

**CITY OF SCANDIA
ORDINANCE NO. 163**

**AN ORDINANCE AMENDING
ORDINANCE NO. 122, THE SCANDIA DEVELOPMENT CODE,
CHAPTER 2, SECTION 4.30 REGARDING DEVELOPMENT STANDARDS**

The City Council of the City of Scandia, Washington County, Minnesota hereby ordains:

Section 1. Amendment. Ordinance No. 122, the City of Scandia Development Code (“Development Code”, or “Code”), Chapter Two, Section 4.31, Wireless Communication Antennas and Towers, shall be amended to read as follows:

(2) Conditional Use Permits

3. The addition of a new antenna or other equipment on an existing permitted tower that creates a substantial change, as defined under item (3) of this section, below.

(3) Administrative Permit Requirements

1. The addition of a new antenna, or the adjustment, repair, or replacement of an existing antenna or other equipment that does not create a substantial change to an existing permitted tower. “Substantial change” to an existing permitted tower means the following:
 - a. On an existing tower that is outside the public right-of-way, the new or replacement antenna or equipment can increase the height of the tower up to twenty feet (20’) before it is a “substantial change.” For towers within a public right-of-way, the height of the tower can be increased up to ten feet (10’) before it is a substantial change.
 - b. On an existing tower, new or replacement equipment can increase the width of the tower up to twenty feet (20’) at the height where it will be replaced before it is considered a substantial change when the tower is outside the public right-of-way. For towers within the right-of-way, the width of the tower can be increased up to six feet (6’) before it is considered a substantial change.

(8) Districts

(A) Village Neighborhood District (VN), Village Mixed Use A District (VMU A), Village Mixed Use B District (VMU B) and Rural Commercial District (R COMM). The following are permitted with a conditional use permit:

1. The addition of a new antenna on an existing tower that creates a substantial change.
2. A satellite dish antenna larger than two meters in diameter but not exceeding three meters in diameter.

3. A tower within the easement of a high voltage overhead transmission line or within 50 feet of the transmission line easement on the same side of the road to a maximum height of 130 feet.
4. A free standing tower exceeding 35 feet in height but not exceeding 130 feet in height.
5. A tower attached to an existing building extending more than 15 feet above the highest point of the building up to a maximum height of 130 feet.

(B) Agriculture District—Core (AG C) and Agriculture Preserves District (AP.) The following are permitted with a conditional use permit:

1. The addition of a new antenna on an existing tower that creates a substantial change.
2. Satellite dish antenna(s) larger than two meters in diameter.
3. A tower within the easement of a high power overhead transmission line or within 50 feet of the transmission line on the same side of the road to a maximum height of 180 feet.
4. A tower attached to an existing building, extending more than 15 feet above the highest point of the building up to a maximum height of 280 feet.

(C) Industrial Park District (IP). The following are permitted with a conditional use permit:

1. The addition of a new antenna on an existing tower that creates a substantial change.
2. Satellite dish antenna(s) larger than two meters in diameter.
3. A free standing tower exceeding 35 feet in height but not exceeding 280 feet in height.
4. A tower within the easement of a high voltage overhead transmission line or within 50 feet of the transmission line easement on the same side of the road to a maximum height of 180 feet.
5. A tower attached to an existing building, extending more than 15 feet above the highest point of the building up to a maximum height of 280

(9) Prohibitions

- (A) No tower shall be over 280 feet in height or within one mile of another tower for which a conditional use permit is required regardless of municipal boundaries.
- (B) A proposal for a new tower shall not be approved unless it can be shown by the applicant that the telecommunication equipment planned for the proposed tower cannot be accommodated:
 1. on an existing tower; or

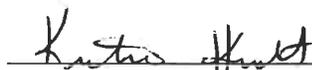
2. on a tower that has been permitted by Washington County or the City of Scandia (even though it may not yet be constructed); or
 3. on a tower whose application for a conditional use permit is currently pending before the City of Scandia.
- (C) Towers up to 130 feet in height shall not be constructed within 300 feet of any residential dwelling other than the dwelling on the parcel on which the tower is to be located. Towers over 130 feet in height shall not be constructed within 500 feet of any residential dwelling other than the dwelling on the parcel on which the tower is to be located.
- (D) All towers located closer than one-quarter (1/4) mile to the outside boundary of an existing state, county or city park, or of a proposed state, county or city park identified in the Washington County Park Master Plan or the City of Scandia Parks, Trails, Open Space and Recreation Plan shall be constructed with a camouflage design approved by the City and shall be no more than 35 feet in height.
- (E) All towers erected within one-quarter (1/4) mile from the centerline of State Highways 95 and 97 and County Roads 3, 4, 15 and 52 shall be constructed with a camouflage design approved by the City and shall be no more than 35 feet in height, unless it can be demonstrated through visual impact demonstration that the tower will be visually inconspicuous as viewed from the road on a year-round basis.
- (F) All towers erected within one-quarter (1/4) mile of the St. Croix River Overlay District or within one-quarter (1/4) mile of a DNR protected lake or river shall be constructed with a camouflage design approved by the City and shall be no more than 35 feet in height.
- (G) No temporary antenna/tower sites are permitted except in the case of equipment failure, equipment testing or in the case of an emergency situation as authorized by the Washington County Sheriff. Use of temporary antenna/tower sites for testing purposes shall be limited to twenty-four (24) hours and shall be subject to an administrative permit. Use of temporary antenna/tower sites for equipment failure or in the case of an emergency situation shall be limited to a term of thirty (30) days. These limits can be extended by the Zoning Administrator.

Section 2. Effective Date. This ordinance shall be in full force and effect upon its adoption and publication according to law.

Passed and adopted by the City Council of the City of Scandia this June 16th, 2015.


Randall Simonson, Mayor

ATTEST:



Kristina Handt, Administrator/Clerk

