSUES THAT KIND OF CROSS ACROSS THESE DISTINCT AREAS THAT I'M NOT SURE WE CAN -- IF WE DON'T HAVE THAT CONTEXT, THAT WE CAN TALK ABOUT THE DIFFERENT POINTS WITHOUT BEING VERY REPETITIVE OR NOT BEING SURE WHAT WE'RE TALKING ABOUT.

AND I DON'T KNOW -- HAVE A SUGGESTION ON HOW TO HANDLE THAT, I JUST RAISE IT AS A CONCERN.

>> IT WOULD SEEM THE AGENDA ITEM WE'RE JUST WANTING TO

ORDER THESE PARTICULAR FOUR TOPICS OR WE WANT TO TRY TO
DRILL DOWN DEEPER INTO --

>>DAVID PAYNE: LET'S ORDER THEM AND THEN DRILL DEEPER INTO
ONE OF THEM, I THINK.

>> I WOULD TEND TO AGREE WITH LAURA THAT WE CAN ORDER THEM,
BUT THE INFORMATION FROM WADE TRIM AND THE INFORMATION FROM
ADAM GORMLY WILL PROVIDE A LOT OF FOUNDATION --

>>DAVID PAYNE: SURE.

>> -- FOR EVERYONE, AND I THINK THAT'S PROBABLY MORE
IMPORTANT TO HAVE THAT UNDER OUR BELTS BEFORE WE JUMP INTO
DETAILED DISCUSSION.

>> GIVEN THAT IT'S 6:00.

>>DAVID PAYNE: RIGHT.

OKAY.

OTHER INPUT HERE?

>>NAVITA CUMMINGS JAMES: LAURA, YOU USED THE LANGUAGE
"CONTEXT."

WERE YOU -- IS THERE ANOTHER TERM THAT COULD DESCRIBE WHAT
YOU'RE TALKING ABOUT THAT YOU WOULD LIKE -- WHEN YOU'RE
THINKING ABOUT --

>> SCOPE, THE SCOPE OF WHAT WE'RE TALKING ABOUT?

I MEAN -- AND PERHAPS SOME OF THAT WILL COME UP IN THE
DISCUSSIONS THAT WE HAVE FROM WADE TRIM AND FROM ADAM, AND
IN TERMS OF THE BOX THAT I TALKED ABOUT LAST TIME -- WHICH
NOBODY LIKED THAT ANALOGY, BUT IN TERMS OF THE FRAMEWORK --
OKAY, THE FRAMEWORK WITHIN WHICH WE ARE OPERATING, THERE'S
A -- WIRELESS FACILITIES IS A VERY HUGE UNIVERSE AND THE
REGULATION OF WIRELESS FACILITIES, IF THAT'S WHAT WE'RE

LOOKING AT IS REGULATION OF WIRELESS FACILITIES, AND UNTIL YOU FIGURE OUT THE SCOPE OF THAT, WHERE WE WANT TO PRIMARILY FOCUS OUR CONCERNS AND ISSUES, IF THE COMMITTEE DOES WANT TO FOCUS ON THE REGULATION OF WIRELESS FACILITIES THEMSELVES, THEN THAT NEEDS TO BE DECIDED UP FRONT, SO PERHAPS "SCOPE" MAYBE IS A BETTER WORD THAN "CONTEXT."

>> BUT ISN'T THAT WHY WE JUST APPROVED THESE GOALS?

I MEAN, DOESN'T THE GOAL OF THE COMMITTEE ADDRESS THAT? THAT'S WHAT WE JUST WENT OVER; RIGHT?

>> EXCEPT IT NOW SAYS -- STILL SAYS THE REGULATION OF WIRELESS FACILITIES, SO IF IT'S THE REGULATION OF ALL WIRELESS FACILITIES --

>> RIGHT.

>> -- ARE WE TALKING ABOUT THE REGULATION OF THE PLACEMENT OF CELL TOWERS AS OUR -- OR WHATEVER WE'RE CALLING THEM -- AS OUR MAJOR FOCUS OR ARE WE TALKING -- AND THEN GET TO THE OTHER ISSUES AS WE CAN OR DO WE WANT TO TALK ABOUT ALL THE ISSUES RELATIVE TO WIRELESS FACILITIES, THE HEALTH EFFECTS, THE -- THE NEED FOR THEM, THE JUSTIFICATION?

I MEAN, IT'S A VERY LARGE UNIVERSE, AND I MEAN, WE'LL BE HERE FOR THREE YEARS TO ADDRESS ALL OF THEM.

>> I THINK WE SHOULD JUST JUMP IN.

I THINK WE SHOULD JUST JUMP IN AND THEN SEE -- YOU KNOW, SEE HOW LONG IT TAKES US, AND IF WE'RE NOT MAKING PROGRESS, THEN MAYBE WE'LL HAVE TO SAY, OKAY, WE NEED TO FOCUS ON THIS OR THAT, BUT I THINK THAT WE SHOULD JUST GET STARTED AND STOP, YOU KNOW, PICKING SO MUCH SO WE CAN ACTUALLY ACCOMPLISH SOMETHING.

>>DAVID PAYNE: WELL, I GUESS THE IDEA OF IDENTIFYING THESE DIFFERENT AREAS WOULD BE THAT -- WHATEVER ISSUES THERE ARE INsofar AS THEY IMPACT PEOPLE HERE CONCERNED ABOUT NEIGHBORHOOD AND PROPERTY, SO WHETHER THAT BE LOCATION OR IN THE CASE OF THESE REFRIGERATOR THINGS, IF INDEED THEY ARE AN ISSUE FOR A NEIGHBORHOOD, SO THAT WOULD FALL UNDER THE HEADING OF, RIGHT, THE TOPICS OF NEIGHBORHOOD AND PROPERTY CONCERNS, SO THAT THAT WOULD BE -- SO THE FIRST ITEM OF BUSINESS WOULD BE REALLY TAKING ON THE CODE, LEAVING ASIDE FOR THAT DISCUSSION THOSE ISSUES ABOUT LOCATION, THE RULES OF LOCATION AND CONSTRUCTION, LEAVING ASIDE THE REVIEW OF THE PROCESS FOR -- FOR LATER, THE PROCESS OF APPROVING, SO DOES THAT MAKE -- I GUESS MY CONCERN WAS THAT IF WE JUST SORT OF IDENTIFY ALL THE ISSUES THAT ARE ON OUR MINDS, WE WON'T KNOW WHERE TO BEGIN, SO THAT'S -- IF THAT'S NOT INTUITIVELY SHARED BY EVERYBODY, THEN --

>> SO DO WE NEED A MOTION?

DOES SOMEBODY NEED TO MAKE A MOTION OF WHAT WE WANT TO START WITH?

>>DAVID PAYNE: I THINK SO.

>> OKAY.

I'LL MAKE A MOTION THAT WE START WITH THE DISCUSSION OF THE WADE TRIM COMPARATIVE STUDY OF COMMUNITY CODES.

>> SECOND.

>>DAVID PAYNE: OKAY.

DAVID.

>>NAVITA CUMMINGS JAMES: DIDN'T EVEN HAVE TO VOTE, DID WE?

>> GOOD EVENING.

THE FIRST THING I'D LIKE TO DO IS APOLOGIZE YOU DIDN'T GET THIS DOCUMENT ABOUT TWO WEEKS AGO.

I'VE BEEN A LITTLE UNDER THE WEATHER, BUT HOPEFULLY THE THOUGHT BEHIND THIS COMPARATIVE ANALYSIS THAT WE DID IS TO MAYBE AT 20,000 FEET BEGIN TO LOOK AT HOW SOME MUNICIPAL CODES ARE DEVELOPED, WHAT ARE SOME OF THE DISTINCTIONS BETWEEN THEM AS IT RELATES TO HILLSBOROUGH COUNTY, AND ALSO TO PROVIDE YOU WITH SOME BACKUP MATERIAL, AND WHAT I'M GOING TO FOCUS ON FOR THE NEXT FEW MOMENTS IS REALLY THE FIRST FOUR OR FIVE PAGES OF THIS.

THE REST OF THAT DOCUMENT THAT YOU HAVE THERE IS REALLY A SUMMARY OF WHAT I THOUGHT TO BE SOME OF THE SALIENT ISSUES OR ITEMS RELATED TO THOSE ORDINANCES THAT WE REVIEWED, AND SO IN TERMS OF METHODOLOGY, WHAT WE DID, WE WANTED TO LOOK AT COMMUNITIES THAT WERE LIKE HILLSBOROUGH COUNTY, AND WHEN I SAY "LIKE HILLSBOROUGH COUNTY," IT MAY BE A COUNTY THAT'S URBAN AND RURAL IN FORM, EXPERIENCED A LOT OF GROWTH, YOU KNOW, the CELLULAR TOWER INDUSTRY IS GROWING HERE, SO WE WANTED TO LOOK AT SOME COMMUNITIES THAT WE THOUGHT WERE SIMILAR.

THE OTHER THING WE WANTED TO DO WAS TO TAKE A LOOK AT SOME ORDINANCES AND SOME EMERGING TRENDS OF WHAT WE'RE SEEING IN MODEL ORDINANCES, AND SO ONE OF THE THINGS THAT OUR TEAM DID -- AND AS YOU RECALL ON OUR TEAM WE HAVE SOME STRUCTURAL ENGINEERS AND OTHER FOLKS THAT ARE IN THIS INDUSTRY, SO WHAT WE DID WAS WE TALKED TO THESE FOLKS AND SAID, WELL, WHAT ARE SOME OF THE ORDINANCES OUT THERE THAT

HAVE BEEN DEVELOPED IN RECENT -- IN RECENT YEARS THAT KIND OF REFLECT WHERE THE INDUSTRY IS, AND SO WHAT WE DID, WE TOOK A LOOK AT WHAT'S CALLED PCIA.

THE PCIA, FOR THOSE IN THE ROOM WHO ARE IN THE INDUSTRY PROBABLY KNOW, THAT'S REALLY THE -- THE PROFESSIONAL ORGANIZATION IN WHICH THE CELLULAR TOWER INDUSTRY OPERATES, AND IT -- IT HAS DEVELOPED MODEL ORDINANCES, SO WE WANTED TO LOOK AT A COUPLE COMMUNITIES WHERE THAT WAS DONE, AND WE LOOKED AT WAKE COUNTY, NORTH CAROLINA, AND ALBANY, GEORGIA, WHICH YOU'LL SEE IN THERE.

THE OTHER THING THAT WE DID, WE ASKED VERY SPECIFICALLY IF THERE WERE ANY MUNICIPAL ORDINANCES THAT YOU AS A COMMITTEE WANTED US TO TAKE A LOOK AT.

I KNOW AT THE LAST MEETING LAURA MENTIONED TO US TAKE A LOOK AT ALACHUA COUNTY, I BELIEVE, AND ST. JOHNS COUNTY, SO WE INCLUDED THAT IN THE ANALYSIS AS WELL.

I CAN BE HONEST WITH YOU.

WHEN I ORIGINALLY STARTED THIS, I THOUGHT IT WAS GOING TO BE A VERY EASY TASK.

IT TURNED OUT TO BE EXTREMELY DIFFICULT, AND THE REASON FOR THAT IS THERE'S NO TWO ORDINANCES THAT ARE THE SAME.

SOME ORDINANCES ARE A PAGE LONG, SOME ORDINANCES ARE 20 PAGES LONG, SOME ORDINANCES ARE SELF-CONTAINED, EVERYTHING YOU NEED IS RIGHT IN THAT ORDINANCE, AND THEN THERE'S OTHER ORDINANCES THAT YOU'VE GOT TO REFER TO MULTIPLE SECTIONS OF THE CODE TO FIND, YOU KNOW -- FIND THE CONNECTIONS, AND SO AS WE -- AS WE GOT INTO IT, IT WAS A LITTLE BIT MORE DIFFICULT.

SO WHAT WE TRIED TO DO, THOUGH, WAS TO PARE DOWN AND SUMMARIZE THOSE PARTICULAR AREAS THAT AT LEAST INTUITIVELY WE THOUGHT THE COMMITTEE MIGHT HAVE INTEREST IN BASED ON OUR -- OUR LISTENING TO YOUR PREVIOUS MEETINGS AND TRYING TO GET A FEELING FOR WHERE YOU AS A COMMITTEE WANT TO GO AND WHAT ISSUES ARE PERTINENT TO YOU.

SO WHAT WE DID, WE LOOKED AT FIVE OR SIX AREAS.

ONE WAS THE SETBACKS AND SEPARATION FROM OFF-SITE USES OR FROM DESIGNATED AREAS.

THE NEXT THING WE LOOKED AT IS ALLOWABLE HEIGHT, AND IT'S ALL OVER THE PLACE.

I'LL TALK ABOUT THAT IN JUST A SECOND.

WE LOOKED AT AESTHETICS, AND AESTHETICS BEING THINGS SUCH AS LANDSCAPE AND CAMOUFLAGE AND COLLOCATION AND COLOR AND THINGS OF THAT NATURE.

THEN WE LOOKED AT SAFETY ISSUES RELATED TO ABANDONMENT, SECURITY OF THE FACILITIES, STRUCTURAL REQUIREMENTS THAT ARE RELATED TO THE FACILITIES, AND THEN WE TOOK PROBABLY A LITTLE LESSER LOOK AT THE REVIEW PROCESS.

AND SO IF YOU'LL ALLOW ME, MAYBE IN ABOUT FIVE MINUTES I CAN JUST SUMMARIZE SOME OF THE -- WHAT I'LL SAY ARE THE SALIENT FINDINGS FROM THE FOUR TABLES THAT ARE RIGHT BEHIND THE ENTRY MEMO IN THE REPORT, THE FIRST BEING THE SETBACKS FROM OFF-SITE USES OR DESIGNATED AREAS, AND I CAN TELL YOU THIS WAS THE MOST DIFFICULT ONE TO GET OUR ARMS AROUND BECAUSE THE REQUIREMENTS VARY SIGNIFICANTLY BETWEEN COMMUNITIES.

IF YOU LOOK AT HILLSBOROUGH COUNTY, YOU KNOW, IN YOUR CODE,

THERE'S SETBACK REQUIREMENTS FROM RESIDENTIAL AREAS, THERE'S SETBACK REQUIREMENTS FROM OTHER AREAS, IN SOME CASES THERE'S NO SETBACK REQUIREMENT, IN THE INDUSTRIAL AREAS, AND IF YOU GO TO ORANGE COUNTY, FOR EXAMPLE, WHICH IS ANOTHER ONE OF THE CODES THAT YOU WANTED US TO LOOK AT, THE SETBACKS ARE EXTENSIVE.

THEY CAN BE ANYWHERE FROM, MY GOODNESS, IN A MONOPOLE 175 FEET TO 980 FEET, DEPENDING ON THE HEIGHT AND THE ABUTTING USES, SO WHAT WE SAW IS SOME ORDINANCES YOU MIGHT BE REQUIRED TO SIT BACK 50 FEET.

SOME ORDINANCES YOU MIGHT BE REQUIRED TO SET BACK 700 TIMES THE HEIGHT OF THE TOWER.

SOME ORDINANCES THE SETBACK WAS BASED UPON THE FALL ZONE, A DEFINED FALL ZONE.

AND SO THE -- THE SETBACKS WERE REALLY ALL OVER THE MAP. THAT'S NOT NECESSARILY A BAD THING, IT'S JUST A DIFFICULT THING TO GET YOUR ARMS AROUND IN THIS PROCESS.

IF YOU LOOK AT ALACHUA COUNTY, THEY USE A TIERED PROCESS, VERY, VERY DIFFERENT THAN WE DO HERE IN HILLSBOROUGH COUNTY, AND IT'S BASED ON THE COMP PLAN, NOT ON ZONING DISTRICTS, AND SO THE -- THE NUMBERS IN TERMS OF SETBACK ARE ALL OVER THE PLACE.

IN GENERAL, I WOULD SAY MOST OF THEM EITHER FALL BACK TO THE -- WHAT'S DEFINED AS THE FALL ZONE OR ANYWHERE MAYBE FROM THE HEIGHT OF THE TOWER TO 1- OR 200% OF THE HEIGHT OF THE TOWER, SO IT VARIES, BUT IF YOU HAD TO KIND OF SUMMARIZE WHERE THEY ARE IN GENERAL, THAT'S -- THAT'S WHERE THEY ARE.

THE NEXT TABLE WE TOOK A LOOK AT THE ALLOWED HEIGHT, AND AGAIN, THE ALLOWED HEIGHT IN AVERAGE RUNS ABOUT 140 TO 200 FEET.

YOU CAN GO HIGHER THAN THAT IN SOME CASES IF YOU UNDERGO A SPECIAL REVIEW PROCESS IN SOME COMMUNITIES.

THE HEIGHTS DEPEND ON THE TYPE OF TOWER IN SOME COMMUNITIES.

FOR EXAMPLE, IF YOU HAVE A STEALTH TOWER, GENERALLY THOSE ARE LOWER.

THE HEIGHT WILL ALSO DEPEND UPON THE NUMBER OF USERS THAT YOU MAY HAVE ON THAT TOWER.

FOR EXAMPLE, IF YOU HAD FOUR USERS, YOU'RE PROBABLY GOING TO ALLOW SIGNIFICANTLY HIGHER HEIGHT, MAYBE UP TO 2- OR 300 FEET.

SO IF YOU LOOK AT THE TABLE, WHAT YOU'LL SEE IS THOSE NUMBERS ARE ALL OVER THE PLACE, BUT ON AVERAGE, PROBABLY BETWEEN 140 AND 200 FEET IS THE AVERAGE.

THE NEXT THING WE TOOK A LOOK AT WAS -- WAS AESTHETICS, AND IN TERMS OF AESTHETICS, WE LOOKED AT LANDSCAPING, BUFFERING, WE LOOKED AT CAMOUFLAGED FACILITIES, WE LOOKED AT COLLOCATION, AND WE LOOKED AT COLOR AND IN EACH ONE OF THOSE ORDINANCES TRIED TO GET OUR ARMS AROUND, YOU KNOW, WHAT ARE THE REQUIREMENTS.

IN TERMS OF LANDSCAPING AND BUFFERING, I CAN TELL YOU ALMOST EVERY ORDINANCE IS VERY SIMILAR IN TERMS OF, YOU KNOW, WHERE THE LANDSCAPING IS TO OCCUR, WHAT TYPE OF LANDSCAPING IS TO OCCUR, AND THERE WASN'T A LOT OF VARIATION IN THAT PARTICULAR COMPONENT OF AESTHETICS.

WHEN YOU GET INTO THE CAMOUFLAGE OR STEALTH TYPE FACILITIES, WE FOUND THAT IN GENERAL THERE WAS A STRONG FOCUS FOR THEM, AN ENCOURAGEMENT OF THEM.

IN MANY CASES THERE'S INCENTIVES IN THE ORDINANCE THAT IF YOU PROVIDE STEALTH FACILITIES OR CAMOUFLAGED FACILITIES, YOU CAN GET THROUGH THE PROCESS QUICKER, SO THERE'S SOME -- THERE'S INCENTIVES THAT ARE RELATED TO THAT.

SOME COMMUNITIES REQUIRE CAMOUFLAGE.

FOR EXAMPLE, IN THIS COMMUNITY IT IS REQUIRED IN CERTAIN AREAS THAT YOU USE A CAMOUFLAGED FACILITY.

OTHER ORDINANCES WERE SIMPLY SILENT TO IT, HAD NO REQUIREMENTS.

IN TERMS OF COLLOCATION IN GENERAL, IF YOU LOOK AT THE INTENT, READ THROUGH THE INTENT OF THESE ORDINANCES AND SOME OF THE DETAILS, YOU'LL FIND THAT ALMOST EVERYBODY IS ENCOURAGING AND HIGHLY ENCOURAGING COLLOCATION AS OPPOSED TO THE CONSTRUCTION OF NEW TOWERS.

IT'S ONLY LOGICAL FOR -- PRIMARILY FOR AESTHETIC REASONS, FEWER TOWERS BEING MORE ACCEPTABLE.

IN TERMS OF COLOR, AGAIN, SOME ORDINANCES WERE VERY SPECIFIC, SOME ORDINANCES WERE SILENT TO IT.

IN GENERAL WHAT WE FOUND WAS GALVANIZED OR A DULL BLUE OR A DULL GRAY WERE THE MOST FREQUENTLY REFERENCED COLORS IN TERMS OF THE AESTHETICS.

>> CAN I ASK YOU A QUICK QUESTION, PLEASE.

>> YES, SIR.

>> I APOLOGIZE TO ALL OF YOU, BUT I WORK A LOT WITH THE MILITARY, SO I'M UP TO MY NECK WITH OTHER ACRONYMS, BUT

COULD YOU TELL US, IS THERE A GLOSSARY OF TERMS THAT GOES WITH THIS BECAUSE I DON'T -- I DON'T KNOW WHAT AM, AI, CI, M, PD, AND IPD DISTRICTS ARE.

I REALLY DON'T.

>> THERE IS, AND EVERY ORDINANCE IS DIFFERENT.

>> OKAY.

>> WHAT I DID, I INCLUDED IN THE BACK OF THE DOCUMENT, AS I SAID, A SUMMARY.

>> OKAY.

>> BUT WHAT YOU NEED TO DO, UNFORTUNATELY, YOU'D NEED TO GO TO THAT ORDINANCE, AND THERE'S A REFERENCE TO THE SECTION OR ARTICLE NUMBER, SO IF YOU WENT ON-LINE, YOU COULD FIND OUT WHAT EACH ONE OF THOSE IS, BUT THEY'RE DIFFERENT IN EVERY COMMUNITY.

>> I WAS JUST LOOKING IN HILLSBOROUGH, AND I JUST DON'T KNOW WHAT THEY ARE.

>> IT'S IN THE LAND DEVELOPMENT CODE.

>> [INAUDIBLE]

>> OKAY.

YEAH.

ALL RIGHT.

>> THESE ARE INDUSTRIAL AND HIGH-INTENSITY TYPE CATEGORIES JUST SO YOU KNOW.

>> OKAY.

THANKS.

>> THE LAST AREA WE LOOKED AT WAS -- WAS SAFETY, AND WITHIN THE CATEGORY OF SAFETY WE LOOKED AT STRUCTURAL DESIGN, ABANDONMENT PROVISIONS THAT ARE IN THE CODE, AND SECURITY.

IN TERMS OF STRUCTURAL DESIGN, IN MY BUSINESS -- WE'RE IN THE ENGINEERING AND PLANNING BUSINESS -- I WAS VERY SURPRISED THAT MORE ORDINANCES WEREN'T SPECIFIC ABOUT STRUCTURAL DESIGN REQUIREMENTS.

THERE ARE WITHIN THE INDUSTRY TIA STANDARDS -- TAI STANDARDS, WHICH -- WHICH REALLY GOVERN HOW THESE THINGS ARE CONSTRUCTED STRUCTURALLY.

ONLY TWO OR THREE ORDINANCES MADE REFERENCE TO THAT. MANY ORDINANCES WERE SILENT, SOME ORDINANCES SIMPLY REQUIRED THAT THE -- A STRUCTURAL ENGINEER CERTIFY THAT IT IS SAFE, STRUCTURALLY CORRECT, AND SO THE REQUIREMENTS FOR STRUCTURAL WERE KIND OF ALL OVER THE PLACE.

IN TERMS OF ABANDONED TOWERS, ALMOST EVERY SINGLE ORDINANCE DID HAVE A PROVISION IN THERE FOR ABANDONED TOWERS.

ON AVERAGE I'D SAY BETWEEN A TOWER THAT SITS UNUSED OR INOPERABLE FOR A PERIOD OF ANYWHERE FROM 16 TO 18 MONTHS ON AVERAGE IS DETERMINED TO BE ABANDONED, AND THEN THERE ARE PROCEDURES WITHIN EACH CODE AS TO A NOTIFICATION FOR ABANDONMENT, YOU KNOW, WHAT YOU HAVE TO DO AND THE TIME FRAME WITHIN WHICH YOU HAVE TO DO THAT.

THE LAST ITEM, SECURITY, WITH FEW EXCEPTIONS ALMOST EVERY ORDINANCE DID REQUIRE A SIX- TO EIGHT-FOOT WALL, CHAIN-LINK FENCE, SOME REQUIRED BARBED WIRE ON TOP, SOME ARE VERY SPECIFIC IN TERMS OF THE DESIGN OF THOSE, THAT THEY BLEND INTO THE SURROUNDING AREA, NO CLIMBING DEVICES ARE SPECIFIED ON A NUMBER OF ORDINANCES, AND ALSO USUALLY A LOCKED GATE WAS REQUIRED, SO THERE WASN'T A LOT OF VARIATION IN TERMS OF THE SECURITY REQUIREMENTS.

THEY'RE PRETTY STRAIGHTFORWARD IN MOST ORDINANCES.

SO -- AND I KNOW YOU PROBABLY NEED A LITTLE TIME TO DIGEST THIS, BUT IN GENERAL WHAT WE FOUND WAS THE PROCESS FOR REVIEWING THESE THINGS VARIES ALL OVER THE PLACE.

I MEAN, IT'S -- IT'S JUST -- MOST ALL OF THEM ARE A SPECIAL EXCEPTION OR REQUIRE A SPECIAL REVIEW PROCESS, PARTICULARLY THE -- WHAT WE'LL CALL THE TOWER STRUCTURE ITSELF, SOME OF THE PLACING OF ANTENNAS ON EXISTING BUILDINGS OR PLACING ANTENNAS ON EXISTING TOWERS.

THAT REVIEW AND APPROVAL PROCESS TENDS TO BE A LITTLE MORE STRAIGHTFORWARD AND SIMPLE, BUT THE PROCESSES GENERALLY REQUIRE ALMOST IN ALL COMMUNITIES A SPECIAL REVIEW.

NOW, THE OTHER THING WE DID, WE LOOKED AT EACH ONE OF THE COMMUNITIES IN HILLSBOROUGH COUNTY SO THAT YOU COULD SEE THE VARIATIONS, AND THE COUNTY'S ORDINANCE AND THE CITY OF TAMPA'S ORDINANCE ARE VERY DETAILED.

THE ISSUE OF -- OF SCHOOL -- LOCATION OF TOWERS ON SCHOOLS IS -- IS VERY PRONOUNCED IN BOTH OF THOSE ORDINANCES.

WE DIDN'T FIND MANY REFERENCES TO LOCATION ON SCHOOLS IN OTHER ORDINANCES.

WE FOUND SOME LOCATIONS WITH REGARD TO SETBACKS FROM THOSE BUT VERY LITTLE RELATIVE INFORMATION ABOUT LOCATION ON SCHOOL PROPERTIES.

SO WHAT WE'RE HOPING THIS WILL DO IS KIND OF GIVE YOU A 20,000-FOOT VIEW OF, YOU KNOW, THE DIFFERENCES THAT YOU FIND BETWEEN COMMUNITIES, AND AGAIN, THE BULK OF THE DOCUMENT IS THERE.

WE KNEW THAT YOU WERE GOING TO GET INTO SPECIFIC

DISCUSSIONS, AND IF YOU HAD A PARTICULAR QUESTION ABOUT ONE OF THOSE ORDINANCES WE REVIEWED, WE WANTED TO SUMMARIZE IT AND GIVE YOU A LITTLE MEAT TO FALL BACK ON SHOULD YOU EVER NEED THAT.

LAURA BROUGHT SOMETHING UP TO ME AT THE BEGINNING OF THE MEETING, AND I APOLOGIZE.

THE -- THE TEXT FOR US OLDER FOLKS IS A LITTLE HARD TO READ IN THAT, SO I'M GOING TO HAVE THOSE BLOWN UP FOR YOU, AND I'LL GET JOE TO PUT THOSE BACK ON THE SITE.

AND AGAIN, WE HAD ENVISIONED PERHAPS DOING TWO OR THREE MORE COUNTY ORDINANCES, SO IF THERE IS AN ORDINANCE THAT YOU WOULD LIKE US TO TAKE A LOOK AT, PLEASE LET ME KNOW AS SOON AS POSSIBLE.

WE'LL GET 'ER DONE.

>> JUST HAVE A QUICK QUESTION.

RICHARD DAVIS, FOR THE RECORD.

OBVIOUSLY THERE ARE SIMILARITIES IN A NUMBER OF THESE ORDINANCES, AND I'M JUST CURIOUS, DO THOSE SIMILARITIES BELIE THE FACT THAT THERE IS A MORE UNIFORM CODE THAT HAS BEEN RECOMMENDED IN JURISDICTIONS BY OTHER ENTITIES THROUGHOUT THE COUNTRY AND THEN THESE JURISDICTIONS DRAW ON THOSE STANDARDS?

>> YES.

THERE ARE -- PCI -- PCIA HAS A MODEL ORDINANCE THAT IS USED --

>> SO IT IS THAT -- THAT IS THE -- THOSE ARE THE MODELS? I'M JUST CURIOUS BECAUSE IF WE'RE LOOKING AT WHAT THE LEGISLATIVE UNDERPINNING IS FOR VARIOUS STANDARDS AND THERE

WAS A MODEL OUT THERE, I WAS JUST CURIOUS ABOUT IT, SO
THAT'S WHERE IT IS?

>> YES.

WHAT I DID FIND -- MY OBSERVATION ON THAT MODEL ORDINANCE
WAS IT WAS REALLY A SKELETON, IF YOU WOULD.

IT INCLUDES THE BASICS OF WHAT YOU WOULD WANT TO INCLUDE IN
A CELLULAR TOWER ORDINANCE, BUT IN TERMS OF SOME REAL NEED
OR ADDRESSING ISSUES THAT ARE UNIQUE TO THAT LOCALE, THEY
DON'T DO THAT.

YOU LOOK AT WAKE AND YOU LOOK AT ALBANY, GEORGIA, THEY'RE
BOTH BUILT ON THAT MODEL ORDINANCE AND THEY'RE PRETTY
STRAIGHTFORWARD.

>> OKAY.

THANK YOU.

>> CAN YOU REPEAT WHAT PCIA STANDS FOR.

THAT'S THE ORGANIZATION THAT MADE THIS SKELETON?

>> YEAH.

IT'S THE PROFESSIONAL ORGANIZATION, AND I APOLOGIZE, I
DON'T RECALL WHAT --

>> PERSONAL COMMUNICATION INDUSTRY ASSOCIATION.

>> IT'S AN INDUSTRY -- IT'S AN INDUSTRY GROUP --

>> YES.

>> YES.

>> -- THAT CAME UP WITH THIS?

OKAY.

THANKS.

>> YES.

>> DID YOU INCLUDE THAT WITH YOUR REPORT?

>> I DIDN'T INCLUDE THE MODEL ORDINANCE.

I CAN, IF YOU'D LIKE, PROVIDE THAT ORDINANCE.

>> PLEASE -- WOULD YOU, PLEASE.

>> SURE.

>> I'M CURIOUS, DID YOU COME ACROSS ANY CITIZEN-CREATED ORDINANCES OR RECOMMENDATIONS IN YOUR RESEARCH?

>> I'M NOT SURE THEY WERE CITIZEN-CREATED.

WE FOUND SOME PROVISIONS IN SOME ORDINANCES IN THE REVIEW PROCESS, FOR EXAMPLE, THAT A PUBLIC MEETING IS REQUIRED WITH THE NEIGHBORHOOD AS A PART OF THE REVIEW AND APPROVAL PROCESS.

YEAH, WE FOUND THAT IN TWO OR THREE DIFFERENT ORDINANCES, BUT THAT IS SOMETHING THAT I SUSPECT HAS JUST ARISEN OUT OF THE LOCAL JURISDICTION [INAUDIBLE]

>> RIGHT.

>> TO ANSWER RICK'S QUESTION, I DON'T KNOW MANY, IF ANY, JURISDICTIONS THAT USE THE PCIA IN FLORIDA.

IN TERMS OF THERE BEING A MODEL THAT MOST OF THEM ARE BASED ON, IN VERY LATE '90s THERE WAS A LAW FIRM IN SOUTH FLORIDA THAT REPRESENTED LOCAL GOVERNMENTS THAT DRAFTED A MODEL AND THEY PREPARED A FEW ORDINANCES, AND MOST OF WHAT YOU SEE WHEN THERE IS SIMILARITY IS BECAUSE JURISDICTIONS BORROW FROM OTHER JURISDICTIONS, AND SO I DON'T THINK THAT THE MODEL -- AND IN TERMS OF THE CITIZEN-WRITTEN, SINCE THE INDUSTRY DID NOT WRITE MOST OF THESE, MANY OF THEM ARE CITIZEN-INFLUENCED, AND THE COMMUNITY MEETING PROVISION THAT YOU SEE IN MANY JURISDICTIONS APPLIED TO ALL SPECIAL EXCEPTIONS OR ALL SIMILAR USES, IT'S NOT JUST TOWERS --

>> RIGHT.

>> -- THAT HAVE TO HAVE THOSE PROCESSES.

SARASOTA COUNTY, FOR EXAMPLE, REQUIRES ALMOST EVERYTHING TO GO THROUGH TO HAVE A COMMUNITY MEETING FOR IT.

AND I HAD A QUESTION ABOUT HOW WE PROVIDE INPUT TO WADE TRIM AND SUGGESTED CORRECTIONS.

FOR EXAMPLE, IN THE SETBACK, SOME OF THESE JURISDICTIONS, THEY'RE NOT SETBACKS PER SE, THEY ARE DIVISIONS BETWEEN THE DIFFERENT TYPE OF REVIEW PROCESS.

ALACHUA COUNTY'S TIER IS ONE EXAMPLE OF THAT.

IF YOU MEET ALL OF THESE, YOU GO THROUGH THIS EASIER REVIEW.

IF YOU DON'T MEET THOSE, YOU GO TO THE NEXT REVIEW, SO IT'S NOT A SETBACK PER SE, AND TO A CERTAIN DEGREE THAT'S TRUE IN ORANGE COUNTY.

IF YOU HAVE A PARTICULAR TYPE OF TOWER, YOU GET ONE PROCESS; IF YOU HAVE ANOTHER TYPE OF TOWER, YOU GET ANOTHER PROCESS, SO THEY'RE NOT -- THEY'RE AS MUCH REVIEW PROCESSES AS THEY ARE SETBACKS.

>> WHAT WAS DIFFICULT TO DO, AND I KIND OF REFERENCED IT EARLIER IN MY PRESENTATION IS THERE ARE SO MANY EXCEPTIONS, IF YOU WILL, WITHIN A LOT OF THESE CODES THAT TYPICALLY THESE ARE THE HEIGHTS AND THESE ARE THE SETBACKS; HOWEVER, YOU CAN -- YOU CAN ACHIEVE GREATER OR LESS IS REQUIRED UNDER CERTAIN CIRCUMSTANCES, AND IT'S VERY DIFFICULT TO GET YOUR ARMS AROUND THOSE IN A SUMMARY, BUT I THINK LAURA IS EXACTLY RIGHT, THERE'S -- THERE ARE NOT ABSOLUTES IN SOME OF THESE NUMBERS.

>> CAN WE PROVIDE AN E-MAIL WITH OUR SUGGESTED CHANGES,
BUT -- OR PROVIDE THEM TO JOE AND THEY ALL BE LISTED
TOGETHER AND THEN BROUGHT TO THE COMMITTEE AS A WHOLE
BECAUSE I DON'T KNOW THAT WE WANT TO ASK WADE TRIM
INDIVIDUALLY TO CHANGE SOMETHING, BUT --

>>DAVID PAYNE: I THINK -- GO AHEAD.

>>NAVITA CUMMINGS JAMES: I THINK THERE ARE MULTIPLE WAYS
TO HANDLE IT, BUT IF YOU WANTED TO WRITE UP A RESPONSE TO
IT AND THEN JUST SHARE IT WITH THE MEMBERS OF THE
COMMITTEE, WE CAN DO THAT BY E-MAIL, AND THEN IF PEOPLE
WANTED TO HAVE A FURTHER DISCUSSION ON IT, THEN WE COULD
PUT IT ON THE AGENDA FOR ANOTHER DISCUSSION.

>> SEND IT TO JOE AND THEN JOE WOULD SEND IT TO EVERYONE
OR --

>>NAVITA CUMMINGS JAMES: AND WADE TRIM WOULD GET IT AS
WELL AS EVERYONE ELSE, SO IF WADE TRIM WANTED TO RESPOND TO
IT, THAT COULD ALSO BE A POSSIBILITY.

>> SO ANYBODY THAT FINDS ANYTHING --

>>DAVID PAYNE: RIGHT.

I THINK YOU JUST WRITE UP WHAT YOUR EXCEPTION OR
QUALIFICATION --

>>NAVITA CUMMINGS JAMES: OR CLARIFICATION --

>>DAVID PAYNE: -- CLARIFICATION, AND IF -- JOE CAN
CIRCULATE THOSE.

IF WE GET THREE OR FOUR OR WHATEVER, WE MIGHT JUST MAKE A
SEPARATE DOCUMENT SO THAT'S ALL RECORDED IN ONE SPOT AND
EVERYBODY HAS A COPY OF THAT.

>> I THINK LAURA'S POINT IS VERY WELL TAKEN BECAUSE EVEN

THOUGH WE TRIED TO SUMMARIZE THESE, THEY'RE NOT ABSOLUTES. THERE ARE A SERIES OF TECHNIQUES THAT ONE CAN USE TO EITHER INCREASE SETBACKS, INCREASE HEIGHTS, AND SO IF THERE CAN BE GREATER CLARITY PROVIDED IN THAT AREA, WHETHER IT'S FROM THE COMMITTEE OR US, HAPPY TO DO THAT.

>> I HAVE A QUESTION FOR DAVE.

DID YOU LOOK AT COMP PLANS TOO OR JUST LAND DEVELOPMENT REGULATIONS?

>> JUST PREDOMINANTLY LDRs WITH THE EXCEPTION OF --

>>NAVITA CUMMINGS JAMES: OKAY.

SO WHY DON'T YOU USE LANGUAGE THAT EVERYBODY UNDERSTANDS.

>> I'M SORRY, COMPREHENSIVE PLANS.

>> NO.

>> I WASN'T SURE BECAUSE SOMETIMES THEY'LL HAVE POLICIES IN THERE ABOUT COLLOCATION, FOR INSTANCE, AND PROTECTION OF NEIGHBORHOODS BUT ALSO ABOUT -- I MEAN, IT JUST DEPENDS FROM JURISDICTION TO JURISDICTION, SO I WASN'T SURE TO WHAT EXTENT YOU LOOKED AT THOSE.

OKAY.

>> WE DID NOT GO TO COMP PLAN POLICIES.

>> OKAY.

>> DAVID, AS YOU REVIEWED THIS AND YOUR STAFF REVIEWED THIS, YOU OBVIOUSLY HAD A LOT OF INFORMATION THAT CAME IN. DID YOU DEVELOP AN IMMEDIATE IMPRESSION OR OPINION AS A PLANNER AS TO WHETHER HILLSBOROUGH COUNTY SPECIFICALLY -- THEIR SETBACKS, THE AESTHETICS ISSUES, AND TOWER HEIGHTS -- WAS IT MARKEDLY DIFFERENT FROM OTHER JURISDICTIONS?

>> NO, I WOULDN'T SAY THEY'RE MARKEDLY DIFFERENT.

THERE'S A LOT OF DETAIL IN BOTH HILLSBOROUGH AND TAMPA'S TO ADDRESS UNIQUE SITUATIONS, FOR EXAMPLE, ALONG THE VETERANS EXPRESSWAY.

YOU KNOW, THERE'S PROVISIONS IN THERE THAT ARE UNIQUE TO THIS AREA, BUT I THINK IN GENERAL I'D SAY IT'S SOMEWHERE IN THE MIDDLE OF THE ROAD.

>>NAVITA CUMMINGS JAMES: MY -- JUST TO PIGGYBACK, YOU DID SHARE WITH -- AT THE BEGINNING OF THE MEETING THAT THERE WAS ONE WAY THAT HILLSBOROUGH COUNTY WAS A LITTLE DISTINCT IN COMPARISON TO SOME OF THE OTHERS.

>> AND THAT'S RELATING TO THE WHOLE SITING OF FACILITIES ON SCHOOL SITES, A LOT OF ATTENTION IN BOTH HILLSBOROUGH AND TAMPA ORDINANCES TO THAT BECAUSE IT'S A LOCAL ISSUE HERE. YOU DON'T NECESSARILY SEE THAT IN OTHER -- IN OTHER CODES.

>> LISA'S BEEN TRYING TO GET IN HERE.

>> I'M SORRY, AND I APOLOGIZE.

LISA WILLIAMS.

I HAVE NOT HAD A CHANCE, OF COURSE, TO LOOK THROUGH THIS, BUT I THINK ONE MAJOR CONCERN THAT I HAVE IS -- AND MAYBE YOU CAN TELL ME THE DIFFERENCES BETWEEN THE TWO OF WHAT YOU'VE STUDIED -- IS -- THE PROBLEM I'VE RUN INTO CONSTANTLY IS THE VARIANCES AND THE SPECIAL USES, NOT JUST FORMING OR LOOKING AT THE SETBACKS FOR ALL OF THESE, BUT YOU CAN HAVE THE BEST SETBACKS IN THE WORLD, BUT IF YOU HAVE, YOU KNOW, THE GOLDEN TICKET OF A VARIANCE OR ONE OF SPECIAL USE, THIS IS NULL AND VOID.

I MEAN, BASICALLY YOU CAN JUST TAKE A -- YOU KNOW, PUT SOMETHING I GUESS INTO PLACE -- I DON'T KNOW WHETHER IT

WOULD BE LAW OR WHATEVER, BUT I'D LIKE TO MAKE SURE THAT THE VARIANCES AND THE SPECIAL USES ARE ALSO ADDRESSED BECAUSE THAT'S -- THAT'S A BIG ISSUE.

>> I WILL SAY NOT ONLY IN HILLSBOROUGH COUNTY'S ORDINANCE BUT IN THE OTHERS WE LOOKED AT IF THAT IS ALLOWED TO OCCUR, THERE IS GENERALLY A HOST OF CRITERIA THAT ONE HAS TO MEET IN ORDER FOR THAT TO OCCUR, SO IT'S NOT AS AUTOMATIC AS IT MAY APPEAR.

IT DOES REQUIRE COMPLIANCE WITH A NUMBER OF DIFFERENT CRITERIA.

>> RIGHT.

OKAY.

BECAUSE I THINK THAT'S IMPORTANT THAT WE ALL DISCUSS NOT ONLY WHAT HAPPENS WITH THESE SETBACKS BUT WHAT HAPPENS IF A NEW CRITERIA COMES INTO PLAY, YOU KNOW.

I THINK OUR VOICES NEED TO BE HEARD ON THE VARIANCES AND THE SPECIAL USES BECAUSE THAT'S -- THAT'S A LOT OF WHAT'S COMING UP, THE PROBLEM -- THAT'S WHAT'S COMING UP IS THE VARIANCES AND SPECIAL USES ON WHAT WE ALREADY HAVE.

>> WELL, I THINK THAT'S ONE OF THE ITEMS THAT YOU'VE IDENTIFIED AS THE PROCESS, AND SO THAT PROBABLY WILL EVOLVE DURING THAT DISCUSSION.

>> OKAY.

BUT THERE'S NOTHING IN THIS PACKAGE THAT TALKS ABOUT THAT; RIGHT?

>>NAVITA CUMMINGS JAMES: IF I COULD JUMP IN, LISA.

>> SURE.

>>NAVITA CUMMINGS JAMES: I THINK WHAT LISA MAY BE DOING IS

SAYING LET'S DO A TABLE 5 ON VARIANCES AND SPECIAL USES,
LET'S DO ANOTHER TABLE.

IS THAT WHAT YOU'RE SAYING?

>> CAN WE CLARIFY?

A SPECIAL USE IS THE SAME THING AS A SPECIAL EXCEPTION.
HILLSBOROUGH COUNTY AND TAMPA CALL IT A SPECIAL USE AND
OTHER PLACES CALL IT A SPECIAL EXCEPTION OR A CONDITIONAL
USE, SO THAT'S ONE TYPE REVIEW PROCESS, AND A VARIANCE IS A
VERY DIFFERENT KIND OF PROCESS, SO I THINK HE DID ADDRESS
SOMEWHAT SPECIAL EXCEPTIONS, BUT --

>>NAVITA CUMMINGS JAMES: WHERE DO YOU SEE SPECIAL
EXCEPTIONS?

>> IN SEVERAL OF THE PROCESSES IT TALKED ABOUT YOU CAN GET
ADDITIONAL HEIGHT IF YOU GO THROUGH A SPECIAL EXCEPTION
PROCESS.

IF IT'S CAMOUFLAGED --

>>NAVITA CUMMINGS JAMES: SO IT'S THROUGHOUT THE TABLES?

>> YEAH.

IF IT'S NOT CAMOUFLAGED, THEN YOU HAVE TO GO THROUGH
SPECIAL EXCEPTION.

>>NAVITA CUMMINGS JAMES: [INAUDIBLE]

>> IF YOU LOOK AT THE -- IF YOU LOOK AT THE TEXT AND THE
SUMMARIES IN THE BACK OF THE DIFFERENT ORDINANCES, IT'LL
SPEAK TO THOSE SPECIAL EXCEPTIONS AND HOW THOSE ARE
ACHIEVED.

>> BUT VARIANCES ARE VERY DIFFERENT IS ALL I'M SAYING.
SO IF THERE'S ANOTHER TABLE, IT WOULD BE ABOUT VARIANCES,
AND THEN IF YOU WANT TO HAVE ANOTHER ONE ABOUT SPECIAL

EXCEPTIONS.

>>NAVITA CUMMINGS JAMES: SO LISA, IS THAT A REQUEST THAT YOU'RE MAKING?

>> I THINK SO.

I JUST -- IT JUST -- IT WOULD MAKE IT A LOT CLEARER, YOU KNOW, JUST FOR ME PERSONALLY AND THE GROUPS I'M WORKING WITH JUST TO KIND OF -- I THINK THAT'S AN ISSUE THAT WAS BROUGHT UP SEVERAL TIMES IS -- YOU KNOW, WE CAN WORK ON THIS, YOU KNOW, SETBACK ISSUE OR THESE ISSUES ALL WE WANT, BUT IF WE DON'T INCLUDE WHAT'S GOING TO HAPPEN, YOU KNOW, WITH A VARIANCE OR, YOU KNOW, SETBACK SPECIAL USE, IT'S NOT GOING TO WORK OUT IN OUR FAVOR --

>> FOR MY CLARIFICATION BECAUSE I THINK LAURA IS -- SHE'S RIGHT, THE VARIANCE PROCESS IS VERY DIFFERENT THAN GOING THROUGH A SPECIAL EXCEPTION OR SPECIAL CONDITION, SO DO YOU WANT ME TO FOCUS JUST ON THE VARIANCE PROCEDURES?

>> I WANT THEM ALL.

I MEAN, I WANT --

>> [INAUDIBLE]

>> FROM THE STANDPOINT THAT DIFFERENT RESULTS CAN OCCUR -- WHICH THE RESULTS THAT ARE APPROVED CAN BE VERY DIFFERENT FROM THAT WHICH IS ALLOWED BY A READING OF THE ACTUAL, YOU KNOW, NUMBER OF FEET OF SETBACK, SO THE IDEA THAT THERE IS A LOT OF FLEXIBILITY PERHAPS IN THE, YOU KNOW, FOLLOW-UP PROCESS WHERE YOU COULD EXCEED THOSE SET STANDARDS.

>> SO MAYBE WHAT WE'RE SAYING --

>> [INDISCERNIBLE CROSS TALK]

>> -- IS WHERE THE CODE ALLOWS ONE TO DEVIATE FROM THE

REQUIREMENTS, TRY AND GET MY HANDS AROUND THOSE?

>> OR -- OR IN YOUR SPECIAL -- LIKE, FOR EXAMPLE, YOUR SETBACK ON SEPARATION THAT YOU WOULD HAVE AS A PERMITTED USE, THESE ARE THE SETBACKS; AS A SPECIAL EXCEPTION, THESE ARE THE SETBACKS.

>> RIGHT.

>> NOW, A VARIANCE THE SETBACK IS WHATEVER YOU CAN GET A VARIANCE FOR, SO YOU -- IT COULD BE ZERO IF YOU'RE ABLE TO GET A VARIANCE FOR THAT, BUT IF THE DIVISION IS AS A PERMITTED USE WALK IN, TURN IN YOUR SITE PLAN, GET YOUR BUILDING PERMIT, THIS IS WHERE WE HAVE TO BE AS A SPECIAL EXCEPTION, THIS IS WHERE IT HAS TO BE UNLESS YOU GET A VARIANCE, AND THEN MAYBE THAT WOULD HELP TO PROVIDE -- BECAUSE IT IS -- THERE IS A BIG DIFFERENCE IN MOST OF THESE ORDINANCES BASED UPON THE KIND OF REVIEW PROCESS YOU GO THROUGH, AND I THINK THAT BOTH THE SETBACKS AND THE AESTHETICS, THE CAMOUFLAGE AND ALL THAT WOULD -- THAT WOULD HOLD TRUE THROUGH ALL OF THEM.

>> JUST -- JUST -- AGAIN, RICK DAVIS FOR THE RECORD.

WOULDN'T IT ALSO PROBABLY BE HELPFUL TO HAVE ADAM, AT LEAST AS IT RELATES TO HILLSBOROUGH COUNTY, BEGIN TO DISTINGUISH BETWEEN THE REGULATORY REGIME THAT APPLIES TO A SPECIAL EXCEPTION OR A SPECIAL USE VERSUS THAT THAT APPLIES TO A VARIANCE BECAUSE ARGUABLY THE CRITERIA TO JUSTIFY A VARIANCE IN A LITERAL SENSE ARE SIGNIFICANTLY DIFFERENT THAN THE CRITERIA TO ADDRESS THE SPECIAL EXCEPTION, AND SOMETIMES SO MUCH DIFFERENT THAT IT MIGHT NOT BE POSSIBLE TO ESTABLISH THEM LEGITIMATELY, SO THERE'S A DEFINITE

REGULATORY DIFFERENCE BETWEEN THE TWO, AND SO TO THE EXTENT THAT DECISIONS HAVE TO BE MADE ON THE ADEQUACY OF ONE STANDARD VERSUS ANOTHER, I THINK IT'S PROBABLY A GOOD IDEA, AT LEAST IN HILLSBOROUGH COUNTY, TO HAVE ADAM LET EVERYONE KNOW THIS IS WHAT YOU CAN ACCOMPLISH THROUGH A VARIANCE, THIS IS WHAT YOU CAN'T ACCOMPLISH THROUGH A VARIANCE, AND THIS IS WHAT IS THEORETIC WILL I POTENTIALLY SANCTIONED BY A SPECIAL EXCEPTION IF YOU MEET CERTAIN CRITERIA, AND THE TWO ARE DISTINCTLY DIFFERENT, SO TO THE EXTENT WE'RE GOING TO HAVE TO DRAW CONCLUSIONS FROM THAT, I THINK WE NEED TO HAVE A DIFFERENTIATION BETWEEN THE TYPES OF REGULATORY PROCESSES BECAUSE IT WOULD BE EASY TO CONFUSE THEM, BUT THE END RESULTS ARE NOT NECESSARILY THE SAME BECAUSE THE PROCESS ISN'T THE SAME, SO --

>> DON'T YOU WANT SOME COMPARISON ACROSS COUNTIES AS WELL?

>> YEAH, THAT WOULD BE FINE, BUT I THINK ADAM IS MOST PRONE TO BE ABLE TO SPEAK TO THESE JURISDICTIONS.

>>DAVID PAYNE: GO AHEAD.

>> YEAH.

RICK, THAT WAS A -- THAT WAS A GOOD POINT, BUT I -- I WANT TO MAYBE ASK A QUESTION AND GIVE SOME COMMENTARY.

OF ALL THE ORDINANCES THAT I'VE WORKED ON, THE SPECIAL USE PROCESS OR CONDITIONAL USE OR EXCEPTION IS USED HAND IN HAND WITH A PERMITTED USE SO THAT THE INTENT OF THE ORDINANCE WAS TO ENCOURAGE WHERE YOU WANTED THESE TO GO, LET'S GET THE EASY STUFF OFF THE TABLE.

NOW HERE'S THIS SECOND LEVEL OF THINGS, YOU KNOW, AREAS THAT WE WANT THESE TO BE SPECIAL EXCEPTIONS, AND THEN MAYBE

YOU GET DOWN TO RICK'S VARIANCE EXAMPLE, BUT THE -- THE QUESTION IN EACH OF THOSE ORDINANCES THAT I'VE BEEN INVOLVED WITH, AGAIN, WAS NOT THIS PROCESS VERSUS THAT PROCESS BUT USING BOTH OF THEM TO TRY TO ACHIEVE THE OVERALL GOAL, AND I'M WONDERING WHETHER YOU RAN ACROSS ANY PREFACES OR ENABLING LANGUAGE THAT KIND OF GAVE YOU A FLAVOR FOR WHERE THESE COUNTIES OR MUNICIPALITIES WERE COMING FROM WHEN THEY WERE TRYING TO PUT THESE TOGETHER.

I MEAN, BECAUSE THERE'S -- I GUESS THE POINT IS THERE'S A LOT OF STICK, BUT THERE'S ALSO A LOT OF -- THERE'S ALSO A LOT OF SUGAR IN THESE ORDINANCES, YOU KNOW.

INDUSTRIAL AREAS ARE TYPICALLY PERMITTED USES, GET THOSE OFF THE TABLE QUICKLY, SO IT'S NOT SO MUCH THE PROCESS EITHER/OR, IT'S ABOUT USING THEM TOGETHER.

>> A NUMBER OF THE ORDINANCES CLEARLY HAD INCENTIVES IN THERE, YOU COULD GO GET YOUR BUILDING PERMIT IF YOU DO THIS, THIS, THIS, AND THIS.

CAMOUFLAGE IS A GOOD EXAMPLE.

IF YOU CAMOUFLAGE, YOU MEET THESE, YOU'RE THROUGH QUICKLY. BUT I THINK EVERY ORDINANCE -- ALMOST EVERY ORDINANCE THAT I LOOKED AT HAD A COMBINATION OF THOSE THINGS.

SOME THINGS WERE STRAIGHTFORWARD, SOME WERE INCENTIVIZED, OTHERS WERE FAIRLY RIGOROUS IN ORDER TO -- IF YOU WANT A 250-FOOT TOWER WITH "X" NUMBER OF CARRIERS ON THAT, THIS IS WHAT YOU'VE GOT TO DO, SO I DON'T KNOW THAT I CAN ANSWER THAT.

>>DAVID PAYNE: I DON'T WANT TO CLOSE OFF PRODUCTIVE CONVERSATION.

I UNDERSTAND THAT -- THAT TO THE EXTENT THAT IT'S POSSIBLE, THEY WOULD LIKE COMPARATIVE DATA ABOUT THE EXCEPTION PROCESS, AND IF AS YOU LOOK THIS DOCUMENT OVER SUBSEQUENT TO THIS MEETING AND HAVE EITHER FURTHER COMMENTARY OR QUALIFICATIONS, EXPERT OPINION THAT SHOULD WEIGH IN OR REQUESTS, THEN WE CAN SORT OF COMPILE THESE AND -- WE'VE ASKED ADAM TO SORT OF TARGET THE HILLSBOROUGH CODE PARTICULARLY.

IT SOUNDED LIKE A GOOD TRANSITION MOMENT.

>> COULD I JUST REAL QUICK ASK, IF WADE TRIM COULD MAKE THIS AVAILABLE IN SOFT COPY TO JOE AND HE COULD E-MAIL IT OUT, AND THEN WE COULD MAKE OUR CHANGES LIKE CHANGE DOCUMENTS OR WHATEVER THE PROCESS WOULD BE SO THAT WE ACTUALLY CHANGE IT INTO A SOFT COPY, AND THAT WAY IT WOULD BE EASIER TO INTEGRATE IT I WOULD THINK AND EASIER TO READ, AS LONG AS WE IDENTIFY I CHANGED THIS WORD OR CHANGED THAT WORD.

>> WHAT WE DID, WE HAD PROVIDED A PDF, AND I CAN GIVE THAT [INAUDIBLE] FORMAT TO JOE, AND YOU'LL BE ABLE TO DO WHATEVER YOU WANT WITH IT.

>>NAVITA CUMMINGS JAMES: I WAS JUST THINKING IN TERMS OF THOSE WHO WANTED TO MAKE CHANGES, THEY WOULD BE THEN FORWARDED TO DAVID AND HE COULD INCORPORATE THEM OR NOT INCORPORATE THEM.

HOW ARE WE GOING TO MAKE THE -- IT SEEMS TO ME THAT WE NEED TO BE OPEN TO THE IDEA THAT SOME OF THE CHANGES MIGHT NOT BE AUTOMATICALLY INCORPORATED.

>> RIGHT.

>>NAVITA CUMMINGS JAMES: AND SO I WAS JUST TRYING TO THINK IN TERMS OF A PROCESS FOR THAT.

>> WHAT CHANGES ARE YOU REFERRING TO?

>>NAVITA CUMMINGS JAMES: THOSE CHANGES THAT MEMBERS OF THE COMMITTEE MIGHT WANT TO MAKE IN TERMS OF CORRECTING, ADDING TO THE EXISTING CHART.

THAT'S WHAT YOU'RE TALKING ABOUT?

>> I THINK IT'S PROBABLY CLARIFYING THE EXISTING CHART MORE THAN ANYTHING BECAUSE --

>> MY THOUGHT WAS, ESPECIALLY IF IT'S ON A PDF DOCUMENT, IF YOU HAVE THE CAPABILITY OF MAKING COMMENTS ON THE PDF DOCUMENT AND THEN WE JUST SEND THAT BACK TO THE COUNTY, AND THEN IF DAVID LOOKS AT IT AND SAYS, YEAH, THIS IS -- CLEARLY WE MADE A MISTAKE HERE OR THIS IS WRONG, BUT IF IT'S SOMETHING THAT IS BEYOND WHAT HE UNDERSTOOD WAS DISCUSSED HERE, THEN IT WOULD BE BROUGHT AS THE DOCUMENT, AND THEN THE CHANGES -- EVERYTHING -- HE COULD JUST GO OVER EVERYTHING AND SAY HERE'S THE CHANGES WE WENT THROUGH AND WHY.

>>NAVITA CUMMINGS JAMES: ALL RIGHT.

SO LET'S SAY IF YOU WANT TO MAKE CHANGES, YOU'LL SEND THEM TO JOE, JOE WILL FORWARD THEM TO DAVID.

DAVID, AS LONG AS YOU INTERPRET THEM AS FRIENDLY AMENDMENTS.

IF THERE'S SOMETHING YOU DON'T THINK IS CONSISTENT, SET THAT APART, AND WE'LL ALSO SHARE THAT WITH THE COMMITTEE.

>> RIGHT.

THE ULTIMATE GOAL IS NOT TO PERFECT THE DOCUMENT AS MUCH AS

HAVE THE INFORMATION AVAILABLE TO THE COMMITTEE, SO DAVID CAN KIND OF BE THE GATEKEEPER ON THAT.

>> [INDISCERNIBLE CROSS TALK] GET YOU INFORMATION.

>> THANK YOU.

>>NAVITA CUMMINGS JAMES: THANK YOU.

>>DAVID PAYNE: ADAM.

>>ADAM GORMLY: I'M GOING TO GO OVER WITH YOU-ALL A LITTLE BIT OF THE CONTENT OF HILLSBOROUGH COUNTY'S ORDINANCE AND REGULATION OF WIRELESS COMMUNICATION SUPPORT STRUCTURES AND WIRELESS COMMUNICATION ANTENNAS, AND I'M GOING TO FOCUS KIND OF ON SOME OF THE THINGS THAT WERE DISCUSSED HERE TODAY.

I THINK DAVID HAS IN HIS REPORT GIVEN A FAIR OVERSIGHT OF THE SETBACK, AESTHETIC REQUIREMENTS, AND I'LL TOUCH ON THOSE BRIEFLY, AND OUR REGULATION, BUT I WANT TO TOUCH ON SOME OF THE THINGS THAT GO A LITTLE BIT OUTSIDE OF THOSE -- THOSE CONSIDERATIONS.

TO TACK ON TO SOMETHING THAT JOE HAD -- MOREDA HAD SAID EARLIER TONIGHT, THE LAND DEVELOPMENT CODE IS ORIENTED TOWARDS PRIMARILY REGULATING THE SUPPORT STRUCTURES.

THE CODE STATES THAT THE PURPOSE OF THE REGULATIONS IS TO ENCOURAGE COLLOCATION AND MINIMIZE THE NUMBER OF WIRELESS COMMUNICATION SUPPORT STRUCTURES.

IT ALLOWS FOR ANTENNAS TO BE ADDED TO AN EXISTING STRUCTURE AS A MATTER OF RIGHT, AND IT'S AN ADMINISTRATIVE REVIEW AND DOES NOT REQUIRE THE KIND OF REVIEW PROCESS THAT A -- THAT A TOWER WOULD BE REQUIRED TO HAVE.

>> ADAM, WHERE ARE YOU READING FROM?

>>ADAM GORMLY: I'M READING FROM SECTION 611.29 OF THE LAND DEVELOPMENT CODE.

>> IT'S IN OUR PACKET FROM LAST TIME.

>> IT'S IN THE BOOK.

IT'S IN THE WADE TRIM BOOK.

>> SORRY.

>>ADAM GORMLY: THERE ARE TWO REVIEW PROCESSES FOR CELL TOWERS.

IT'S EITHER A SPECIAL USE PROCESS OR AN ADMINISTRATIVE REVIEW PROCESS.

AN ADMINISTRATIVE REVIEW PROCESS IS GOING TO LOOK FOR COMPLIANCE WITH THE REQUIREMENTS OF THE CODE, PRIMARILY THE SETBACKS, THE CAMOUFLAGING REQUIREMENTS, THE BUFFERING AND SCREENING, AND THERE IS ALSO AN ELEMENT THAT -- THAT MS. BELFLOWER TOUCHED ON INITIALLY THAT THERE'S A REQUIREMENT THAT THERE BE A DEMONSTRATION OF NEED FOR A NEW CELL TOWER -- WIRELESS COMMUNICATION SUPPORT STRUCTURE THAT CAN'T BE MET BY AN EXISTING STRUCTURE, AND THE CODE GOES AND GIVES SEVERAL INSTANCES WHERE IT'S DEEMED TO NOT BE ABLE TO BE ACCOMMODATED BY AN EXISTING STRUCTURE.

IT INCLUDES THAT A NEW CELL TOWER WOULD EXCEED THE STRUCTURAL CAPACITY OF THE EXISTING TOWER, THAT IT WOULD CAUSE RADIOFREQUENCY INTERFERENCE WITH OTHER ANTENNAS ON THE TOWER, THAT THERE'S NOT SUFFICIENT SPACE ON THE TOWER. IF ANY OF THOSE THINGS ARE MET -- AND THERE'S A CATCH-ALL, OTHER REASONS THAT MAKE IT IMPRACTICAL TO PLACE THE EQUIPMENT ON THE EXISTING TOWER.

IF ANY OF THOSE ARE MET, THEN THERE'S THE OPPORTUNITY TO

PROVIDE ANOTHER TOWER.

THE CODE DOES CALL FOR A SIGNED STATEMENT -- AND I'LL READ FROM THE CODE -- FROM AN APPROPRIATE ACCREDITED EXPERT INCLUDED BUT NOT LIMITED TO A RADIOFREQUENCY ENGINEER OR STRUCTURE ENGINEER, AND IT ALSO CALLS FOR APPROPRIATE SUPPORT MATERIAL TO SHOW THE NEED FOR THE TOWER THAT CAN'T BE MET BY ANOTHER EXISTING STRUCTURE.

SO THAT'S A REQUIREMENT WHETHER IT'S AN ADMINISTRATIVE REVIEW OR SPECIAL USE REVIEW.

THE -- MOST TOWERS IN HILLSBOROUGH ARE GOING TO GO THROUGH THE SPECIAL USE REVIEW PROCESS.

THE ONES THAT DON'T HAVE TO GO THROUGH SPECIAL USES ARE, AS MIKE REFERENCED, GENERALLY IN THE MORE INTENSIVE LAND USE CATEGORIES, BUT IF SOMETHING'S IN A RESIDENTIAL DISTRICT OR WITHIN 250 FEET OF A RESIDENTIAL DISTRICT, IT'S GOING TO BE REQUIRED TO GO THROUGH THE SPECIAL USE PROCESS.

THAT'S THE NOTICED PUBLIC HEARING THAT SOME OF YOU-ALL HAVE PARTICIPATED IN.

IT'S CONDUCTED BY A COUNTY LAND USE HEARING OFFICER.

WHAT THE HEARING OFFICER'S GOING TO LOOK AT IS COMPLIANCE WITH THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE AND CONSISTENCY WITH THE COMPREHENSIVE PLAN.

HE DOES HAVE -- THE HEARING OFFICER DOES HAVE THE ABILITY TO LOOK AT SETBACKS IN THE -- IN THE SPECIAL USE PROCESS, AS DOES THE ADMINISTRATOR IN A -- IN A ADMINISTRATIVE REVIEW.

THE CODE REQUIRES AT A MINIMUM THAT SETBACKS FOR CELL TOWERS MEET THE SETBACKS THAT WOULD BE APPLICABLE TO THE

ZONING DISTRICT THAT THE CELL TOWER'S GOING TO BE LOCATED IN.

AND IT GOES ON TO ADD SOME ENHANCED SETBACKS FOR PROPERTIES LOCATED -- OR CELL TOWERS LOCATED ADJACENT TO REAR OR SIDE YARDS OF RESIDENTIALLY ZONED PROPERTIES -- I THINK THESE ARE SET OUT IN DAVID'S REPORT -- IN RESIDENTIALLY ZONED PROPERTIES -- I'M SORRY, I LOST MY SPOT HERE -- AND NOT FOR INDUSTRIAL USES, AND ALL OTHER USES THERE'S AN ENHANCED SETBACK BUT NOT QUITE AS LARGE AS RESIDENTIAL.

THE RESIDENTIAL IT'S THREE FEET -- ONE FOOT OF SETBACK FOR EVERY THREE FEET OF TOWER HEIGHT, AND EVERYTHING ELSE BUT INDUSTRIAL IT'S ONE FOOT OF SETBACK FOR EVERY FIVE FEET OF TOWER HEIGHT, BUT THE CODE DOES PROVIDE FOR CONSIDERATION OF REDUCED SETBACKS IF THERE'S SOME MITIGATING FACTORS.

AND THOSE WOULD INCLUDE THAT THE SETBACK WOULD RESULT IN REMOVAL OF TREES, THAT THE LINE OF SIGHT FOR THE TOWER IS OBSCURED BY ADJACENT BUILDINGS, TREES, OR LANDSCAPING, THAT THERE'S AN INTERVENING USE SUCH AS A WETLAND OR RETENTION AREA, OR THAT THEY REQUIRE -- THAT THE ADDITIONAL SETBACK WOULD PREVENT COLLOCATION OR OTHER MITIGATING FACTORS AS ANOTHER CATCH-ALL FOR THAT.

IF ANY OF THOSE ARE FOUND TO BE MET, THERE'S AN ABILITY FOR EITHER THE ADMINISTRATOR OR THE LAND USE HEARING OFFICER TO REDUCE THE SETBACK, BUT THAT REDUCTION IS LIMITED TO THE SETBACK THAT WOULD BE APPLICABLE TO THE ZONING DISTRICT. THAT IS DIFFERENT THAN THE VARIANCE CRITERIA THAT WE HAVE IN THE LAND DEVELOPMENT CODE, AND THE VARIANCE CRITERIA IS DESIGNED TO ADDRESS HARDSHIP OF THE PROPERTY SUCH THAT IT

CAN'T COMPLY WITH THE APPLICABLE REGULATIONS, AND THERE ARE SIX FINDINGS THAT NEED TO BE MADE IN ORDER TO GRANT A VARIANCE, AND THEY INCLUDE THAT THERE'S HARDSHIPS THAT ARE ASSOCIATED WITH THE PROPERTY IN COMPLYING WITH THE REGULATION; THAT LITERAL INTERPRETATION OF THE CODE WOULD DEPRIVE THE APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHERS; THAT THE VARIANCE WOULD NOT -- IF IT WAS ALLOWED WOULDN'T SUBSTANTIALLY INTERFERE WITH THE RIGHTS OF OTHER PROPERTY OWNERS; IT'S IN HARMONY AND CONSISTENT WITH THE COMPREHENSIVE PLAN; DOES NOT RESULT FROM AN ILLEGAL ACT OR A SELF-IMPOSED HARDSHIP; AND IT WILL -- THE VARIANCE WOULD RESULT IN SUBSTANTIAL JUSTICE BEING DONE.

THOSE ARE PRETTY STANDARD VARIANCE CRITERIA.

THE MAIN STARTING POINT OF THAT IS THAT THERE IS A HARDSHIP ASSOCIATED WITH THE PROPERTY, SO THERE ARE TWO WAYS THAT SETBACKS CAN BE LOOKED AT.

ONE IS THE VARIANCE THAT CAN BE DONE EITHER FOR AN ADMINISTRATIVE OR SPECIAL USE.

THE OTHER IS A REDUCTION IN SETBACKS THAT DEAL WITH NOT NECESSARILY A HARDSHIP ON THE PROPERTY BUT SOME OTHER MITIGATING FACTORS IN THE SURROUNDING PROPERTIES THAT WOULD WARRANT A REDUCTION IN THE SETBACKS.

>> ADAM, IS THERE A LIMIT ON THE AMOUNT OF SETBACK OR THE AMOUNT OF VARIANCE YOU CAN GET?

LIKE, I THOUGHT THAT I READ THAT THERE WERE SOME COMMUNITIES THAT SAID YOU CAN GET A VARIANCE BUT IT CAN ONLY BE, YOU KNOW, LIKE 15% OR SOMETHING.

THE HILLSBOROUGH COUNTY, DOES IT HAVE ANY KIND OF

LIMITATION LIKE THAT?

>>ADAM GORMLY: IT DOES NOT HAVE THAT KIND OF LIMITATION. THE ONLY LIMITATION WOULD BE INHERENT IN THE -- THE -- MAKING THE SIX FINDINGS THAT NEED TO BE MET TO -- TO GRANT THE VARIANCE.

IF -- IF A ZERO-FOOT SETBACK IS -- YOU KNOW, CAN'T BE JUSTIFIED BY A HARDSHIP ON THE PROPERTY, THEN OBVIOUSLY THAT WOULD NOT BE -- THE VARIANCE WOULDN'T BE ABLE TO BE GRANTED, BUT THERE'S NO EXPLICIT LIMIT ON REDUCTION IN SETBACKS.

THERE ARE SOME PARTS OF THE CODE THAT ARE NOT ALLOWED TO BE VARIED, WHICH IS DIFFERENT FROM A LIMITATION ON HOW MUCH -- IT JUST STRAIGHT-UP CAN'T BE VARIED BECAUSE THAT PARTICULAR REGULATION IS DEEMED TO BE AN INTEGRAL PART OF WHATEVER THE OBJECTIVE TRYING TO BE ACHIEVED IS.

THE OTHER THING THAT THE CODE DEALS WITH, AND DAVID TOUCHED ON THIS IN HIS REPORT, IS THE CAMOUFLAGING REQUIREMENTS. THAT WAS PUT IN THE CODE TO DEAL WITH THE AESTHETICS, AESTHETIC IMPACTS OF THE CELL TOWERS.

GENERALLY THE RESIDENTIAL AND AGRICULTURAL DISTRICTS WHERE WE WOULD EXPECT TO HAVE RESIDENCES ARE -- REQUIRE CAMOUFLAGED TOWERS AS DO MOST OF THE NONRESIDENTIAL ZONING DISTRICTS.

NOW, THE AREAS WHERE THEY'RE NOT REQUIRED TO BE CAMOUFLAGED ARE THE LARGER-LOT AGRICULTURE RURAL AND INDUSTRIAL AREAS. THAT WAS PUT IN, AND IT'S -- IT WAS REALLY AN ATTEMPT TO SAY -- DEAL WITH THE AESTHETIC CONCERNS WITH CELL TOWERS. YOU KNOW, THERE'S OBVIOUSLY -- REASONABLE MINDS COULD

DIFFER AS TO WHETHER, YOU KNOW, A BELL TOWER LOOKS BETTER THAN A MONOPOLE, BUT THOSE ARE THE -- WHAT'S IN THE CODE CURRENTLY.

>> ADAM, I JUST HAVE A QUICK QUESTION ABOUT -- BECAUSE I WAS READING ABOUT THE CAMOUFLAGING.

BASICALLY WHAT -- THESE STRUCTURES ARE JUST CAMOUFLAGING THE PROPANE TANKS THAT ARE AROUND THE LOWER PART, YOU REALLY CAN'T CAMOUFLAGE A 15-STORY STRUCTURE, SO THAT'S JUST CAMOUFLAGING YOUR -- HOW IS THE --

>> YOU CAN CAMOUFLAGE THE WHOLE THING.

>> YOU CAN CAMOUFLAGE THE ENTIRE --

>>ADAM GORMLY: IT'S INTENDED TO CAMOUFLAGE THE ENTIRE STRUCTURE.

>> LIKE THE ONE ON, I GUESS, HENDERSON WHERE THEY MADE IT SOMEWHAT TRY TO LOOK LIKE A TREE, IS THAT WHAT WE'RE --

>>ADAM GORMLY: YEAH.

>> OR A STEEPLE --

>> IS THAT CAMOUFLAGE [INDISCERNIBLE CROSS TALK]

>> -- A CHURCH STEEPLE OR BELL TOWER.

>>ADAM GORMLY: FLAGPOLES, BELL TOWERS, CLOCK TOWERS.

>> SO IT'S NOT JUST CAMOUFLAGING THE BOTTOM WHERE ALL THE EQUIPMENT IS?

>>ADAM GORMLY: NO, IT'S CAMOUFLAGING THE WHOLE TOWER.

>> OKAY.

I JUST WANTED TO --

>> IT WOULD SEEM THAT THE CAMOUFLAGE ISSUE ADDRESSES THE ACTUAL ANTENNA WHICH ARE ABOUT WHAT, THREE FEET TALL, ONE FOOT WIDE, BUT NOT ANY OTHER STRUCTURES OR ANY OTHER

ACCOUTREMENTS ASSOCIATED WITH THE STRUCTURE, JUST TO HIDE THE ANTENNA UNIT ITSELF.

>>ADAM GORMLY: IT'S --

>> AND THE CABLES.

>>ADAM GORMLY: YEAH.

THE WHOLE WIRELESS COMMUNICATION SUPPORT STRUCTURE IS REQUIRED TO BE CAMOUFLAGED.

THE INTENT ARGUABLY IS TO NOT HAVE THE ANTENNAS VISUAL.

YOU KNOW, A FLAGPOLE IS AN ACCEPTABLE MODE OF CAMOUFLAGING, SO, YOU KNOW, YOU'RE NOT GOING TO HAVE THE ANTENNAS ON THE OUTSIDE OF THE TOWER, BUT YOU'LL STILL HAVE THE STRUCTURE, YOU'LL STILL HAVE THE HEIGHT OF THE STRUCTURE, YOU KNOW.

THAT'S INHERENT IN PUTTING A TOWER.

THERE'S GOING TO BE HEIGHT ASSOCIATED WITH IT.

>> YOU DON'T -- YOU DON'T ACTUALLY SEE THE ANTENNA, THEY'RE INSIDE THE TOWER?

>> I KNOW, BUT I SEE A GIANT --

>> YOU SEE A POLE.

>> -- ENORMOUS POLE 15 STORIES HIGH IN SOME AREAS OF TOWN, RESIDENTIAL AREAS.

THAT'S WHY I'M TRYING TO FIGURE OUT HOW THAT'S CAMOUFLAGED RIGHT DOWN THE STREET --

>> IF YOU PUT A FLAG ON IT, IT LOOKS LIKE A BIG FLAGPOLE.

>> CAMOUFLAGED DOESN'T MEAN INVISIBLE, IT MEANS DISGUISED OR NOT READILY APPARENT THAT IT'S A CELL TOWER, SO IT'S JUST CAMOUFLAGED AS SOMETHING ELSE, IT APPEARS LIKE A FLAGPOLE, IT APPEARS LIKE SOMETHING ELSE, IT'S NOT READILY APPARENT.

>> SURE.

BUT WITHOUT A FLAG ON IT, IT'S A VERY TALL POLE.

I'M JUST -- I JUST WANTED CLARIFICATION ON WHAT CAMOUFLAGING MEANS.

YOU CAN'T REALLY CAMOUFLAGE A LIGHT POLE, SO ANYWAY.

>>ADAM GORMLY: THAT -- IT IS WHAT'S IN THE -- WHAT'S IN THE REGULATIONS NOW.

>> ADAM.

>>ADAM GORMLY: IS THERE SOMETHING I DIDN'T HIT ON RELATIVE TO THE COUNTY REGULATIONS THAT DAVID DIDN'T COVER?

>> THE FLAGPOLE, IF YOU MAKE IT A FLAGPOLE, DO YOU HAVE TO LIGHT IT?

AND THEN ARE THERE ANY RELATED ISSUES TO THE LIGHTING OF THE FLAGPOLE?

>>ADAM GORMLY: WELL, WE DON'T -- THE COUNTY WON'T REQUIRE IT TO BE LIT, AND I DON'T THINK -- A WIRELESS COMMUNICATION SUPPORT STRUCTURE IS GOING TO BE CAPPED OUT AT 200 FEET, WHICH I BELIEVE FALLS UNDER THE THRESHOLD THAT WOULD REQUIRE LIGHTING FROM THE FAA.

>> SHE'S TALKING ABOUT LIGHTING THE FLAG I THINK.

>> IF YOU FLY A FLAG --

>> ARE YOU TALKING ABOUT LIGHTING THE FLAG OR --

>> IF YOU FLY A FLAG, YOU HAVE TO LIGHT IT, BUT I THOUGHT THERE WERE SOME THINGS ABOUT, YOU KNOW, LIGHTING SOMETHING IN THE MIDDLE OF A NEIGHBORHOOD OR -- I'M JUST WONDERING HOW YOU ADDRESS THAT.

>> THE LIGHTING FOR A FLAGPOLE IS FROM THE BOTTOM.

WHEN YOU LIGHT THE FLAG IT'S FROM THE BOTTOM, AND THERE CAN

BE FAA ISSUES WHEN YOU HAVE LIGHTS THAT ARE NOT FAA-APPROVED LIGHTS, BUT GENERALLY SPEAKING, YOU'RE JUST POINTING IT FROM THE GROUND UP TO THE FLAG, SO IT'S NOT UP AT THE TOP BLINKING, IT'S DIFFERENT LIGHTING.

>> OKAY.

GOTCHA.

>> ARE WE INTUITIVELY SAYING THAT THERE IS A LAW THAT REQUIRES THE FLAG TO BE LIGHTED IF FLOWN AT NIGHT?

WE'VE GOT AN ORDINANCE THAT --

>> NO.

>>ADAM GORMLY: THE COUNTY DOES NOT REQUIRE THAT THE FLAG BE ILLUMINATED.

>> BUT THE U.S. CODE DOES.

>> BUT IT'S NOT -- I DON'T BELIEVE IT'S A REQUIREMENT, I BELIEVE IT IS A -- A PROPER FLAG DISPLAY ETIQUETTE IS INDICATED IN THE U.S. CODE.

IT'S NOT A LAW THAT YOU WOULD BE PENALIZED IF YOU DON'T DO IT, IT'S SAYING THIS IS THE PROPER WAY TO DISPLAY A FLAG.

>> THAT'S CORRECT.

>>ADAM GORMLY: ON THE LIGHTING THOUGH -- AND THIS IS APART FROM THE REGULATION OF CELL TOWERS, WIRELESS COMMUNICATION SUPPORT STRUCTURES -- IF THERE IS GOING TO BE SOME LIGHTING IN THE COUNTY, THE COUNTY HAS WHAT'S CALLED THE DARK SKY ORDINANCE, AND IT REQUIRES -- THERE'S SOME LIMITS ON HOW FAR OUT THE LIGHT CAN GO FROM THE PROPERTY LINE, AND THERE'S A MEASUREMENT OF HOW BRIGHT THE LIGHT CAN BE AT CERTAIN PLACES, SO IF A FLAG WERE TO BE LIT, WE DO HAVE REGULATIONS THAT PRESCRIBE HOW BRIGHT THAT LIGHTING CAN BE

AND HOW FAR IT CAN GO OUT.

>>DAVID PAYNE: SOME OF THESE ISSUES WILL HAVE TO BE REVISITED AS WE TAKE THEM UP IN TURN.

WAS THERE ANOTHER POINT THAT YOU WANTED TO MAKE BEFORE --

>>ADAM GORMLY: THAT WAS -- THAT WAS BASICALLY WHAT I HAD FOR THE COUNTY ORDINANCE.

THERE -- THERE ARE SOME OTHER CONSTRAINTS GENERALLY ON REGULATION OF CELL TOWERS, BOTH FROM FEDERAL LAW AND STATE LAW, AND I THINK THE FIRST PACKET CONTAINED A SUMMARY THAT I HAD PREPARED OF THAT AND CAN DISCUSS THAT IF NEED BE NOW OR AT THE APPROPRIATE TIME.

>>DAVID PAYNE: WHY DON'T WE WAIT ON THOSE, I THINK.

I THINK WE NEED TO -- THANK YOU VERY MUCH.

>>NAVITA CUMMINGS JAMES: THANK YOU, ADAM.

>>DAVID PAYNE: I THINK WE NEED TO CONSIDER AND HAVE A CONVERSATION HERE ABOUT WHAT YOU WANT TO DO NEXT TIME. WE CAN -- WE CAN SORT OF BRAINSTORM AND THROW OUT WHAT ISSUES --

>> I SUGGEST WE START WHERE WE LEFT OFF, WHICH IS WITH OUR HILLSBOROUGH COUNTY LAND DEVELOPMENT CODE AND REVIEW IT I GUESS IN DETAIL AND --

>>DAVID PAYNE: BEING.

REVIEW OF THE CODE.

ARE THERE PARTICULAR --

>> REVIEW OF THE CODE AND IDENTIFY I GUESS ISSUES THAT RELATE TO A MATRIX, IF YOU WOULD, OF NEIGHBORHOOD AND PROPERTY CONCERNS, APPROVAL PROCESS, YOU KNOW, WITH OUR FOUR AREAS OF CONCERNS, MAYBE USE THAT, YOU KNOW, APPROACH.

THAT'S MY SUGGESTION.

>> DO WE WANT TO PICK JUST ONE?

IS THAT WHAT YOUR SUGGESTION IS, THAT WE PICK ONE OF THOSE
FOUR TO START WITH?

>>DAVID PAYNE: WELL, I DON'T THINK WE'VE COME TO TERMS
WITH --

>> WE CAN'T DO ALL THAT IN ONE MEETING.

>> NO, I REALIZE THAT.

I'M JUST LOOKING AT THE TIME.

I JUST WANT TO MAKE SURE WE HAVE IT ATTACHED THE NEXT TIME,
AND I'D SUGGEST WE START WITH OUR CODE.

>>DAVID PAYNE: OKAY.

WITH THE PARTICULARS OF THE CODE.

I THINK -- RIGHT.

ARE THERE PARTICULAR POINTS OF INFORMATION, PRESENTATION,
MATERIALS THAT YOU FEEL YOU NEED TO GO FORWARD WITH NEXT
TIME?

>> ONE REQUEST I'D HAVE IS JUST TO FIND OUT A HISTORY OF IT
AND THE UPDATES THAT HAVE OCCURRED TO IT SINCE IT FIRST --
I DON'T KNOW HOW LONG IT'S EXISTED.

I HOPE IT WASN'T IN THE -- YOU KNOW, I DON'T KNOW HOW LONG
IT'S EXISTED.

>>NAVITA CUMMINGS JAMES: THE HILLSBOROUGH COUNTY CODE?

>> NO, NO, NO, NOT THE ENTIRE CODE, JUST THE COMPONENT THAT
RELATES TO COMMUNICATIONS FACILITIES OR WIRELESS
COMMUNICATIONS FACILITIES, NOT THE -- NOT HOW LONG IT
EXISTED AND WHY A VARIANCE CAME INTO PLAY, NO, NOT ALL
THAT, JUST -- AT LEAST THAT'S --

>> I'D LIKE SOME MORE INFORMATION MAYBE EITHER FROM DAVID OR JOE OR ADAM ON THE BUILDING CODE REQUIREMENTS STRUCTURALLY THAT HAVE TO BE MET FOR THE TOWERS, AND I THINK DAVID REFERENCED THEM, AND THEY'RE TYPICALLY FOUND IN SEPARATE CODES, NOT IN LAND DEVELOPMENT CODES, SO, AGAIN, I DON'T KNOW WHO THE APPROPRIATE PERSON IS, DAVID OR ADAM OR JOE, BUT I THINK THAT WOULD BE HELPFUL SO WE UNDERSTAND THAT.

>> I ALSO HAD A REQUEST SIMILAR TO JIM'S THAT -- IT'S UNCLEAR TO ME NOT HAVING SUBMITTED PLANS WHEN SITE PLAN REVIEW TAKES PLACE, WHEN -- WHAT PARTICULAR LICENSED OFFICIALS REVIEW AND WHO MAY SUBMIT BECAUSE SOME OF THE APPLICATIONS SEEM TO VARY AND THERE SEEMS TO BE INCONSISTENCIES.

>>DAVID PAYNE: SO IS THIS IN TERMS OF THE REGULATIONS OR IN TERMS OF THE PROCESS OF APPROVAL?

>> PROCESS FOR SPECIAL USE.

>> RIGHT.

THAT'S RIGHT.

>> IF WE'RE TALKING ABOUT JUST NEXT MEETING AS TO WHAT WE'RE WANTING -- MATERIAL WE WANT TO HAVE AND WHAT WE WANT TO TALK ABOUT, I WOULD SUGGEST THAT WE NARROW IT TO THE NEIGHBORHOOD AND PROPERTY CONCERNS, NUMBER ONE, OR THE PROCESS, BUT I DON'T THINK WE CAN DO BOTH, SO I'M NOT SURE --

>>NAVITA CUMMINGS JAMES: IF WE GO WITH NUMBER ONE, THAT MEANS SOME OF THE CONCERNS YOU WERE TALKING ABOUT WOULD BE PUT TO A LATER DISCUSSION IN TERMS OF PROCESS, WE HAVE

INFORMATION ON SETBACK RULES, WE HAVE INFORMATION ON AESTHETICS AND SAFETY.

MIGHT WE BEGIN WITH THAT SINCE WE ALREADY HAVE BACKGROUND INFORMATION, AND, YOU KNOW, MANNY SUGGESTED THAT WE REVIEW THE CODE.

LET'S LOOK AT THE CODE AND THEN SEE HOW, IF AT ALL, WE MIGHT WANT TO SUGGEST OUR -- YOU KNOW, IDENTIFY RECOMMENDATIONS WE HAVE ON THOSE PARTICULAR ISSUES, AND IF WE -- I THINK IN THAT CONVERSATION WE'LL FIND OUT WHETHER OR NOT WE THINK WE NEED ADDITIONAL INFORMATION, SO I'M NOT SUGGESTING THAT WE -- YOU KNOW, THAT CONVERSATION ENDS IT, BUT AT LEAST WE GET ON THE TABLE WHAT THE RANGE OF CONCERNS ARE IN THIS COMMITTEE ON THE ISSUES, AND THE FOUR THINGS THAT WE'VE HAD -- AND I DON'T WHETHER OR NOT WE EVEN THINK WE CAN DO ALL FOUR -- ARE SETBACK AND SEPARATION, ALLOWABLE HEIGHT, AESTHETICS, AND SAFETY.

THERE ARE FOUR ISSUES, AND MAYBE WE CAN GO INTO THE HILLSBOROUGH COUNTY CODE AND LOOK AT THOSE VIS-A-VIS THE INFORMATION WE GOT HERE AS IT HAS BEEN AMENDED BY FRIENDLY AMENDMENT.

>> OR WE DO THE PROCESS FIRST.

I'M JUST SAYING WE CAN'T DO BOTH.

>> I AGREE.

I AGREE.

>> I THINK THE CONCERN IS A VALID ONE.

I THINK IT WOULD BE HELPFUL FOR EVERYONE TO UNDERSTAND THAT, BUT IT PROBABLY WOULD GO TO NUMBER TWO [INAUDIBLE] BUT I THINK IT WOULD BE HELPFUL TO HAVE THE ACTUAL

APPLICATION AND MAYBE HAVE JOE BRING IN HIS STAFF PEOPLE THAT ACTUALLY PROCESS IT AT INTAKE AND ACTUALLY REVIEW IT AND GO THROUGH EVERYTHING, BUT THAT'S PROBABLY --

>>NAVITA CUMMINGS JAMES: GO THROUGH THE WHOLE PROCESS.

>> AND JUST THAT THE ADMINISTRATIVE PROCESS IS CLEAR.

>>DAVID PAYNE: AT SOME POINT WE WILL HAVE TO TAKE UP THE ISSUES PERTAINING TO THE PROCESS.

ARE WE ON THE SAME PAGE THAT WE REALLY WANT TO TAKE UP NUMBER ONE FIRST BECAUSE THESE THINGS ARE TIED MOST DIRECTLY TO THE CODE AND HOW IT'S WRITTEN, AND SO THAT IF NEXT TIME WE HAVE CODE -- WE HAVE THE HILLSBOROUGH CODE, SOME BASIC INFORMATION, AND WE HAVE THE COMPARATIVE CODES, RIGHT, TO LOOK AT.

IF WE CAN COME IN KNOWING WHAT KINDS OF ISSUES WE WANT TO IDENTIFY WITH, INCLUDING THE FOUR THAT NAVITA JUST SPECIFIED, TO GET FURTHER INFORMATION ABOUT IT AND MAYBE TO MAKE SOME RESOLUTIONS ABOUT OR TO AT LEAST FORMULATE SOMETHING, THAT THAT WOULD BE THE OBJECTIVE OF THE NEXT MEETING.

AT THE SAME TIME, WE CAN ALSO COME PREPARED WITH QUESTIONS ABOUT PROCESS THAT WE WANT TO THEN PURSUE IN SUBSEQUENT MEETINGS, AND SO TO BE PREPARED NEXT TIME TO IDENTIFY WHAT PROCESS-RELATED ISSUES, IF JOE AND HIS STAFF WANT TO SPEAK TO THOSE KINDS OF THINGS.

THAT WOULDN'T HAPPEN AT THE SUBSEQUENT MEETING.

DOES THAT MAKE SENSE?

OKAY.

SO AS I -- SO WE'RE GENERALLY GOING TO FOCUS ON NEXT TIME

ISSUES RELATED TO NUMBER ONE, THE NEIGHBORHOOD AND PROPERTY WITH THE SETBACK ISSUES, THE HEIGHT ISSUE, THE SAFETY ISSUES, AESTHETIC ISSUES, AND COME PREPARED TO IDENTIFY THEN WHAT THE ISSUES ARE WITH NUMBER TWO WITH THE PROCESS.

>> IS SAFETY -- THIS IS KIND OF THE CONVERSATION WE HAD LAST SUMMER.

IS SAFETY GOING TO INCLUDE STRUCTURAL SAFETY, WHICH WAS THE BUILDING CODE THINGS, AND THE SAFETY ISSUES OF EMISSIONS AND THE FREQUENCY CONCERNS, THE HEALTH CONCERNS ISSUES THAT HAD BEEN RAISED IN THE PAST?

ARE WE GOING TO TAKE THAT UP UNDER SAFETY OR DO WE WANT TO PUT THAT TO ANOTHER DAY OR --

>> I DON'T KNOW THAT EMISSIONS WERE EVER RAISED.

I DON'T BELIEVE THAT WE CAN UNDER FEDERAL LAW.

>> I AGREE WITH YOU.

[LAUGHTER]

>> YEAH.

SO THAT WOULD LIMIT US TO --

>> BUT I WASN'T SURE THAT THAT WAS AGREED.

>>DAVID PAYNE: [INAUDIBLE] UNDER SAFETY AS I UNDERSTAND IT.

>> IF NOBODY ELSE WANTS TO TALK ABOUT IT, I CERTAINLY DON'T.

>> I DO THINK WE NEED TO HAVE THAT CONVERSATION AS PART OF WHAT BROUGHT US HERE WITH ALL THE UNDERSTANDING OF THE TELECOMMUNICATIONS ACT AND THE RESTRICTIONS AND RECOGNIZING THOSE CONCERNS.

WE'RE HERE TALKING, WE'RE NOT BOUND BY FEDERAL RULES IN

TERMS OF OUR GENERAL DISCUSSION.

LET'S KEEP THE BOX OPEN, AND I THINK WE'VE GOT SOME GREAT EXPERTS HERE THAT CAN BE OF GREAT BENEFIT IN THAT REGARDS.

>>NAVITA CUMMINGS JAMES: SO MINIMALLY I WOULD SUGGEST -- YOU KNOW, WE HAVE SOME CRITERIA FOR SAFETY THAT HAVE BEEN IDENTIFIED BY DAVID WITH WADE TRIM, SO MINIMALLY WE ADDRESS THOSE AND WE SEE WHERE THE COMMITTEE WANTS TO GO.

>> SOUNDS GOOD.

>> BEFORE WE LEAVE, I JUST HAVE ANOTHER QUICK QUESTION.

IS THERE -- CAN THERE BE AN ELMO AVAILABLE, SAY, FOR INSTANCE, SOME COMMITTEE MEMBER WOULD LIKE TO BRING A SHEET THAT MIGHT HAVE LIKE YOU TUBE VIDEOS WHERE PEOPLE AT HOME CAN SEE OR MAYBE WEB SITES FOR SOME OF THE -- WHEN THEY WERE TALKING ABOUT THE REFRIGERATOR BOXES, CARRIE, YOU WERE TALKING ABOUT THAT, THERE'S ACTUALLY A LOT OF WEB SITES THAT ADDRESS THAT AND SHOW PICTURES OF IT, AND I THINK IT'D BE GREAT IF WE COULD HAVE A LOT OF THOSE WEB SITES WRITTEN DOWN AND MAYBE PLACED EITHER ON THE WEB SITE OR ON AN ELMO TO SHOW THOSE WHO ARE FOLLOWING THIS -- I KNOW A LOT OF PEOPLE ARE FOLLOWING THIS, AND THEY'D LIKE TO SEE THOSE.

>>DAVID PAYNE: WE CAN HAVE THEM BROUGHT AND PUT THEM ON THE [INAUDIBLE]

>> IS THAT RIGHT?

>>DAVID PAYNE: WE CAN'T DO INTERNET ACCESS I UNDERSTAND.

>>NAVITA CUMMINGS JAMES: THE PODIUM DOES NOT HAVE INTERNET ACCESS.

>> THE PODIUM DOES NOT.

OKAY.

MAYBE PEOPLE AT HOME, THEY COULD SEE THE ADDRESS OF THE YOU
TUBE AND PUNCH IT IN AND THEY CAN BE ABLE TO WATCH SOME OF
THE THINGS THAT, YOU KNOW, MAYBE IN THE FUTURE WE'RE GOING
TO ADDRESS BECAUSE IT'S KIND OF DIFFICULT TO ADDRESS
SOMETHING WITHOUT, YOU KNOW --

>> SEEING IT.

>> -- SEEING IT.

>>NAVITA CUMMINGS JAMES: TWO QUESTIONS.

DO YOU HAVE THE ELMO TECHNOLOGY THAT CAN BE BROUGHT INTO
THIS ROOM OR DO YOU KNOW?

>>JOE MOREDA: ELMO TECHNOLOGY?

>>NAVITA CUMMINGS JAMES: LIKE A DOCUMENT CAMERA.

>>JOE MOREDA: I CAN CHECK INTO THAT.

>> OR IT COULD BE AVAILABLE ON THE WEB SITE.

JUST IF I COULD SUBMIT IT AND IT COULD BE PUT ON THE WEB
SITE.

I THINK PEOPLE REALLY WANT TO SEE WHAT WE'RE TALKING ABOUT.
THEY CAN GO ON-LINE AND --

>>JOE MOREDA: I KNOW WE HAVE THAT --

>>DAVID PAYNE: MAYBE YOU SEND AN E-MAIL THAT HAS THE URLs
OR SITES --

>> EXACTLY.

>> -- THAT YOU WOULD LIKE FOR THE COMMITTEE TO VISIT.

JOE CAN CIRCULATE THOSE VIA E-MAIL TO THE REST OF THE
COMMITTEE.

>>JOE MOREDA: YEAH, I WAS GOING TO --

>> I THINK THAT'S MORE THAN THAT ALSO.

LIKE THE REFRIGERATOR BOXES, IF WE HAD AN EXAMPLE OF WHAT

THAT WAS, IT'S EASIER TO DISCUSS.

IT'S NOT THE SIZE OF A HAND --

>>DAVID PAYNE: ONCE AGAIN, IF YOU CAN MAKE THAT A DIGITAL ZIP DRIVE, WE CAN PUT IT UP.

>>NAVITA CUMMINGS JAMES: AND WE CAN SHOW IT.

WHATEVER WE CAN SHOW ON THE COMPUTER WE CAN SHOW ON THOSE SCREENS.

>> GOOD TO KNOW.

OKAY.

THANK YOU.

>>JOE MOREDA: I KNOW WE HAVE THE ELMO TECHNOLOGY IN THE SECOND FLOOR IN THE BOARDROOM.

YOU KNOW, I DON'T KNOW ABOUT BRINGING THAT UP HERE.

I CAN CHECK INTO THAT.

>>DAVID PAYNE: DO YOU REALLY NEED IT IF YOU CAN BRING IN A DIGITAL FILE?

DO YOU NEED THE ELMO?

>>NAVITA CUMMINGS JAMES: LET US KNOW.

>> RIGHT.

I WILL.

OKAY.

>>JOE MOREDA: YOU KNOW, THE OTHER THING TOO IS OBVIOUSLY YOU'RE NOT GOING TO HAVE THE CAPACITY TO VIEW IT IF YOU DON'T BRING IT IN, BUT IF YOU SEND US A SHEET WITH ALL THE -- YOU KNOW, ALL THE LINKS THAT YOU FEEL ARE IMPORTANT, I THINK THAT WAS SUGGESTED, AND WE CAN POST YOUR INFORMATION ON THE WEB SITE AND PEOPLE COULD GO -- WHOEVER WANTS TO GO TO THOSE LINKS AND CHECK IT OUT.

>> GREAT.

>>JOE MOREDA: I HAVE A QUESTION.

WHAT -- WHAT IS EXPECTED FROM COUNTY STAFF AT THE NEXT MEETING IN TERMS OF -- ARE YOU EXPECTING A PRESENTATION ON A PARTICULAR SUBJECT PROCESS OR -- OR WHAT IS IT?

I --

>>DAVID PAYNE: NOT FROM THE STAFF I DON'T THINK AT THIS -- MY UNDERSTANDING IS, NO, WE WOULD -- MAYBE THE SUBSEQUENT MEETING.

>>JOE MOREDA: OKAY.

ALL RIGHT.

I JUST WANTED TO MAKE SURE WE DIDN'T NEED TO PREPARE FOR ANYTHING.

>> WHO WOULD BE PUTTING THAT DOCUMENT TOGETHER IN TERMS OF THE HISTORY OF THE -- THE INVOLVEMENT OF THE LAND DEVELOPMENT CODE.

>>NAVITA CUMMINGS JAMES: IT WOULD BE STAFF.

>> ALL RIGHT.

WE WOULD NEED THAT FOR NEXT MEETING OR WAIT UNTIL AFTER THAT ONE I GUESS IS MY --

>> [INAUDIBLE]

>> YES.

NOT THE ENTIRE LAND DEVELOPMENT CODE, JUST THE PIECE ON THE WIRELESS.

LIKE WHAT WERE THE SETBACKS WHEN IT WAS FIRST CREATED COMPARED TO WHAT THEY ARE TODAY AND HOW DID THEY CHANGE AND WHY OR YOU MAY NOT KNOW WHY BUT AT LEAST EXPLAIN WHEN THEY CHANGED.

>> AND MAY I SUGGEST THAT --

>> THEY WERE REVISED.

>> -- THAT YOU LOOK AT THE REGULATIONS WHEN THEY CHANGED BECAUSE RADIO TOWERS HAVE BEEN REGULATED IN HILLSBOROUGH COUNTY FOR YEARS.

I THINK EVEN THE 1976 CODE REGULATED RADIO TOWERS, BUT I THINK WHAT YOU'RE TALKING ABOUT ARE THE ONES THAT ARE SPECIFIC TO CELL TOWERS, WHICH I BELIEVE IS IN '97, JOE, I THINK THE FIRST --

>>JOE MOREDA: WE CAN PUT THAT TOGETHER AND TRY TO HAVE THAT BACK FOR THE NEXT MEETING.

>>NAVITA CUMMINGS JAMES: ANYTHING ELSE THAT YOU THINK THAT WE NEED TO ASK THE STAFF TO DO?

HEARING NONE, PROPOSED MEETING DATES.

YOU CAN SEE ON THE TWO SCREENS THE RESULTS OF THE CANVASSING OF WHO WAS AVAILABLE FOR WHAT DATES.

OUR VERY NEXT DATE SCHEDULE WOULD BE MAY 4th, AND THERE ARE THREE PEOPLE WHO CAN'T ATTEND.

ALL THE REST OF THE DATES WE HAVE ONLY ONE OR TWO PEOPLE WHO CAN'T ATTEND.

WHAT'S YOUR PLEASURE?

ARE YOU OKAY WITH THAT SCHEDULE?

>> I MOVE TO ACCEPT THOSE DATES.

>>DAVID PAYNE: THIS IS THE EVERY THIRD WEDNESDAY SCHEDULE HERE.

>> SECOND.

>>NAVITA CUMMINGS JAMES: OKAY.

ALL IN FAVOR OF THIS MEETING SCHEDULE SIGNIFY BY SAYING

AYE.

[CHORUS OF AYES]

OPPOSED NAY.

IS THERE A MOTION TO ADJOURN?

>> MOTION TO ADJOURN.

>>NAVITA CUMMINGS JAMES: THANK YOU.

SEE YOU ON MAY 4th.