

CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA

ORDINANCE NO. 08-011

**AN ORDINANCE RELATING WIRELESS TELECOMMUNICATIONS TOWERS**

The Lake Elmo City Council ordains that City Code Sections 150.113 (A)(B)(C); 150.114 (D)(3); 150.117; and 150.120(B)(1)(a) and (B)(1)(c) are hereby amended to read as follows:

**§ 150.113 ALLOWED TOWER SITES.**

Applicants for a wireless telecommunication tower permit shall make a reasonable effort to locate the towers and accessory ground facilities in the following areas:

- (A) 1<sup>st</sup> Priority. On an existing public utility power line support structure, within an existing public utility power line right-of-way, or within 100 feet of the right-of-way;
- (B) 2<sup>nd</sup> Priority. On publicly owned property, as approved by the City Council; and/or
- (C) 3<sup>rd</sup> Priority. On agriculturally or residentially zoned parcels greater than 10 acres.

**§ 150.114 APPLICATION.**

Applications for a wireless telecommunication tower permit shall be submitted on forms provided by the City Planner, which shall include the following information:

- (D) A 5 year plan for wireless telecommunication facilities to be located within the city shall be submitted by the applicant. The city acknowledges that the plans are fluid and in all likelihood will change depending upon market demands for the service. The City will maintain an inventory of all existing and reasonably anticipated cell site installations. The applicant shall provide the following written information in each, 5 year plan and the plan must be updated with each submittal for a new wireless telecommunication tower permit as necessary:
  - (3) A presentation size map of the city, which shows the 5-year plan for cell sites, or if individual properties are not known, the geographic service areas of the cell sites.

**§ 150.117 CO-LOCATION REQUIREMENTS.**

Except as hereinafter provided, antenna utilized to provide wireless telecommunication services shall be located on existing towers or structures which exceed 75 feet in height and which are located within 1 ½ miles of the antenna site being proposed by the applicant. In the event that co-location is not possible, the applicant must demonstrate that a good faith effort to co-locate on existing towers and structures was made but an agreement could not be reached; or that co-location on existing structures will not allow the applicant to provide services to the required service area.

**§ 150.120 TOWER STANDARDS.**


**(B) (1) Design.**

- (a) To blend into the surrounding environment through the use of color; and architectural treatment and techniques that soften the visual impact of the wireless telecommunication tower on the surrounding environment;
- (c) All proposed wireless telecommunication tower shall be designed, structurally, electrically, and in all respects, to accommodate both the applicant's antennas and comparable antennas for at least 2 additional users if the tower is over 100 feet in height or for at least 1 additional user if the tower is between 75 feet and 100 feet in height; provided that this standard may be waived or otherwise modified by the City Council as necessary to allow the applicant to construct a wireless telecommunication tower that better blends into the surrounding environment.

**Effective Date.** This Ordinance shall be effective the day following its publication.

**Adoption Date.** Passed by the Lake Elmo City Council on the 9<sup>th</sup> day of December, 2008.

  
Dean Johnston, Mayor

  
Susan Hoyt, City Administrator

**Publication Date:** This Ordinance was published in the January 8, 2009.  
LAKE Elmo Leader

This Ordinance No. 08-010 was published on the 8<sup>th</sup> day of January,  
2009.