

Draft Conditions

1. Additional structural changes to the tower shall require an amendment to the use permit. Changes to transmit/receive equipment may be considered administratively if they are smaller than or equal to existing improvements, or replace existing improvements subject to Condition #6.
2. The Applicant's liaison shall contact the Presidents of the Leeway Overlee Civic Association, the John M. Langston Citizens Association, the Tara-Leeway Heights Civic Association, and the Yorktown Civic Association prior to commencing any structural improvements other than routine maintenance of the tower and prior to any new tenants being added on the tower.
3. Employee cars, maintenance and construction vehicles shall park on site. Residents of N. George Mason Drive between 22nd Street North and Lee Highway shall be notified in advance of any circumstances that would require employee parking on N. George Mason Drive.
4. Sunday work on the tower is not permitted, except in emergency situations (i.e. lighting, FAA requirements or structural damage to any antennas or the tower itself).
5. Semi-annual radiation tests shall be conducted by an independent authority, which will be selected by the Applicant, at the expense of the Applicant. If the independent authority finds that any Federal Communications Commission ("FCC") guidelines for emissions by the tower are exceeded, the review date shall be advanced to the earliest date after the report to the County Manager for which a County Board hearing can be advertised. If the FCC guidelines for emissions are not exceeded for three straight tests, then emissions testing will be conducted on an annual basis. Subsequently, if an emissions test is found to exceed the FCC guidelines, emissions test will revert back to semi-annual testing. A report will be sent to the Presidents of the Leeway Overlee Civic Association, the John M. Langston Citizens Association, the Tara-Leeway Heights Civic Association, and the Yorktown Civic Association within thirty (30) days after the radiation test is conducted.
6. The number of FM broadcast antennas which may be installed on the Applicant's tower shall not exceed five (5). The number of AM broadcast antennas which may be installed on the Applicant's tower shall not exceed one (1). If WAVA-AM ceases to operate on the tower, no other AM station will be added as a tenant on the tower. There will be no limit on the number of receiving-only antennas to be located on the tower.
7. The Applicant shall remove any antennas on the tower not currently in use.

8. The Applicant shall be allowed to move and/or install existing or future dipole-type antennas, such as are currently present on the tower or are of the antenna type as approved herein, to other locations on the tower, subject to Condition #6 and administrative review but without the need for an amendment to this use permit.
9. If all microwave transmission antennas are removed from the tower, the Applicant shall only be required to conduct annual emission tests.
10. The Applicant shall include in every new lease with a broadcast tenant a provision requiring each new broadcast tenant to implement an interference mitigation plan similar in nature to the WAVA interference mitigation plan referenced in Condition #12. This tenant interference mitigation plan shall remain in effect for the duration of the broadcast tenant's lease with the Applicant.
11. The Applicant agrees to implement the WAVA interference mitigation plan for a period of two (2) years from the date of County Board approval of this use permit amendment.
12. The Applicant's liaison shall notify the residents of the Leeway Overlee Civic Association, the John M. Langston Citizens Association, the Tara-Leeway Heights Civic Association, and the Yorktown Civic Association of the WAVA interference mitigation plan.
13. The Applicant agrees to allow the County to place emergency antennas on the tower, if requested and if in compliance with all Federal Communications Commission criteria.
14. The Applicant agrees to remove the existing tower from the property within sixty (60) days from the date of completion of construction of the approved tower.
15. The Applicant shall paint the façade of the existing tower building.
16. The Applicant shall construct a new fence around the approved tower.