

**TOWN OF DAVIE
WORKSHOP MEETING
JULY 10, 2002**

The meeting was called to order at 6:07 p.m. Present were Mayor Venis, Vice-Mayor Clark, and Councilmembers Paul, Starkey, and Truex. Also present were Town Administrator Willi, Town Attorney Kiar, and Town Clerk Muniz recording the meeting.

Development Services Director Mark Kutney explained the purpose of the workshop which allowed the residents to give input regarding the telecommunication's ordinance.

Anthony LePore, representing Cityscape, explained that the telecommunications moratorium expires August 6th and indicated that Council's direction at this meeting would guide the creation of the ordinance. He stated that one of the issues to be considered included whether Council wanted to place facilities on properties that were controlled by the Town. Mr. LePore stated that an interim ordinance would be in place by August 6th and the master plan would also be prepared and presented to Council at that time.

Mr. LePore asked Council what prompted them to put the moratorium in place. Councilmember Truex explained that many applicants were submitting requests and there were no controls over the placement and aesthetics. Councilmember Paul added that there were concerns regarding placement in residential areas, RF radiation waves that the towers emit and potential safety hazards. Mr. LePore advised that Council could not base their decision on an RF issue, as that would allow the applicant to appeal Council's decision. He explained that Council would be allowed to verify applications with an independent study and the cost of the study would be borne by the applicant. Mr. LePore clarified that Council could discuss the RF issue, but they could not base their decision on it.

Councilmember Starkey asked if it would be prudent for Council to create a master plan and dictate the placement of towers based on aesthetics. Mr. LePore indicated in the affirmative.

Mr. LePore asked Council what types of structures they would like to use as a priority and described the various structural options.

Councilmember Starkey asked if an FAA study would be needed since the Town was in the flight path of the airport. Mr. LePore explained that towers over 200 feet had to be illuminated and those in the flight path that were less than 200 feet had to be illuminated. He indicated that he would include no illumination on the towers unless the FAA required it.

Council indicated that they wanted stealth or camouflage structures such as flagpoles, windmills, clock towers, light stanchions, and church steeples as they would be most attractive.

Councilmember Starkey also inquired about the trend to go towards lower poles that had better reliability. Mr. LePore indicated that this was the case, however more towers were necessary.

Councilmember Truex asked if Council would have the right to turn down applicants whose proposals include stealth-like structures that the Town did not like. Mr. LePore responded that this would be written into the ordinance. He stated that the ordinance would address aesthetics and give Council considerable leeway to deny non-desirable projects. Mr. LePore also indicated that the master plan would be used as a cross reference to standardize the desired characteristics of various neighborhoods.

Mayor Venis asked for clarification on the purpose of the independent review Mr. LePore referred to. Mr. LePore explained that economics was not a factor in where a tower could be

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placed and the independent review would consider this along with the most effective location for the tower. He asked Council what their second preference would be and if they would prefer a structure mounted on a building or a free-standing structure. Vice-Mayor Clark indicated that she preferred freestanding structures because towers on top of buildings would be in close proximity to residential areas. Councilmember Paul requested that structures on top of buildings not be on residential buildings, but rather on Town property. Mr. LePore stated that this would be added to the ordinance.

Mr. LePore asked if applicants should be asked to co-locate rather than build a new tower. Council replied affirmatively.

Mr. LePore asked if Council would want existing structures that were at capacity to be replaced by structures that could handle more, or would they prefer an additional structure be built. Council indicated that it depended on the condition of the current tower.

Mr. LePore asked Council to prioritize five different types of structure categories listed in his handout. Councilmember Truex felt that it would be best if the tower could be incorporated into a building and be visually transparent.

Mayor Venis asked if the Town had the option to require the applicant to build an entirely new structure if they wanted to co-locate with an existing structure and had to raise the height of the existing tower. Mr. LePore indicated that it would be the decision of the owner of the structure and advised that he was trying to incorporate an incentive for co-location. He also explained that co-location was a revenue source for the Town.

Mr. LePore asked Council if providers should be encouraged to place towers in areas under the control of the Town. Council replied in the affirmative.

Mr. LePore indicated that he wanted to create four different levels of approval in reference to the various zoning districts: 1) administrative approval for applications that met all criteria; 2) a public hearing for applications that have some level of non-desirable characteristics; 3) a full public hearing where a special use exception or conditional use permit was necessary; and 4) outright prohibition of construction or location of the facilities, such as in conservation and residential areas. Council felt that all applications should come before Council.

Vice-Mayor Clark asked what incentives would be offered for those who met all criteria. Mr. LePore clarified that it would be easier to approve if all criteria were met and he would include that Council would have to approve all applications. He stated that there were separate FCC regulations for broadcast, wireless, and satellite and he was going to create separate language for the two.

Mr. LePore asked if Council had any suggestions regarding height limitations. He indicated that currently the ordinance limited towers to 150 feet. Councilmember Starkey felt the height depended upon the surrounding area. Councilmember Truex requested that a geographic distance limitation from residential areas be included. Council felt that a minimum height should be included in the ordinance and Council could then deliberate individual applications. Councilmember Paul felt that the height should be standardized and non-negotiable. Mr. LePore suggested capping the height at 120 feet near residential areas. Council agreed. Mr. LePore indicated that he would calculate the best scenario and include it in the ordinance.

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Mr. LePore stated that he would submit a draft of the ordinance as soon as possible. Mr. Kutney stated that he anticipated Council having the draft by the August 7, 2002 meeting.

There being no further business to discuss and no objections, the meeting adjourned at 6:53 p.m.

Approved _____

Mayor/Councilmember

Town Clerk