PROCEDURES FOR PUBLIC PARTICIPATION IN THE PROCESS OF SITING COUNTY PUBLIC SAFETY RADIO SYSTEMS

PREAMBLE AND STATEMENT OF INTENT

Consistent with the requirements of Chapter 125, Florida Statutes, and other applicable law, the Board of County Commissioners of Manatee County has adopted these procedures (hereinafter, “Public Participation Procedures” or “Procedures”) to facilitate public input, to ensure consideration of public comments submitted, and to provide real property owners with notice of all official actions regarding the siting of County Public Safety Radio Systems.

1. **Explanation of Terms:** For purposes of these Procedures, unless the context requires otherwise, the following terms have the definitions set forth below:

   “Public Safety Radio System” means all electronics, hardware, and software components routinely employed to operate a 700/800 MHz digital trunked radio network including but not limited to fixed network equipment, antennas, transmission lines, electronic control consoles, microwave system, towers, tower grounding systems, associated subsystems, and similar items resulting in a 700/800 MHz digital trunked public safety radio communications capability. This definition includes a P25 system, (i.e., a standard for digital radio communications for use by federal, state, and local public safety agencies to enable them to communicate with other agencies and mutual aid response teams in an emergency). This term shall sometimes be referred to generally as “Radio Towers” in these Procedures.

   “County Administrator” means the duly appointed County Administrator or his/her designees.

2. **Notices:** To provide for the broad dissemination of the proposals and alternatives for the siting of Public Safety Radio Systems (hereinafter, “Radio Tower Sites”), the following policy shall be followed by the County Administrator as to notices:

   The meetings and workshops of the Board of County Commissioners at which the presentation of the alternatives, recommendations and proposals being considered by the Board for the siting of Public Safety Radio Systems is to occur shall have the Radio Towers agenda item separately noticed as follows:

   **Mailed Notice.** Notices for public meetings and workshops of the Board of County Commissioners shall be prepared by the County and mailed to all individuals and property owners indicated below.

   1. All property owners within one thousand (1000) feet of the boundaries of a proposed Radio Tower Site(s) , utilizing the Manatee County Property Appraiser’s most current addressing and ownership information.
2. The Manatee County School Board.

3. If any dwelling unit within the required notification area is part of a neighborhood association or property owner’s association, and that information is a matter of record with the County, the association shall receive written notice of the public hearings and workshops.

Notices shall be mailed a minimum of twenty (20) days prior to the public meeting or workshop date.

An affidavit shall be submitted to the Board confirming that the required publication and mailing of the notice was provided at least five (5) days prior to the date of the meeting or workshop. Such affidavits shall be accompanied by a complete list of the names and last known addresses of the persons within the notice area and the method by which notice was provided.

Published Notice. Notices for public meetings and workshops of the Board of County Commissioners shall be published by the County as indicated below.

1. The County Administrator shall prepare the content of the notice and be responsible for publishing the notice in a newspaper of general circulation selected by the County.

2. The notice shall include at a minimum a geographic location map depicting the proposed location(s) for the Public Safety Radio Tower(s), including major street names, general boundaries, acreage, the closest intersection of public streets, the future land use and zoning of the proposed site, and contact information for obtaining additional information.

3. The notice shall also be posted on the County’s webpage and published in the newspaper, a minimum of twenty (20) days prior to the public meeting or workshop date.

All notices shall clearly explain the proposed location(s) of the Radio Tower(s), including proposed height and all uses and structures proposed for the site, the location, date and time of the hearings or workshops. The notices shall also state:

a. That persons may appear and be heard;
b. That written comments may be filed with the County Administrator and will be entered into the record;
c. That the meeting or workshop may be continued from time to time;
d. A telephone number and e-mail address for more information; and
e. Such additional information as may be required by the Board.

3. Neighborhood Workshops:

Neighborhood workshops are mandatory and shall be held by the County Administrator after the Board makes a preliminary determination of the proposed Radio Tower Sites. The Board may require the County Administrator to hold one or more neighborhood workshops at an earlier or later stage in the process for any Radio Tower Site that in the view of the Board, has potential neighborhood impacts.
The purpose of the neighborhood workshops is to ensure early citizen participation in an informal forum in conjunction with the siting of a proposed Radio Tower, and to provide the County Administrator with the opportunity to understand any impacts a proposed Radio Tower Site may have on an affected community. Neighborhood workshops shall be noticed as provided in these Procedures.

The County Administrator shall submit to the Board a summary of the materials presented at the workshop, the issues raised by those in attendance, the suggestions and concerns of those in attendance, a copy of the sign-in sheet, a copy of the workshop advertisement and a copy of the mailed notices sent to property owners.

4. **Board Review Procedures:**

The County Administrator shall cause a Report to be prepared for each proposed Radio Tower Site which shall summarize the facts for each proposed Radio Tower Site, incorporate a summation of the comments of the various County Departments and applicable public safety agencies, and include all written public comments received in an appendix. The Report shall include an analysis of all alternative sites considered by the County Administrator for the proposed Radio Towers and reasons why each proposed site was accepted for further consideration or rejected by the Administrator as not being suitable, taking into consideration the applicable Future Land Use Classification and zone district of the property proposed for the Radio Tower Site. The Report shall include an analysis of compliance with the following standards for each proposed site:

A. Whether the proposed Radio Tower Site may be found to be compatible with the surrounding properties near the Site considering the Comprehensive Plan and the Land Development Code;

B. Whether the establishment, maintenance or operation of the proposed Radio Tower Site could be detrimental to or endanger the public health, safety or general welfare;

C. Whether the establishment of the proposed Radio Tower Site impedes the normal and orderly development and improvement of surrounding properties for uses permitted in the zoning district;

D. Whether adequate measures already exist, or shall be taken, to provide ingress and egress to the proposed Radio Tower Site in a manner that minimizes traffic congestion in the public streets;

E. Whether the Radio Tower Site, as proposed, is compatible with the surrounding uses and the general desired character of the area (height, bulk, scale, intensity, traffic, noise, drainage, lighting and appearance);

F. Whether the construction of the proposed Radio Tower could have a substantial adverse effect on environmental, archaeological, historical or cultural resources located on or off the parcel proposed for the Radio Tower; and
G. Whether screening, buffering, landscaping, setbacks or other design features are proposed of such a type, dimension and character to improve compatibility and harmony of the proposed Radio Tower Site and structure with the uses and structures on nearby properties.

Upon receiving the Report of the County Administrator and the affidavits confirming the public notices have been provided, the Board shall hold one or more meetings and workshops, noticed as provided above in Section 2, as it deems appropriate, to consider the above criteria for Radio Tower Sites and determine the most appropriate Radio Tower Sites considering the totality of the circumstances.

Nothing in these Procedures shall be interpreted to replace any process and procedures, including public meetings required by the Comprehensive Plan and Land Development Code for any proposed Radio Tower Site.

All public meetings and workshops under these Procedures are deemed to be legislative, not quasi-judicial. No development of land is approved, and no development order is approved or issued under these Procedures.

5. **Timing of Procedures:**

The County Administrator shall timely undertake, schedule and complete these Procedures for any Radio Tower to allow for meaningful consideration of Radio Tower Sites by the Board with public participation. In no event shall the County Administrator direct or consent to the design and engineering of a Radio Tower on a Radio Tower Site beyond 30% completion prior to the completion of the public meetings and workshops required by these Procedures.