

ORDINANCE NO. 2020-51

AN ORDINANCE TO CHANGE LANGUAGE REGARDING AUTHORITY TO APPROVE TOWERS FROM CITY COUNCIL TO APPROVING BODY, THEREBY AMENDING CHAPTER 19 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~[stricken through]~~ and adding those words that are underlined, to read as follows:

CHAPTER 19

ARTICLE V: PERFORMANCE STANDARDS

§ 19.63.05 TOWERS.

(c) *Co-location requirements.* All commercial wireless telecommunication towers erected, constructed or located within the city shall comply with the following requirements.

(1) A proposal for a new commercial wireless telecommunication service tower shall not be approved unless the ~~[city council]~~ approving body finds that the telecommunications equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or building within a one-mile search radius (one-half mile search radius for towers under 120 feet in height, one-quarter mile search radius for towers under 80 feet in height) of the proposed tower due to one or more of the following reasons:

(e) *Tower and antenna design requirements.* Proposed or modified towers and antennas shall meet the following design requirements.

(2) Commercial wireless telecommunication service towers shall be of a monopole design unless the ~~[city council]~~ approving body determines that an alternative design would better blend into the surrounding environment.

(f) *Tower setbacks.* Towers shall conform with each of the following minimum setback requirements.

(4) A tower's setback may be reduced or its location in relation to a public street varied, at the sole discretion of the ~~[city council]~~ approving body, to allow the integration of a tower into an existing or proposed structure such as a church steeple, light standard, power line support device or similar structure.

(r) *Variances.* The following standards apply to variance requests for towers, antennas or wireless telecommunication facilities.

(1) The ~~[city council]~~ approving body shall consider the following issues in addition to the variance findings required in § 2.85.04.

(2) The applicant shall pay the reasonable cost of the city retaining a qualified, independent radio frequency engineer to provide a professional opinion to the ~~[city council]~~ approving body if the planning manager or designee determines that an independent radio frequency engineer is needed to assist in consideration of subsections (q)(1)(a) through (q)(1)(g) above.

Passed and adopted this 21st day of December, 2020.

/s/ Tim Busse
Mayor

ATTEST:

/s/ Denise M. Christenson
Secretary to the Council

APPROVED:

/s/ Melissa J. Manderschied
City Attorney