



**PLANNING COMMISSION MEETING  
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS  
JUNE 22, 2020  
7:00 PM**

Call to Order

Approval of the minutes of the May 27, 2020 Planning Commission meeting.

Opportunity for Citizens to Address the Commission on items not on the Agenda

**Agenda Approval**

**General Business**

1. Consider the 2022-2025 Capital Improvement Program and a finding of consistency with the Comprehensive Plan of the Capital Improvement Program and the 2021 Capital Improvement Budget.

**Public Hearings**

2. Public hearing to consider a request for a conditional use permit to allow small wireless facilities in the right-of-way near 7108 Lyndale Avenue South.

20-CUP-02

3. Conduct a public hearing and consider changes to the City's Zoning Code that would eliminate the need for a Conditional Use Permit for small wireless facilities and wireless support structures in the single-family residential districts.

**Liaison Reports**

Community Services Advisory Commission  
City Council  
Housing and Redevelopment Authority (HRA)  
Richfield School Board  
Transportation Commission  
Chamber of Commerce  
Other

**City Planner's Reports**

4. Next Meeting Time and Location
5. Adjournment

**Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.**



# Planning Commission Minutes

May 27, 2020

MEMBERS PRESENT: Chair Kathryn Quam, Commissioners Bryan Pynn, Sean Hayford Oleary, Peter Lavin, James Rudolph, and Susan Rosenberg

MEMBERS ABSENT: none

STAFF PRESENT: Melissa Poehlman, Asst. Director of Community Development  
Matt Brillhart, Associate Planner  
Nellie Jerome, Assistant Planner

Chairperson Quam called the meeting to order at 7:00 p.m.

## APPROVAL OF MINUTES

M/Pynn, S/Rudolph to approve the minutes of the February 26, 2020, meeting.

*Motion carried: 6-0*

## OPEN FORUM

No members of the public spoke, no comments received.

## APPROVAL OF AGENDA

M/Rosenberg, S/Hayford Oleary to approve the agenda.

*Motion carried: 6-0*

## PUBLIC HEARINGS

### ITEM #1

**Public hearing and consideration of a variety of land use approvals for a proposal to construct an 82-unit apartment building on 64th Street, east of Lyndale Avenue (future address: 600 64th Street West)**

Richfield Planning Associate Matt Brillhart gave a summary of the Planned Unit Development (PUD), for which staff recommended approval of the three related applications regarding the Comprehensive Plan designation, the zoning designation, and PUD permit approval.

Commissioners asked about affordability requirements, the parking spillover from adjacent apartment buildings, and traffic exiting the project into the neighborhood. Assistant Community Development Director Melissa Poehlman clarified that there is no zoning requirement that affordable units be included, but the developer is working to include a number of affordable units in the project. The developer observed that so far, at adjacent apartments, no tenants have opted to park on the street and roughly one parking spot per bedroom has been rented so far. The developer also noted that they were working to avoid displacement of current apartment residents and that a number of the units will remain affordable at 50% AMI.

Public comments from emails, voicemails, and live call-ins focused on spillover parking, issues with snow removal and parked cars, residential density, park access on the southern side of Garfield Park, ADA accessibility, and safety.

M/Lavin, S/Rudolph to close the public hearing.

*Motion carried: 5-0 (Commissioner Rosenberg was not available to vote)*

May 27, 2020

Commissioners discussed parking spillover along 64<sup>th</sup> Street and issues with winter plowing and parking when parking is not free for these residents. Commissioners also asked about updating the existing building, and how the limited updates to the interior might be a disservice to current residents who will have higher rent but not necessarily nicer living spaces.

Staff responded that upgrades to existing affordable rental units are very hard to do. From staff's perspective, the opportunity to upgrade the existing affordable units and to grow the community with a new building next door is a win. Staff added that the improved connection on the south end of Garfield Park would improve accessibility, and that upgrades to the park would improve safety. Staff also clarified that there was nothing in code that required free parking, and that 1.25 spaces per unit meets city code.

Commissioners further discussed parking issues and opportunities to use neighboring lots to meet parking space minimums. The developer explained the cost of underground parking, the parking ratios and the current parking use on the site, as well as how the design of the lot will be important in directing traffic away from smaller streets and towards Lyndale Ave. They also assured their openness to bike parking, electric car parking and charging stations, and anything else that will help alleviate parking issues in the future.

M/Hayford Oleary, S/Lavin to recommend approval of a resolution that amends the Comprehensive Plan to designate Lots 3-8, Block 5, Lyndale Oaks Addition as Mixed Use;  
*Motion carried: 6-0*

M/Hayford Oleary, S/Rosenberg to recommend approval of an Ordinance that amends Richfield Zoning Code Appendix I to designate Lots 3-8, Block 5, Lyndale Oaks Addition as Planned Mixed Use

M/Rudolph, S/Hayford Oleary to amend the original motion to delay the effective date of the ordinance until a development agreement is in place.

*Motion for amendment carried: 6-0*

*Motion as amended carried: 6-0*

M/Lavin, S/Rudolph to recommend approval of a resolution granting a conditional use permit and final development plans for a planned unit development at 6345 Lyndale Avenue and 600 West 64<sup>th</sup> Street with additional condition that the PUD provide parking at a ratio of a minimum of 1.25 stalls per unit.

M/Hayford Oleary, S/Quam to amend the motion to include the condition that signage be added to both planned driveways, directing traffic to Lyndale Ave

M/Hayford Oleary, S/Lavin to amend the motion to include the condition that the trail from 64<sup>th</sup> Street into Garfield Park be modified to have a wheelchair ramp accessible to 64<sup>th</sup> Street.

*Motion for signage amendment carried: 6-0*

*Motion for wheelchair ramp amendment carried: 6-0*

*Motion with conditions carried: 6-0*

## **ITEM #2**

**Continue a public hearing to consider land use applications for 6544 Newton Avenue South to June 22, 2020.**

The application has been withdrawn by the applicant.

May 27, 2020

M/Pynn, S/Rudolph to cancel the public hearing for this item.

*Motion carried: 6-0*

### **LIAISON REPORTS**

Community Services Advisory Commission: Met last week, discussions on budget reductions due to COVID-19.

City Council: no report

Housing and Redevelopment Authority (HRA): no report

Richfield School Board: COVID-19 has affected budget, but reserves are expected to be enough to continue funding. Continuity of education will continue and finances remain in a good spot

Transportation Commission: 65<sup>th</sup> street construction planned for next year, roundabouts and trails planned

Chamber of Commerce: no report

### **CITY PLANNER'S REPORT**

Poehlman gave an update on the Small Cell memo, presented to the City Council at the most recent meeting. City Council supported removing a requirement for conditional use permits for residential small cell installations, because the City has little authority to regulate these and the public hearings were disingenuous. Poehlman added that due to COVID-19, restaurant seating on sidewalks and parking lot areas will be temporarily allowed, in order to help businesses in Richfield. Poehlman also added that the Richfield COVID Small Business Loan program has gone smoothly and loans are starting to go out to applicants.

### **ADJOURNMENT**

The next regular meeting will be Monday, June 22, at 7pm, on Webex online meeting platform.

M/Rudolph, S/Rosenberg to adjourn the meeting.

*Motion carried: 6-0*

The meeting was adjourned by unanimous consent at **9:15 p.m.**

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Planning Commission Secretary

### Voicemail Comments

Mr. Peterson commented that current spillover and excess parking in the neighborhood was from adjacent apartment buildings, and had concerns about the trail connection from 64<sup>th</sup> Street to Garfield Park.

Alex Asmus at 64<sup>th</sup> Street and Harriet Ave had concerns about dangers of street parking in the neighborhood with small children present. He also felt that the parking ratio was too low, that charging for parking pushes more people to park on streets, that more people drive than is estimated by the developer, and that street parking creates difficulties plowing in the winter and creates difficulties getting out onto Lyndale Ave.

### Public comments taken at the meeting

Nancy Iverson, 508 W 64th Street; Debbie Eng; B. Mueller, 6325 Lyndale Ave; Michelle Hawkins, 6328 Harriet Ave; Alex Asmus, 6401 Harriet Ave.

### Written comments

Ruthanne and Kevin Mussetter, 6335 Harriet Av S (see subsequent pages).

May 19<sup>th</sup>, 2020

To: Richfield Planning Commission Members for your May 27<sup>th</sup> Meeting  
Regarding: Redevelopment of 6345 Lyndale Avenue (existing apartment building) and  
514-610 64<sup>th</sup> Street West

We have lived in our home that is located at 6335 Harriet Avenue for the past 27 years. It is just around the corner from the location of the redevelopment project that is being considered. We attended the presentation that was made by the developers at the Open House in the Henley Apartments Lobby, located at 6324 Lyndale Avenue South on February 27<sup>th</sup>. We are writing to express our concerns about a few aspects of the project and our opposition to moving the project forward in the process if there are not significant changes made to the plans that were presented at the Open House.

- 1. Parking**-Our primary concern is that we have had problems with many people parking on 64<sup>th</sup> Street West, and sometimes on Harriet Avenue as well, ever since the 94-unit Lyndale Plaza Apartment Building was built. This was never an issue when the shops were located on that corner, so we know that it is because of the people who live in the apartment building who are parking on the streets. There was a variance in place when that building was built that allowed them to include fewer parking spots than are normally required because it is located on the bus route. It was thought that many of the tenants would use the bus and bicycles, rather than own cars. This has clearly not been the case. It sounded at the Open House that this is the assumption for the proposed building as well. Having the cars in the streets during all hours of the day and night causes safety hazards during the winter because the plows are not able to clear the snow to a width through which two cars can pass going opposite directions. There were several times this past winter that we had to back up to allow an on-coming car to pass us safely. We were told at the Open House that the plans for this new building include 89 studio apartments and one 2-bedroom ADA apartment, plus renovating the 22-unit existing apartment building, which is a total of 112 units. The existing building has 26 surface lot spots and the men said there are plans for 58 parking spots on two levels under the units in the proposed building and 28 surface lot spaces that they said they will be charging the tenants to use for parking their cars. (How many tenants will agree to pay to park in a spot on a surface lot if they think they can park on the street for free?) There will be a total of 112 parking spots (most of which will cost the tenants an extra fee to use) for 112 units, which is a 1:1 ratio. John Stark, Dir. of Community Development was at the Open House and he said that the zoning policies normally require 1.25 spots per unit. We, along with the rest of the neighbors who were at the Open House, tried to explain this **major area of concern** to the man who was leading the presentation, but he very rudely cut off the discussion each time the issue was brought up and said that it would not be an issue and we should not be concerned about it. **We cannot support having this building built in our neighborhood unless the number of dwelling units in the building is reduced (it would be wonderful if it was only 4 stories tall instead of 5), the number of parking spots is increased, or some of each.**

2. **Neighborhood/Families/Sense of Community**-This will make the third large apartment complex that will have been built in our neighborhood within the past nine years! We moved into this neighborhood because it was a very quiet, low-traffic, family-friendly neighborhood. The addition of the apartment buildings is definitely reducing that quiet, low-traffic, family-friendly community feeling. The proposed building, with its 89 studio apartments, does not even offer the opportunity for families to live there. We are concerned that it will be occupied by single, more “transient” people who will come and go a lot and not live there for very long because they do not feel like they are connected to or anchored in the neighborhood. This will further reduce the sense of community in the neighborhood.
  
3. **Reduction of Single-family Homes**-There have been MANY single-family homes that have been torn down in recent years and most of them have been replaced by shopping areas, apartment buildings, “improved” roadways, or “green space”. We feel that Richfield is losing its “Urban Hometown” feeling because so many families that have been living in their homes here for longer periods of time have been forced out for the cause of redevelopment.

Thank you in advance for your consideration of our comments and suggestions regarding this project. We hope that the issues outlined above will be resolved in a way that will preserve the safety and sense of community in our neighborhood!

Ruthanne and Kevin Mussetter  
6335 Harriet Av S  
Richfield, MN 55423  
Ruthanne (612) 386-1341  
Kevin (612) 599-4218

AGENDA SECTION: General Business  
AGENDA ITEM # 1.  
CASE NO.:



## PLANNING COMMISSION MEETING 6/22/2020

REPORT PREPARED BY: Melissa Poehlman, Assistant CD Director

CITY PLANNER REVIEW: Melissa Poehlman, Asst. CD Director  
6/10/2020

### **ITEM FOR COMMISSION CONSIDERATION:**

**Consider the 2022-2025 Capital Improvement Program and a finding of consistency with the Comprehensive Plan of the Capital Improvement Program and the 2021 Capital Improvement Budget.**

### **EXECUTIVE SUMMARY:**

Each year, the City Manager makes a recommendation to the City Council regarding the Capital Improvement Budget (CIB) for the upcoming year. The Planning Commission is responsible for reviewing the Capital Improvement Plan (CIP) and making a recommendation to the City Council. The Commission is also responsible for ensuring that the CIB and the CIP are consistent with the Comprehensive Plan.

Finance Director, Chris Regis will present a summary and answer questions.

### **RECOMMENDED ACTION:**

By motion:

1. Recommend approval of the 2022-2025 Capital Improvement Program; and
2. Adopt a resolution finding that the 2021 Capital Improvement Budget and 2022-2025 Capital Improvement Program are consistent with the Comprehensive Plan.

### **BASIS OF RECOMMENDATION:**

#### A. **HISTORICAL CONTEXT**

None

#### B. **POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- The Planning Commission is required by City Charter to prepare and recommend a CIP for inclusion in the annual budget message of the City Council.
- The Planning Commission is required by State Statute to review all proposed capital improvements within the City and make written findings to the City Council for consistency with the Comprehensive Plan.

#### C. **CRITICAL TIMING ISSUES:**

The Council is scheduled to consider a preliminary budget and levy on September 22nd.

#### D. **FINANCIAL IMPACT:**

The CIB/CIP are the City's immediate budget and five-year plan for making investments in publicly owned facilities and infrastructure.

#### E. **LEGAL CONSIDERATION:**



Discussed above.

**ALTERNATIVE RECOMMENDATION(S):**

- Recommend rejection of the Capital Improvement Program.
- Reject the attached resolution finding that the Capital Improvement Program and Capital Improvement Budget are not consistent with the Comprehensive Plan.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

Chris Regis, Finance Director

**ATTACHMENTS:**

	Description	Type
▣	Resolution	Resolution Letter
▣	CIB CIP	Backup Material
▣	State & local rules	Exhibit

**RESOLUTION NO.**

**RESOLUTION OF THE RICHFIELD PLANNING COMMISSION  
FINDING THAT THE 2021 CAPITAL IMPROVEMENT BUDGET AND  
2022-2025 CAPITAL IMPROVEMENT PROGRAM  
ARE IN CONFORMANCE WITH THE COMPREHENSIVE PLAN**

**WHEREAS**, the Planning Commission has reviewed the Comprehensive Plan regarding the proposed capital improvements in the 2021 Capital Improvement Budget and 2022-2025 Capital Improvement Program; and

**WHEREAS**, the Planning Commission has found that the proposed capital improvements is consistent with the City's Comprehensive Plan,

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission finds that the proposed capital improvements found in the 2021 Capital Improvement Budget and the 2020-2023 Capital Improvement Program are in conformance with the City's Comprehensive Plan.

Adopted this 22nd day of June, 2020 by the Planning Commission of the City of Richfield, Minnesota.

\_\_\_\_\_  
Chairperson, Richfield Planning Commission

**ATTEST:**

\_\_\_\_\_  
Secretary, Richfield Planning Commission

**2021**  
**CAPITAL IMPROVEMENT BUDGET**  
**&**  
**2022-2025**  
**CAPITAL IMPROVEMENT PROGRAM**

## 2021 Capital Improvement Budget

	PROJECT EXPENDITURE	
<b>RECREATION &amp; OPEN SPACE</b>		
Park Maintenance/Wood Lake Fence Repair	\$ 50,000	R
Community Center/Wood Lake Building Repair	50,000	R
Augsburg Park Play Equipment	15,000	R
	200,000	S
Christian Park Play Equipment	90,000	R
Fremont Park Play Equipment	90,000	R
Sheridan Park Play Equipment	90,000	R
Fairwood Tennis Court Rebuild	65,000	R
<b>TOTAL REC. &amp; OPEN SPACE</b>	<b>\$ 650,000</b>	
<b>RIGHT OF WAY IMPROVEMENT</b>		
77th Street Underpass	\$ 7,000,000	O
	5,500,000	S
	4,100,000	MD
	7,000,000	F
69th Street & Vincent Retaining Wall	150,000	FF
Pedestrian Improvements	40,000	M
Bicycle Improvements	40,000	M
Penn Avenue ADA Improvements	82,500	M
	82,500	C
Pavement Management Program	1,330,000	FF
<b>TOTAL RIGHT-OF-WAY IMPROVEMENT</b>	<b>\$ 25,325,000</b>	
<b>PUBLIC FACILITIES</b>		
Replacement Central Garage Equipment	\$ 695,000	TL
Technology Replacement	135,000	TL
City Wide Water Meter Upgrade	1,340,000	U
Lift Station #1 Control Panel	65,000	U
Lift Station #4 Cement Cover	45,000	U
Rehabilitation of Stormwater Collection Mains	100,000	U
Rehabilitation of Stormwater Collection Manhole Structures	100,000	U
Sanitary Sewer Main Lining	400,000	U
Taft Storage Site Improvements	65,000	U
	10,000	C
<b>TOTAL PUBLIC FACILITIES</b>	<b>\$ 2,955,000</b>	
<b>TOTAL USES OF FUNDS</b>	<b>\$ 28,930,000</b>	
<b>ESTIMATED REVENUE BY SOURCE</b>		
(C) Hennepin County	\$ 92,500	
(F) Federal Grant	7,000,000	
(FF) Franchise Fees	1,480,000	
(M) Municipal State Aids	162,500	
(MD) MnDot	4,100,000	
(O) Other Funding	7,000,000	
(R) Special Revenue	450,000	
(S) State Grant	5,700,000	
(TL) Tax Levy	830,000	
(U) User Fees	2,115,000	
<b>TOTAL FUNDING BY SOURCE</b>	<b>\$ 28,930,000</b>	

## 2022 Capital Improvement Plan

	PROJECT EXPENDITURE	
<b>RECREATION &amp; OPEN SPACE</b>		
Park Maintenance/Wood Lake Fence Repair	\$ 50,000	R
Community Center/Wood Lake Building Repair	50,000	R
Donaldson Park Renovation	350,000	R
<b>TOTAL REC. &amp; OPEN SPACE</b>	<b>\$ 450,000</b>	
 <b>RIGHT OF WAY IMPROVEMENT</b>		
65th Street Reconstruction	\$ 7,800,000	B
Pedestrian Improvements	40,000	M
Bicycle Improvements	40,000	M
Pavement Management Program	1,330,000	FF
<b>TOTAL RIGHT-OF-WAY IMPROVEMENT</b>	<b>\$ 9,210,000</b>	
 <b>PUBLIC FACILITIES</b>		
Replacement Central Garage Equipment	\$ 700,000	TL
Technology Replacement	135,000	TL
City Wide Water Meter Upgrade	885,000	U
HUB Redevelopment Stormwater	500,000	U
Rehabilitation of Stormwater Collection Mains	100,000	U
Rehabilitation of Stormwater Collection Manhole Structures	100,000	U
Sanitary Sewer Main Lining	800,000	U
<b>TOTAL PUBLIC FACILITIES</b>	<b>\$ 3,220,000</b>	
<b>TOTAL USES OF FUNDS</b>	<b>\$ 12,880,000</b>	
 <b>ESTIMATED REVENUE BY SOURCE</b>		
(B) G.O. Street Reconstruction Bonds	\$ 7,800,000	
(FF) Franchise Fees	1,330,000	
(M) Municipal State Aids	80,000	
(R) Special Revenue	450,000	
(TL) Tax Levy	835,000	
(U) User Fees	2,385,000	
<b>TOTAL FUNDING BY SOURCE</b>	<b>\$ 12,880,000</b>	

## 2023 Capital Improvement Plan

	<b>PROJECT EXPENDITURE</b>	
<b>RECREATION &amp; OPEN SPACE</b>		
Park Maintenance/Wood Lake Fence Repair	\$ 50,000	R
Community Center/Wood Lake Building Repair	50,000	R
Donaldson Park Renovation	110,000	R
Madison Park Tennis Court Rebuild	60,000	R
Monroe Park Play Equipment	90,000	R
Sheridan Park Play Equipment	90,000	R
<b>TOTAL REC. &amp; OPEN SPACE</b>	<b>\$ 450,000</b>	
<b>RIGHT OF WAY IMPROVEMENT</b>		
Pedestrian Improvements	\$ 40,000	M
Bicycle Improvements	40,000	M
Pavement Management Program	630,000	FF
<b>TOTAL RIGHT-OF-WAY IMPROVEMENT</b>	<b>\$ 710,000</b>	
<b>PUBLIC FACILITIES</b>		
Replacement Central Garage Equipment	\$ 700,000	TL
Technology Replacement	140,000	TL
Lime Filter Press Rehabilitation	70,000	U
Rehabilitation of Stormwater Collection Mains	100,000	U
Rehabilitation of Stormwater Collection Manhole Structures	100,000	U
Sanitary Sewer Main Lining	800,000	U
Watermain Rehabilitation	200,000	U
<b>TOTAL PUBLIC FACILITIES</b>	<b>\$ 2,110,000</b>	
<b>TOTAL USES OF FUNDS</b>	<b>\$ 3,270,000</b>	
<b>ESTIMATED REVENUE BY SOURCE</b>		
(FF) Franchise Fees	\$ 630,000	
(M) Municipal State Aids	80,000	
(R) Special Revenue	450,000	
(TL) General Tax Levy	840,000	
(U) User Fees	1,270,000	
<b>TOTAL FUNDING BY SOURCE</b>	<b>\$ 3,270,000</b>	

## 2024 Capital Improvement Plan

	PROJECT EXPENDITURE	
<b>RECREATION &amp; OPEN SPACE</b>		
Park Maintenance/Wood Lake Fence Repair	\$ 50,000	R
Community Center/Wood Lake Building Repair	50,000	R
Augsburg Park Tennis Court Rebuild	135,000	R
Christian Park Tennis Court Rebuild	35,000	R
Fairwood Park Play Equipment Replacement	90,000	R
Fremont Park Play Equipment	90,000	R
<b>TOTAL REC. &amp; OPEN SPACE</b>	<b>\$ 450,000</b>	
<b>RIGHT OF WAY IMPROVEMENT</b>		
69th Street Reconstruction	\$ 5,500,000	B
Pedestrian Improvements	40,000	M
Bicycle Improvements	40,000	M
Pavement Management Program	630,000	FF
<b>TOTAL RIGHT-OF-WAY IMPROVEMENT</b>	<b>\$ 6,210,000</b>	
<b>PUBLIC FACILITIES</b>		
Replacement Central Garage Equipment	\$ 705,000	TL
Technology Replacement	140,000	TL
Emergency Water Interconnect with Neighboring Comm.	1,500,000	U
Rehabilitation of Stormwater Collection Mains	100,000	U
Rehabilitation of Stormwater Collection Manhole Structures	100,000	U
Sanitary Sewer Main Lining	800,000	U
Watermain Rehabilitation	200,000	U
<b>TOTAL PUBLIC FACILITIES</b>	<b>\$ 3,545,000</b>	
<b>TOTAL USES OF FUNDS</b>	<b>\$ 10,205,000</b>	
<b>ESTIMATED REVENUE BY SOURCE</b>		
(B) G.O. Street Reconstruction Bonds	\$ 5,500,000	
(FF) Franchise Fees	630,000	
(M) Municipal State Aids	80,000	
(R) Special Revenue	450,000	
(TL) General Tax Levy	845,000	
(U) User Fees	2,700,000	
<b>TOTAL FUNDING BY SOURCE</b>	<b>\$ 10,205,000</b>	

## 2025 Capital Improvement Plan

	<b>PROJECT EXPENDITURE</b>	
<b>RECREATION &amp; OPEN SPACE</b>		
Park Maintenance/Wood Lake Fence Repair	\$ 50,000	R
Community Center/Wood Lake Building Repair	50,000	R
Taft Park Shelter Renovation	400,000	R
<b>TOTAL REC. &amp; OPEN SPACE</b>	<b>\$ 500,000</b>	
 <b>RIGHT OF WAY IMPROVEMENT</b>		
70th Street Reconstruction	\$ 2,900,000	B
	100,000	X
T.H. 62 Noise Barrier	250,000	M
Pedestrian Improvements	40,000	M
Bicycle Improvements	40,000	M
Pavement Management Program	630,000	FF
<b>TOTAL RIGHT-OF-WAY IMPROVEMENT</b>	<b>\$ 3,960,000</b>	
 <b>PUBLIC FACILITIES</b>		
Replacement Central Garage Equipment	\$ 710,000	TL
Technology Replacement	140,000	TL
Water Plant Roof Replacement	450,000	U
Rehabilitation of Stormwater Collection Mains	100,000	U
Rehabilitation of Stormwater Collection Manhole Structures	100,000	U
Sanitary Sewer Main Lining	800,000	U
Watermain Rehabilitation	500,000	U
<b>TOTAL PUBLIC FACILITIES</b>	<b>\$ 2,800,000</b>	
<b>TOTAL USES OF FUNDS</b>	<b>\$ 7,260,000</b>	
 <b>ESTIMATED REVENUE BY SOURCE</b>		
(B) G.O. Street Reconstruction Bonds	\$ 2,900,000	
(FF) Franchise Fees	630,000	
(M) Municipal State Aids	330,000	
(R) Special Revenue	500,000	
(TL) General Tax Levy	850,000	
(U) User Fees	1,950,000	
(X) Xcel Energy	100,000	
<b>TOTAL FUNDING BY SOURCE</b>	<b>\$ 7,260,000</b>	



## Capital Improvement Plan - Beyond 2025

	PROJECT EXPENDITURE	
<b>RECREATION &amp; OPEN SPACE</b>		
Park Maintenance/Wood Lake Fence Repair	\$ 50,000	R
Community Center/Wood Lake Building Repair	50,000	R
Adams Hill Park Play Equipment	90,000	R
Outdoor Pool Liner Replacement	450,000	R
	150,000	OR
Pool Splash Pad at Outdoor Pool	300,000	R
<b>TOTAL REC. &amp; OPEN SPACE</b>	<b>\$ 1,090,000</b>	
 <b>RIGHT OF WAY IMPROVEMENT</b>		
76th Street West Reconstruction	\$ 4,800,000	B
	900,000	X
Humboldt Ave/Lakeshore Drive Reconstruction	8,000,000	B
Nicollet Avenue Reconstruction	7,000,000	B
	12,500,000	C
Penn Avenue Reconstruction	7,000,000	B
	12,500,000	C
<b>TOTAL RIGHT-OF-WAY IMPROVEMENT</b>	<b>\$ 52,700,000</b>	
 <b>PUBLIC FACILITIES</b>		
Roof Replacement Wells 2, 3, 4, 5, & 6	\$ 85,000	U
Clarifier Rake Assembly Replacement	250,000	U
Rehabilitation of Stormwater Collection Mains	100,000	U
Rehabilitation of Stormwater Collection Manhole Structures	300,000	U
Sanitary Sewer Main Lining	800,000	U
Watermain Rehabilitation	500,000	U
<b>TOTAL PUBLIC FACILITIES</b>	<b>\$ 2,035,000</b>	
<b>TOTAL USES OF FUNDS</b>	<b>\$ 55,825,000</b>	
 <b>ESTIMATED REVENUE BY SOURCE</b>		
(B) G.O. Street Reconstruction Bonds	\$ 26,800,000	
(C) Hennepin County	25,000,000	
(OR) Other Recreation Funding	150,000	
(R) Special Revenue	940,000	
(U) User Fees	2,035,000	
(X) Xcel Energy	900,000	
<b>TOTAL FUNDING BY SOURCE</b>	<b>\$ 55,825,000</b>	

**2022 - 2025 CAPITAL IMPROVEMENT PLAN - CITY OF RICHFIELD, MINNESOTA**

Recommended and Scheduled for Four Year Period

PROJECTS	TOTAL*						
	CIP COST	2022	2023	2024	2025	Beyond 2025	
<b>RECREATION</b>							
<b>OPEN SPACE DEVELOPMENT</b>							
1 Park Maintenance/Wood Lake Fence Repair	\$ 250,000	\$ 50,000 R	\$ 50,000 R	\$ 50,000 R	\$ 50,000 R	\$ 50,000 R	
2 Community Center/Wood Lake Building Repair	\$ 250,000	50,000 R	50,000 R	50,000 R	50,000 R	50,000 R	
3 Donaldson Park Renovation	\$ 460,000	350,000 R	110,000 R	-	-	-	
4 Madison or Fairwood Park Tennis Court Rebuild	\$ 60,000	- R	60,000 R	-	-	-	
5 Monroe Park Play Equipment	\$ 90,000	-	90,000 R	-	-	-	
6 Sheridan Park Play Equipment	\$ 90,000	-	90,000 R	-	-	-	
7 Augsburg Park Tennis Court Rebuild	\$ 135,000	-	-	135,000 R	-	-	
8 Christian Park Tennis Court Rebuild	\$ 35,000	-	-	35,000 R	-	-	
9 Fairwood Park Play Equipment	\$ 90,000	-	-	90,000 R	-	-	
10 Freemont Park Play Equipment	\$ 90,000	-	-	90,000 R	-	-	
11 Taft Park Shelter Renovation	\$ 400,000	-	-	-	400,000 R	-	
12 Adams Hill Park Play Equipment	\$ 90,000	-	-	-	-	90,000 R	
13 Outdoor Pool Liner Replacement	\$ 450,000	-	-	-	-	450,000 R	
14	\$ 150,000	-	-	-	-	150,000 OR	
15 Splash Pad at Outdoor Pool	\$ 300,000	-	-	-	-	300,000 R	
16 TOTAL RECREATION & OPEN SPACE	<u>\$ 2,940,000</u>	<u>\$ 450,000</u>	<u>\$ 450,000</u>	<u>\$ 450,000</u>	<u>\$ 500,000</u>	<u>\$ 1,090,000</u>	
17							
18 (R) Special Revenue	\$ 2,790,000	\$ 450,000	\$ 450,000	\$ 450,000	\$ 500,000	\$ 940,000	
19 (O) Other Funding Source	\$ -	-	-	-	-	-	
20 (OR) Other Recreation Funding	\$ 150,000	-	\$ -	-	-	150,000	
21 TOTAL FUNDING BY SOURCE	<u>\$ 2,940,000</u>	<u>\$ 450,000</u>	<u>\$ 450,000</u>	<u>\$ 450,000</u>	<u>\$ 500,000</u>	<u>\$ 1,090,000</u>	
22							
23							
24	<b>PROJECTS</b>	<b>TOTAL *</b>					
25		CIP COSTS	2022	2023	2024	2025	Beyond 2025
26	<b>RIGHT OF WAY IMPROVEMENTS</b>						
27 65th Street Reconstruction	\$ 7,800,000	\$ 7,800,000 B	\$ -	\$ -	\$ -	\$ -	
28 69th Street Reconstruction	\$ 5,500,000	-	-	5,500,000 B	-	-	
29 70th Street Reconstruction	\$ 2,900,000	-	-	-	2,900,000 B	-	
30	\$ 100,000	-	-	-	100,000 X	-	
31 T.H. 62 Noise Barrier	\$ 250,000	-	-	-	250,000 M	-	
32 76th Street West Reconstruction	\$ 4,800,000	-	-	-	-	4,800,000 B	
33	\$ 900,000	-	-	-	-	900,000 X	
34 Humboldt Ave/Lakeshore Drive Recon.	\$ 8,000,000	-	-	-	-	8,000,000 B	
35 Nicollet Avenue Reconstruction	\$ 7,000,000	-	-	-	-	7,000,000 B	
36	\$ 12,500,000	-	-	-	-	12,500,000 C	
37 Penn Avenue Reconstruction	\$ 7,000,000	-	-	-	-	7,000,000 B	
38 Pedestrian Improvements	\$ 12,660,000	40,000 M	40,000 M	40,000 M	40,000 M	12,500,000 C	
39 Bicycle Improvements	\$ 160,000	40,000 M	40,000 M	40,000 M	40,000 M	-	
40 Pavement Management Program	\$ 3,220,000	1,330,000 FF	630,000 FF	630,000 FF	630,000 FF	-	
42	<u>\$ 72,790,000</u>	<u>\$ 9,210,000</u>	<u>\$ 710,000</u>	<u>\$ 6,210,000</u>	<u>\$ 3,960,000</u>	<u>\$ 52,700,000</u>	
43							
44 (B) G.O. Improvement Bonds	\$ 43,000,000	\$ 7,800,000	\$ -	\$ 5,500,000	\$ 2,900,000	\$ 26,800,000	
45 (C) Hennepin County	\$ 25,000,000	-	-	-	-	25,000,000	
46 (FF) Franchise Fees	\$ 3,220,000	1,330,000	630,000	\$ 630,000	630,000	-	
47 (M) Municipal State Aid	\$ 570,000	80,000	80,000	80,000	330,000	-	
48 (X) Xcel Energy	\$ 1,000,000	-	-	-	100,000	900,000	
49 TOTAL FUNDING BY SOURCE	<u>\$ 72,790,000</u>	<u>\$ 9,210,000</u>	<u>\$ 710,000</u>	<u>\$ 6,210,000</u>	<u>\$ 3,960,000</u>	<u>\$ 52,700,000</u>	
50							

**2022 - 2025 CAPITAL IMPROVEMENT PLAN - CITY OF RICHFIELD, MINNESOTA**

		Recommended and Scheduled for Four Year Period									
51	<u>PROJECTS</u>	TOTAL*	2022		2023		2024		2025		Beyond 2025
52		CIP COSTS									
53	<u>PUBLIC FACILITIES</u>										
54	Replacement Central Garage Equipment	\$ 2,815,000	\$ 700,000	TL	\$ 700,000	TL	\$ 705,000	TL	\$ 710,000	TL	\$ -
55	Technology Replacement	\$ 555,000	135,000	TL	140,000	TL	140,000	TL	140,000	TL	-
56	City Wide Water Meter Upgrade	\$ 885,000	885,000	U	-		-		-		-
57	HUB Redevelopment Stormwater	\$ 500,000	500,000	U	-		-		-		-
58	Lime Filter Press Rehabilitation	\$ 70,000	-		70,000	U	-		-		-
59	Emergency Water Interconnect with Neighb. Comm.	\$ 1,500,000	-		-		1,500,000	U	-		-
60	Water Plan Roof Replacement	\$ 450,000	-		-		-		450,000	U	-
61	Roof Replacement Wells 2, 3, 4, 5, & 6	\$ 85,000	-		-		-		-		85,000 U
62	Clarifier Rake Assembly Replacement	\$ 250,000									250,000 U
63	Rehabilitation of Stormwater Collection Mains	\$ 500,000	100,000	U	100,000	U	100,000	U	100,000	U	100,000 U
64	Rehab. of Stormwater Collection Manhole Structures	\$ 700,000	100,000	U	100,000	U	100,000	U	100,000	U	300,000 U
65	Sanitary Sewer Main Lining	\$ 4,000,000	800,000	U	800,000	U	800,000	U	800,000	U	800,000 U
66	Watermain Rehabilitation	\$ 1,400,000	-		200,000	U	200,000	U	500,000	U	500,000 U
67	<b>TOTAL PUBLIC FACILITIES</b>	<b>\$ 13,710,000</b>	<b>\$ 3,220,000</b>		<b>\$ 2,110,000</b>		<b>\$ 3,545,000</b>		<b>\$ 2,800,000</b>		<b>\$ 2,035,000</b>
68											
69	(TL) Tax Levy	\$ 3,370,000	\$ 835,000		\$ 840,000		\$ 845,000		\$ 850,000		\$ -
70	(U) User Fees	\$ 10,340,000	2,385,000		1,270,000		2,700,000		1,950,000		2,035,000
71	<b>TOTAL FUNDING BY SOURCE</b>	<b>\$ 13,710,000</b>	<b>\$ 3,220,000</b>		<b>\$ 2,110,000</b>		<b>\$ 3,545,000</b>		<b>\$ 2,800,000</b>		<b>\$ 2,035,000</b>
72											
73	<u>SUMMARY PROJECTS</u>										
74											
75	Recreation/Open Space Development	\$ 2,940,000	\$ 450,000		\$ 450,000		\$ 450,000		\$ 500,000		\$ 1,090,000
76	Right of Way Improvements	\$ 72,790,000	9,210,000		710,000		6,210,000		3,960,000		52,700,000
77	Public Facilities	\$ 13,710,000	3,220,000		2,110,000		3,545,000		2,800,000		2,035,000
78	<b>TOTAL CAPITAL PROJECTS</b>	<b>\$ 89,440,000</b>	<b>\$ 12,880,000</b>		<b>\$ 3,270,000</b>		<b>\$ 10,205,000</b>		<b>\$ 7,260,000</b>		<b>\$ 55,825,000</b>
79											
80	(B) G.O. Improvement Bonds	\$ 43,000,000	\$ 7,800,000		\$ -		\$ 5,500,000		\$ 2,900,000		\$ 26,800,000
81	(C) Hennepin County	\$ 25,000,000	-		-		-		-		25,000,000
82	(FF) Franchise Fees	\$ 3,220,000	1,330,000		630,000		630,000		630,000		-
83	(M) Municipal State Aid	\$ 570,000	80,000		80,000		80,000		330,000		-
84	(OR) Other Recreation Funding	\$ 150,000	-		-		-		-		150,000
85	(R) Special Revenue	\$ 2,790,000	450,000		450,000		450,000		500,000		940,000
86	(TL) Tax Levy	\$ 3,370,000	835,000		840,000		845,000		850,000		-
87	(U) User Fees	\$ 10,340,000	2,385,000		1,270,000		2,700,000		1,950,000		2,035,000
88	(X) Xcel Energy	\$ 1,000,000	-		-		-		100,000		900,000
89	<b>TOTAL FUNDING SOURCES</b>	<b>\$ 89,440,000</b>	<b>\$ 12,880,000</b>		<b>\$ 3,270,000</b>		<b>\$ 10,205,000</b>		<b>\$ 7,260,000</b>		<b>\$ 55,825,000</b>

90 \* Total CIP costs do not include any project costs reflected in the 2021 CIB.

**CHAPTER 7  
RICHFIELD CITY CHARTER**

**TAXATION AND FINANCES**

Section 7.05. Preparation and Submission of Annual Budget. At a special budget meeting of the Council on or before September 8, the City Manager must submit to the Council a proposed budget and a budget message in the form and containing the information specified in Section 7.06. In preparing the budget and the budget message, the Manager must obtain from City department heads information regarding (i) proposed expenditures for the ensuing fiscal year, and (ii) capital projects and capital expenditures proposed to be undertaken in the ensuing budget year and in the following four fiscal years. The Council must hold one or more informational meetings on the proposed budget at which the public may provide comments and may thereafter revise the proposed expenditures and capital projects contained in the proposed budget document. (Amended Bill 1990-13; Bill No. 2003-23)

Section 7.06. Form of Annual Budget. Subdivision 1. The budget must contain a financial plan for the ensuing fiscal year. The financial plan must include: (i) a budget message, (ii) a general summary of the financial plan, (iii) estimates of revenues applicable to proposed expenditures, and, (iv) proposed expenditures. Proposed expenditures may not exceed proposed revenues. Proposed expenditures for the general and special revenue funds must (i) be listed by organization, unit or activity, and (ii) be in parallel columns opposite the major and minor object of the expenditure showing the amount of expenditure for the last fiscal year, the amount estimated for the current fiscal year and the proposed expenditure for the ensuing fiscal year. The revenues attributable to each general and special fund must be presented in a similar manner. The statement of revenues must include the source of and amount of miscellaneous revenues, the amount of surplus of prior fiscal year revenues, and the amount of revenues raised by property taxes in the prior fiscal year and estimated to be raised in the current fiscal year. (Amended Bill 1990-13; Bill No. 2003-23)

Subd. 2. The Budget Message. The budget message may be submitted by the Manager as a separate document but it must accompany the budget. The message must contain the following elements: (Amended Bill No. 2003-23)

(ii) Capital Improvements. The message must contain a description of pending and proposed capital projects together with estimates of the costs of those projects and the sources of funds to be used to pay for them. (Amended Bill 2003-23)

(iii) Capital Program. The message must contain, or have attached to it, a Capital Project Plan for the four fiscal years following the fiscal year of the budget. The Capital Project Plan is to be prepared by the Manager after consultation with the department heads and any informational meetings conducted under Section 7.05. (Amended Bill 1990-13; Bill No. 2003-23)

**462.356 Procedure to affect plan: generally.  
Minnesota State Statute**

**Subd. 2. Compliance with plan.** After a comprehensive municipal plan or section thereof has been recommended by the planning agency and a copy filed with the governing body, no publicly owned interest in real property within the municipality shall be acquired or disposed of, nor shall any capital improvement be authorized by the municipality or special district or agency thereof or any other political subdivision having jurisdiction within the municipality until after the planning agency has reviewed the proposed acquisition, disposal, or capital improvement and reported in writing to the governing body or other special district or agency or political subdivision concerned, its findings as to compliance of the proposed acquisition, disposal or improvement with the comprehensive municipal plan. Failure of the planning agency to report on the proposal within 45 days after such a reference, or such other period as may be designated by the governing body shall be deemed to have satisfied the requirements of this subdivision. The governing body may, by resolution adopted by two-thirds vote dispense with the requirements of this subdivision when in its judgment it finds that the proposed acquisition or disposal of real property or capital improvement has no relationship to the comprehensive municipal plan.

AGENDA SECTION:	Public Hearings
AGENDA ITEM #	2.
CASE NO.:	20-CUP-02



## PLANNING COMMISSION MEETING 6/22/2020

REPORT PREPARED BY: Matt Brillhart, Associate Planner

CITY PLANNER REVIEW: Melissa Poehlman, Asst. Community Development Director  
6/15/2020

### **ITEM FOR COMMISSION CONSIDERATION:**

**Public hearing to consider a request for a conditional use permit to allow small wireless facilities in the right-of-way near 7108 Lyndale Avenue South.**

### **EXECUTIVE SUMMARY:**

SAC Wireless, on behalf of AT&T ("Applicant"), is requesting approval of a conditional use permit (CUP) to allow the installation of a small wireless facility in a residential area. The Applicant is proposing to attach small wireless equipment to a City-owned light pole adjacent to 7108 Lyndale Avenue South. The site was identified by AT&T's radiofrequency engineers as an area where cellular coverage is lacking and where light poles, utility poles, or other structures that could feasibly hold a small wireless facility are present. The proposed small wireless facility is able to fill a "pocket" of poor cellular coverage that signals from a traditional tower cannot reach.

In order to approve a CUP, the Council must find that the request is consistent with the purpose and goals of the City's Comprehensive Plan and Zoning Code; complies with applicable performance standards; and will not cause "undue adverse impacts" on governmental facilities, utilities, or services; or on the public health, safety, or welfare. Finding that the proposal meets requirements, staff recommends approval of the CUP for a small wireless facility at 7108 Lyndale Avenue South.

### **RECOMMENDED ACTION:**

**Conduct and close a public hearing and by motion: Recommend approval of a conditional use permit to allow a small wireless facility in the right-of-way near 7108 Lyndale Avenue South.**

### **BASIS OF RECOMMENDATION:**

#### **A. HISTORICAL CONTEXT**

- State law gives "telecommunications right of way users" the right to install facilities in the right of way. This right is subject to local governmental authority to manage right of way permitting. In 2017, the Minnesota Legislature amended the definition of a "telecommunications right of way user" to include persons deploying facilities to provide "wireless service." Wireless providers may deploy a "small wireless facility" or a "wireless support structure" in the right-of-way.
- While the City's authority to deny permits in the right-of-way is limited, cities may make such facilities or structures a conditional use in right of way located in "a district or area zoned for single-family residential use or within a historic district." The City Council held a work session to discuss this issue on July 25, 2017 and directed City staff to move forward with an amendment to make these facilities a conditional use in single-family residential areas.
- In July 2019, the Planning Commission reviewed applications for small wireless facilities at 6 other

sites throughout the City. The City Council approved CUPs for those locations in August 2019, as well as one additional location in November 2019.

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- Small wireless facilities are a conditionally permitted use in the Single-Family Residential (R) and Low Density Single-Family Residential (R-1) Districts.
- The Federal Communications Commission (FCC) has established guidelines for human exposure to Radio Frequency Electromagnetic Fields. Separate evaluations of each individual site are included as attachments to this report. All sites will comply with established FCC guidelines.
- The City Attorney's Office has advised that in order to reject an application based on health impacts, the City would have to show (with evidence) that the Federal Government's ruling on the allowable exposure limits is wrong.
- A full discussion of general CUP requirements and required findings can be found as an attachment to this report.

**C. CRITICAL TIMING ISSUES:**

60-DAY RULE: The 60-day clock started when a complete application was received on May 11, 2020. A decision is required by July 10, 2020 or the Council must notify the Applicant that it is extending the deadline (up to a maximum of 60 additional days or 120 days total) for issuing a decision. Because this item will go before the City Council on July 14, City staff has notified the applicant that the City is extending the deadline for a decision.

**D. FINANCIAL IMPACT:**

None.

**E. LEGAL CONSIDERATION:**

Notice of this public hearing was published in the Sun Current newspaper and mailed to properties within 350 feet of the site on June 11, 2020.

**ALTERNATIVE RECOMMENDATION(S):**

None

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

SAC Wireless representative(s), on behalf of AT&T

**ATTACHMENTS:**

Description	Type
☐ Resolution	Resolution Letter
☐ CUP Requirements	Backup Material
☐ Small cell locations map	Backup Material
☐ Plans	Backup Material
☐ RF Study - 7108 Lyndale Avenue	Backup Material

**RESOLUTION NO.**

**RESOLUTION APPROVING  
A CONDITIONAL USE PERMIT  
TO ALLOW A SMALL WIRELESS FACILITY  
IN THE RIGHT-OF-WAY ADJACENT TO  
7108 LYNDALE AVENUE**

**WHEREAS**, an application has been filed with the City of Richfield which requests a conditional use permit for a small wireless facility to be co-located on a city-owned light pole in the right-of-way on land generally located at 7108 Lyndale Avenue, legally described as:

That part of Lyndale Avenue South adjacent to Lot 3 and the North ½ of Lot 4, Block 2, "Woodlake Shores", Hennepin County, Minnesota

**WHEREAS**, the Planning Commission of the City of Richfield held a public hearing for the requested conditional use permit at its June 22, 2020 meeting; and

**WHEREAS**, the Planning Commission recommended approval of the conditional use permit for a small wireless facility; and

**WHEREAS**, notice of the public hearing was published in the Sun Current and mailed to properties within 350 feet of the subject property on June 11, 2020; and;

**WHEREAS**, the requested conditional use permit meets the requirements necessary for issuing a conditional use permit as specified in Richfield's Zoning Code, Subsection 547.09; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Richfield, Minnesota, as follows:

1. The City Council adopts as its Findings of Fact the **WHEREAS** clauses set forth above.
2. A conditional use permit is issued to allow a small wireless facility on right-of-way adjacent to the Subject Property legally described above.
3. This conditional use permit is subject to the following conditions in addition to those specified in Section 547.09 of the City's Zoning Ordinance:
  - a) The recipient of this approval shall record this Resolution with the County, pursuant to Minnesota Statutes Section 462.36, Subd. 1 and the City's Zoning Ordinance Section 547.11, Subd. 7; and
  - b) The applicant is responsible for obtaining all required permits, and for compliance with all other City and State regulations.
  - c) Approval does not constitute approval of the Small Cell Pole Attachment permit required by the Public Works Department or the Electrical Permit required by the Inspections Department.
  - d) Separate approval of an antenna permit is not required.
4. The conditional use permit shall expire one year after issuance unless 1) the use for which the permit was granted has commenced; or 2) Building permits have been issued and substantial work performed; or 3) Upon written request of the applicant,



the Council extends the expiration date for an additional period not to exceed one year. Expiration is governed by the City Zoning Ordinance, Section 547.09, Subdivision 9.

5. This conditional use permit shall remain in effect for so long as conditions regulating it are observed, and the conditional use permit shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the City's Zoning Ordinance, Section 547.09, Subd. 10.

Adopted by the City Council of the City of Richfield, Minnesota this 14th day of July, 2020.

Maria Regan Gonzalez, Mayor

ATTEST:

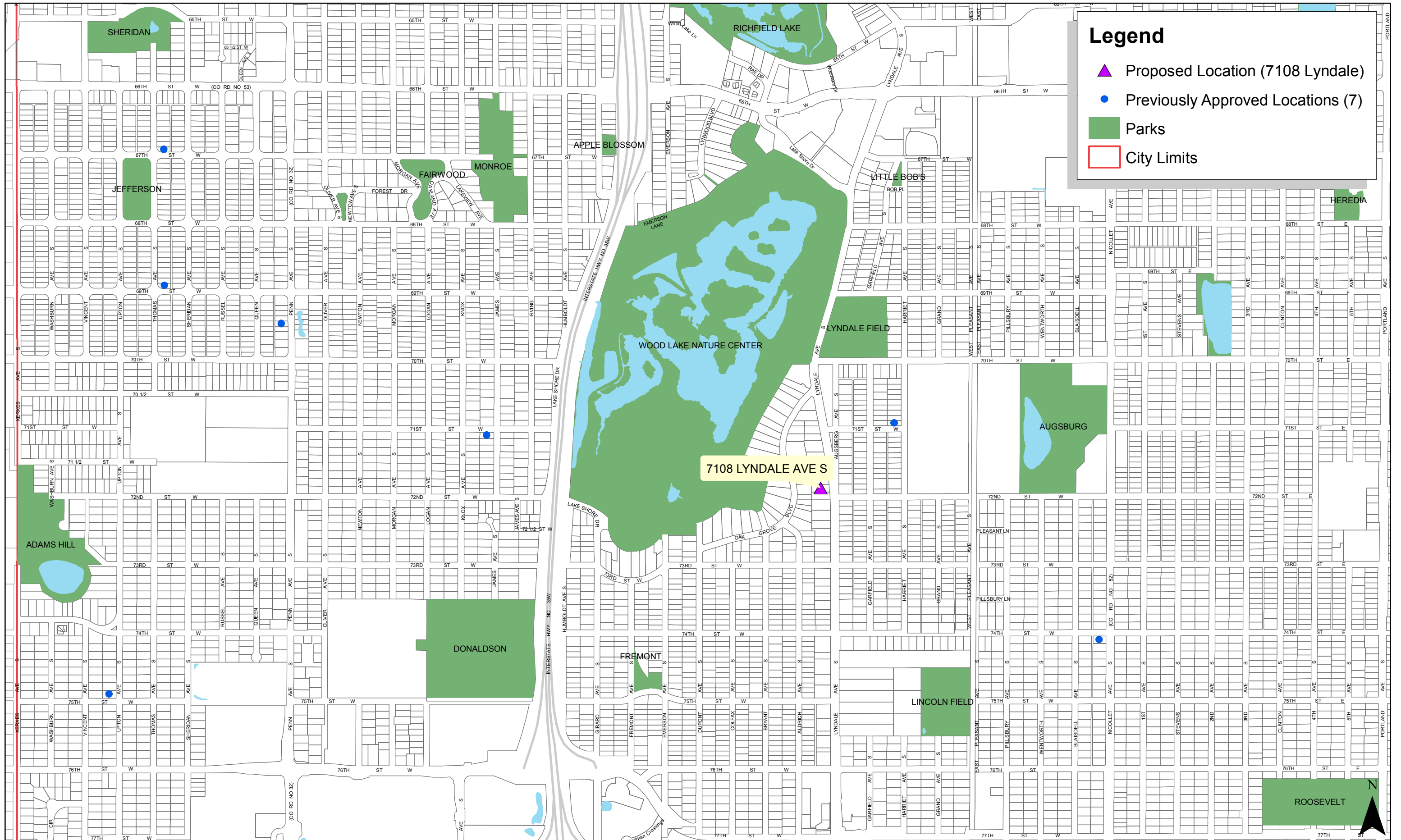
Elizabeth VanHoose, City Clerk

## Code Requirements / Required Findings

**Part 1 – Conditional Use Permit:** The findings necessary to issue a Conditional Use Permit (CUP) are as follows (547.09, Subd. 6):

1. *The proposed use is consistent with the goals, policies, and objectives of the City's Comprehensive Plan.* This requirement is met. The location of the facility is designated as "Low Density Residential". The Utilities section of the Comprehensive Plan states that the provision of public and private utilities is essential to a thriving, healthy community. This proposal to upgrade privately owned wireless equipment is consistent with the Comprehensive Plan.
2. *The proposed use is consistent with the purposes of the Zoning Code and the purposes of the zoning district in which the applicant intends to locate the proposed use.* This requirement is met. The purpose of the Zoning Code is to protect and promote the public health, safety, comfort, aesthetics, economic viability, and general welfare of the City. The proposed use is not inconsistent with these intentions. The property is in the Single-Family Residential (R) District. The purpose of the R District is to provide residential locations that are safe, attractive and quiet. The proposed use of attaching a small wireless facility to an existing pole in the right-of-way does not pose threat to this and is conditionally permitted in this district. Given that there is not currently an excessive concentration of small wireless facilities at this location, this requirement is met.
3. *The proposed use is consistent with any officially adopted redevelopment plans or urban design guidelines.* There are no specific redevelopment plans that apply.
4. *The proposed use is or will be in compliance with the performance standards specified in Section 544 of this code.* Section 544 of the code does not apply to small wireless facilities in the Single-Family Residential Districts.
5. *The proposed use will not have undue adverse impacts on governmental facilities, utilities, services, or existing or proposed improvements.* Small wireless facilities located in the right-of-way require a permit from Public Works and are required to meet certain conditions. The facility will be co-located with existing utilities. The City's Public Works and Engineering Departments have reviewed the proposal and do not anticipate any issues.
6. *The use will not have undue adverse impacts on the public health, safety, or welfare.* No adverse impacts are anticipated. The supplied frequency study indicates that radiofrequency emissions will be within the acceptable limits for the general public set by the Federal Communications Commission.
7. *There is a public need for such use at the proposed location.* Maintaining and providing up-to-date wireless facilities at multiple locations is necessary to maintain a thriving community.
8. *The proposed use meets or will meet all the specific conditions set by this code for the granting of such conditional use permit.* This requirement is met.

# Small Wireless Installation Locations - June 2020





April 30, 2020

City of Richfield  
Planning & Zoning  
6700 Portland Ave.  
Richfield, MN 55423

## PROJECT NARRATIVE

217099 / MRUMW030157 / GALCT\_007 / 7108 Lyndale Ave. S.

Twenty years ago, cell phones were considered a luxury. Today, businesses and individuals alike rely on these devices to an increasing degree. As we move toward the future, starting with 5G connectivity, this trend will undeniably continue. To realize the potential of a wholly connected world, communities of all sizes must adapt their infrastructure to accommodate increased cellular traffic. At the same time, a neighborhood's character is important and should not be sacrificed for a wireless network. Small Wireless Facilities ("SWF") solve this problem. They sit inconspicuously atop light and utility poles that already line the streets, and offer the increased bandwidth that users desire, and will likely demand in just a matter of years.

### **(a) Basic Description of the Proposed Project**

The proposed project consists of removing the City of Richfield-owned light pole located at approximately **7108 Lyndale Ave. S.**; replacing the pole with a newly manufactured pole of the same style at no cost to the City and attaching a SWF to the replacement pole. The SWF will consist of a cylindrical antenna measuring 24 in. x 15 in. mounted to the top portion of the pole, and two small rectangular radios mounted slightly below it. (see enclosed construction drawings for details).

### **(b) Anticipated Completion Date**

Construction is tentatively forecasted to begin on November 6, 2020. It is forecasted to be complete six weeks thereafter, on December 18, 2020. Although these dates are subject to change, SWFs rarely require longer than six weeks to install.

### **(c) Effect or Impact on Adjacent Properties and Mitigation Efforts**

The effect and/or impact of the proposed project on adjacent properties will be minimal. The subject light pole's aesthetics will be altered slightly, and a SWF will sit atop the replacement pole. In exchange for this minor modification, AT&T customers in the area will receive significantly increased cellular reception, data transfer speeds, and network capacity.

SIGNED: Joseph Goldshlack

DATED: MAY 1, 2020

**Joe Goldshlack**  
SAC Wireless | 540 W. Madison, 9<sup>th</sup> Floor  
Chicago, IL 60661  
(517) 648-0023 – Direct  
Joe.goldshlack@sacw.com



# AT&T MOBILITY

**PROJECT:** CRAN 1C/2C/3C  
**FA #:** 14826480  
**PACE #:** MRUMW030157, MRUMW030223, MRUMW030273  
**PTN #:** 3511A0K128, 3511A0K0ZR, 3511A0K0YW  
**USID #:** 217099  
**SCIP/CANDIDATE #:** 7A  
**CONFIGURATION:** PICO  
**SITE NAME:** CRAN\_RUMW\_GALCT\_007  
**SITE TYPE:** STEEL LIGHT POLE  
**SITE ADDRESS:** 7108 LYNDALE AVE S  
 RICHFIELD, MN 55423  
**JURISDICTION:** CITY OF RICHFIELD  
**STRUCTURE OWNER:** CITY OF RICHFIELD



7900 XERXES AVENUE S., 3RD FLOOR  
 BLOOMINGTON, MN 55431



540 W. MADISON ST.  
 9TH FLOOR  
 CHICAGO, IL 60661  
 www.sacw.com



100% EMPLOYEE-OWNED  
 855 Community Dr, Sauk City, WI 53583  
 608-643-4100 www.Ramaker.com

Sauk City, WI • Willmar, MN  
 Woodcliff Lake, NJ • Bayamon, PR

Certification & Seal:  
 I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the state of Minnesota.



*James R. Skowronski* 10/17/2019  
 Signature Date  
**JAMES R. SKOWRONSKI** 42202  
 Typed or Printed Name Registration Number

0	10/17/19	PERMIT DRAWINGS	GM
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PROJECT TITLE:

**CRAN 1C/2C/3C**  
**MRUMW030157**  
**CRAN\_RUMW\_GALCT\_007**  
**217099**

PROJECT INFORMATION:  
 7108 LYNDALE AVE S  
 RICHFIELD, MN 55423

SHEET TITLE:  
 TITLE SHEET

SCALE: NONE

PROJECT NUMBER: 44985  
 SHEET NUMBER: T-1

### PROJECT INFORMATION

**PROJECT:** CRAN 1C/2C/3C  
**USID ID:** 217099  
**FACE #:** MRUMW030157  
**SCIP/CANDIDATE #:** 7A  
**CITY POLE ASSET #:** ----  
**SITE ADDRESS:** 7108 LYNDALE AVE S  
 RICHFIELD, MN 55423  
**COUNTY:** HENNEPIN  
**JURISDICTION:** CITY OF RICHFIELD  
**APPLICANT:** AT&T MOBILITY  
 7900 XERXES AVENUE S., 3RD FLOOR  
 BLOOMINGTON, MN 55431  
**LATITUDE:** 44° 52' 22.22" (44.8728389)  
**LONGITUDE:** 93° 17' 18.79" (-93.2885528)  
**GROUND ELEV. (A.M.S.L.):** 847'  
**PROPERTY OWNER:** CITY OF RICHFIELD  
 6700 PORTLAND AVENUE  
 RICHFIELD, MN 55423  
**PROPOSED USE:** TELECOMMUNICATIONS FACILITY

### SCOPE OF WORK

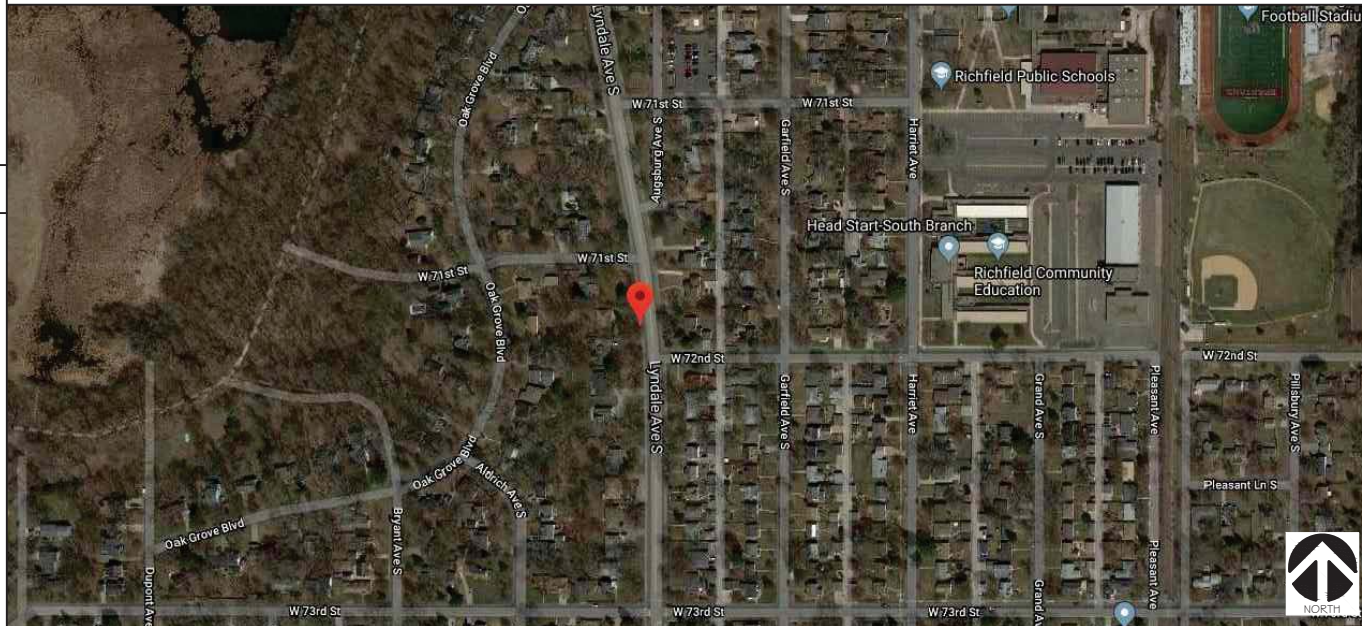
THIS IS NOT AN ALL INCLUSIVE LIST. CONTRACTOR SHALL UTILIZE SPECIFIED EQUIPMENT PART OR ENGINEER APPROVED EQUIVALENT. CONTRACTOR SHALL VERIFY ALL NEEDED EQUIPMENT TO PROVIDE A FUNCTIONAL SITE. THE PROJECT GENERALLY CONSISTS OF THE FOLLOWING:

- INSTALL NEW LIGHT POLE PER PLAN
- INSTALL NEW FIBER SERVICE RUN FROM EXISTING SOURCE TO NEW LIGHT POLE LOCATION (BY FIBER PROVIDER)
- INSTALL EQUIPMENT PER PLAN
- INSTALL (1) NEW OMNI ANTENNA
- INSTALL (1) NEW DUAL BAND B25/G6 RRH & (1) NEW B4G RRH
- INSTALL (1) NEW AC DISCONNECT & (1) NEW PSU

### DRAWING INDEX

T-1	TITLE SHEET
GN-1	GENERAL NOTES
A-1	OVERALL SITE PLAN
A-2	ENLARGED SITE PLAN
A-3	PROPOSED LIGHT POLE ELEVATIONS
A-4	EQUIPMENT DETAILS
A-5	MOUNTING DETAILS
E-1	ELECTRICAL ONE-LINE DIAGRAM
E-2	UTILITY DETAILS
E-3	GROUNDING DETAILS
RF-1	RF PLUMBING DIAGRAM (REFERENCE ONLY)
REF	POLE MANUFACTURER DESIGN (BY OTHERS)
REF	FOUNDATION DESIGN (BY OTHERS)

### LOCATION MAP



- ALL WORK SHALL BE INSTALLED IN CONFORMANCE WITH CURRENT AT&T CONSTRUCTION INSTALLATION GUIDE.
- EXISTING CONDITIONS WILL BE CHANGED & VERIFIED IN FIELD. IF SIGNIFICANT DEVIATIONS OR DETERIORATION ARE ENCOUNTERED AT THE TIME OF CONSTRUCTION, A REPAIR PERMIT WILL BE OBTAINED & CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY.
- THESE DRAWINGS ARE FULL SIZE & SCALEABLE ON 11"x17" SHEET SIZE
- STATEMENT THAT COMPLIANCE WITH THE ENERGY CODE IS NOT REQUIRED.
- SCOPE OF WORK DOES NOT INVOLVE MODIFICATIONS TO EXTERIOR ENVELOPE OF BUILDING, HVAC SYSTEMS OR ELECTRICAL LIGHTING.

### PROJECT CONSULTANTS

**AT&T CONSTRUCTION MANAGER:** AUSTEN BRUNKEN  
 ab923w@att.com  
**AT&T PROJECT MANAGER:** MARIA BURMEISTER  
 mb018v@att.com  
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 sheena.christian@sacw.com  
**SITE ACQUISITION:** ANDREW MCHUGH  
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**A/E FIRM:** RAMAKER & ASSOCIATES  
 855 COMMUNITY DRIVE  
 SAUK CITY, WI 53583  
 (608) 643-4100  
 JOSH OPSETH - PROJECT MANAGER

### CODE COMPLIANCE

- 2015 MN BUILDING CODE / 2012 IBC
- 2015 MN MECHANICAL & FUEL GAS CODE / 2012 IMC
- MN ELECTRICAL CODE / 2017 NEC

### UNDERGROUND UTILITIES

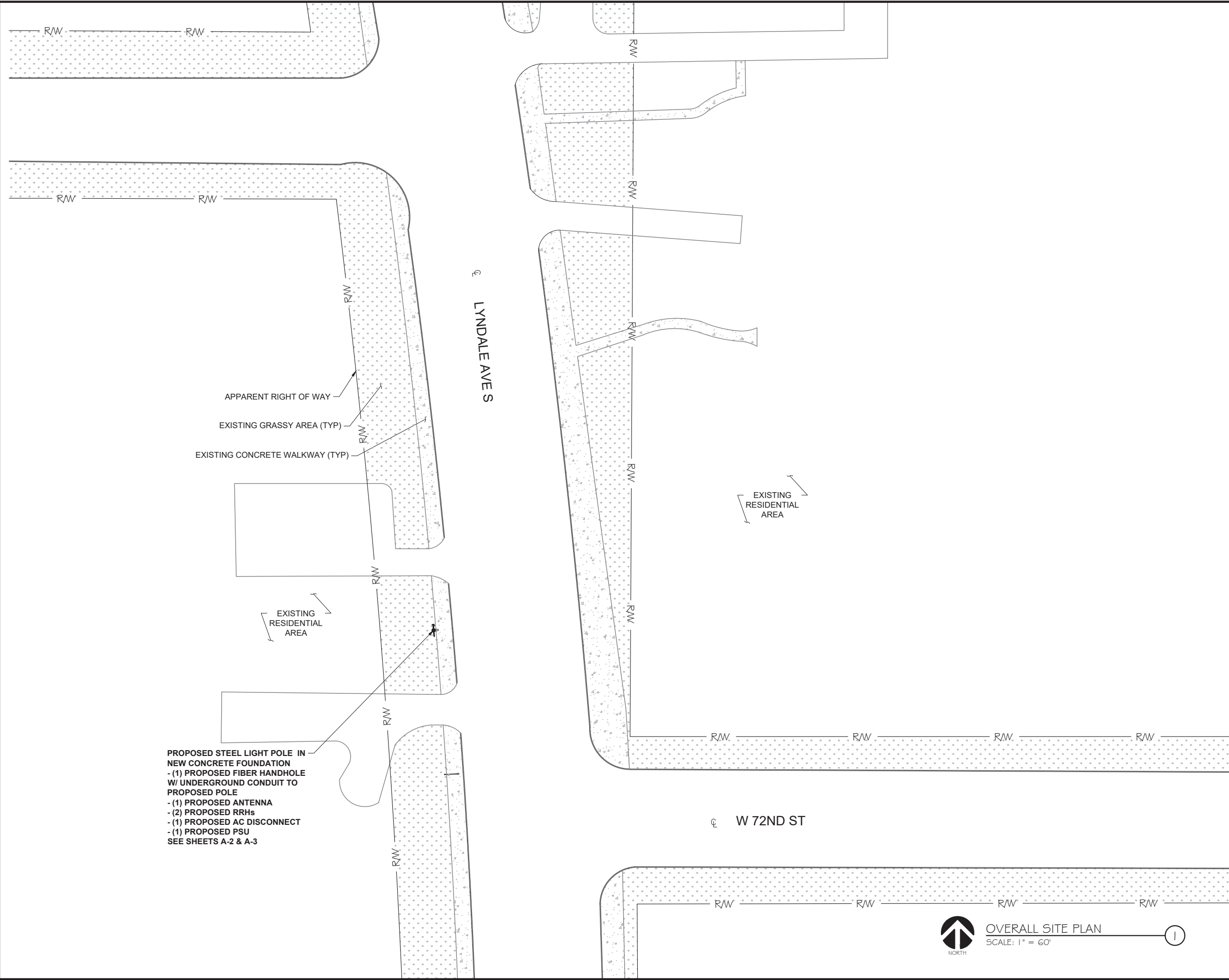


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 CALL 3 WORKING DAYS  
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### DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ARCHITECT OR ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.



**PROPOSED STEEL LIGHT POLE IN NEW CONCRETE FOUNDATION**  
 - (1) PROPOSED FIBER HANDHOLE W/ UNDERGROUND CONDUIT TO PROPOSED POLE  
 - (1) PROPOSED ANTENNA  
 - (2) PROPOSED RRHs  
 - (1) PROPOSED AC DISCONNECT  
 - (1) PROPOSED PSU  
 SEE SHEETS A-2 & A-3



**OVERALL SITE PLAN**  
 SCALE: 1" = 60'



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 608-643-4100 www.Ramaker.com  
 Sauk City, WI • Willmar, MN  
 Woodcliff Lake, NJ • Bayamon, PR

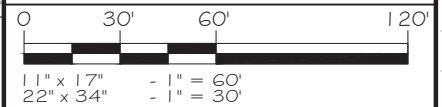
Certification & Seal:

REV.	DATE	DESCRIPTION	INITIALS
0	10/17/19	PERMIT DRAWINGS	GM

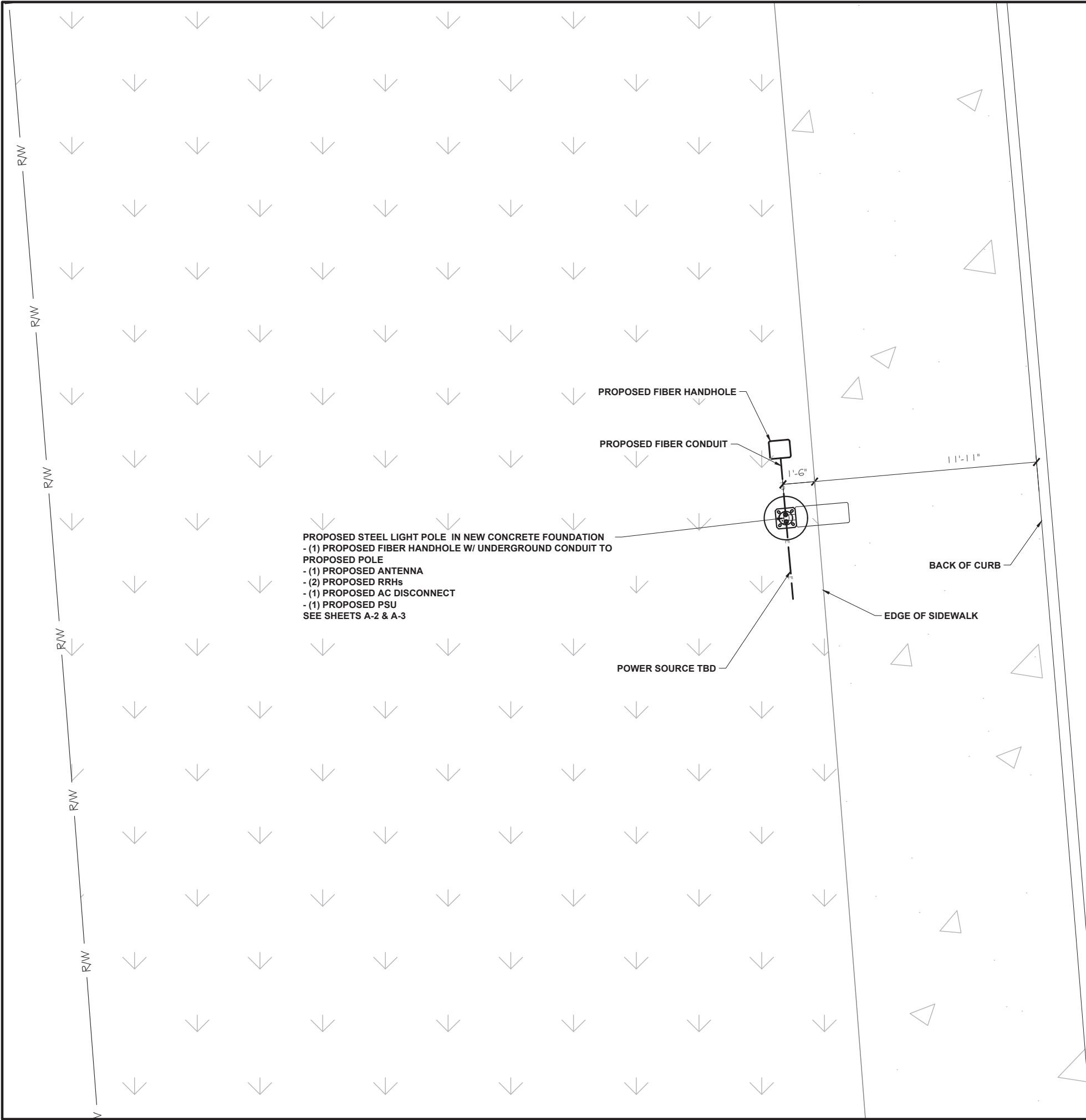
PROJECT TITLE:  
**CRAN 1C/2C/3C**  
**MRUMW030157**  
**CRAN\_RUMW\_GALCT\_007**  
**217099**

PROJECT INFORMATION:  
 7108 LYNDALE AVE S  
 RICHFIELD, MN 55423

SHEET TITLE:  
**OVERALL SITE PLAN**



PROJECT NUMBER: 44985  
 SHEET NUMBER: A-1



**ENLARGED SITE PLAN**  
 SCALE: 1" = 5'



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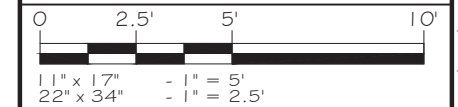
Certification & Seal:


REV.	DATE	DESCRIPTION	INITIALS
0	10/17/19	PERMIT DRAWINGS	GM

PROJECT TITLE:  
**CRAN 1C/2C/3C**  
**MRUMW030157**  
**CRAN\_RUMW\_GALCT\_007**  
**217099**

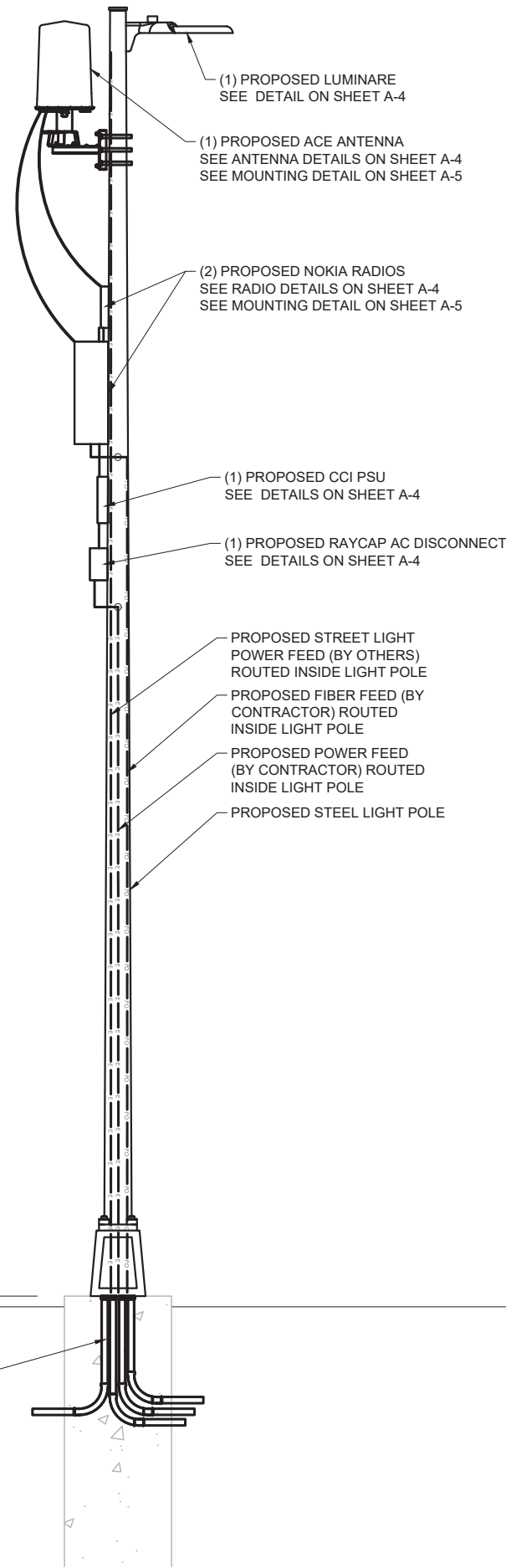
PROJECT INFORMATION:  
 7108 LYNDALE AVE S  
 RICHFIELD, MN 55423

SHEET TITLE:  
**ENLARGED SITE PLAN**



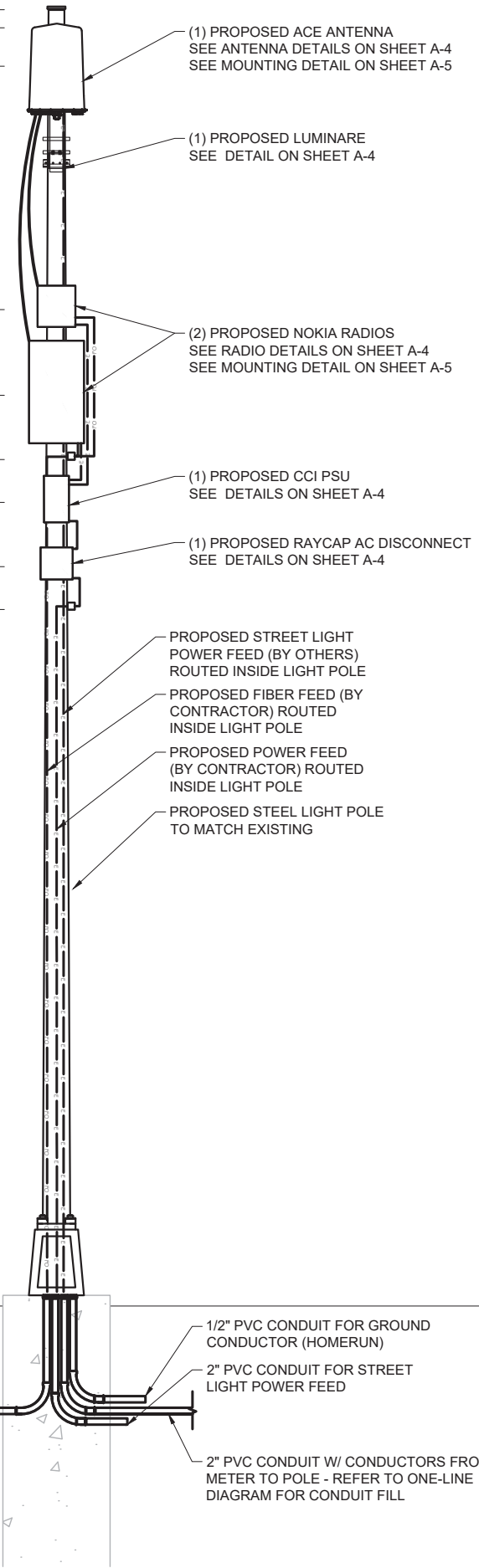
PROJECT NUMBER: **44985**  
 SHEET NUMBER: **A-2**

- TOP OF PROPOSED LIGHT POLE  
ELEV. 30'-0"
- TOP OF PROPOSED ANTENNA  
ELEV. 29'-10"
- CL OF PROPOSED ANTENNA  
ELEV. 28'-10"
- CL OF PROPOSED NOKIA RADIO  
ELEV. 23'-0"
- CL OF PROPOSED NOKIA RADIO  
ELEV. 21'-0"
- CL OF PROPOSED 2" COUPLER  
ELEV. 19'-6"
- CL OF PROPOSED PSU  
ELEV. 18'-6"
- CL OF PROPOSED RAYCAP  
ELEV. 17'-0"
- CL OF PROPOSED 2" COUPLER  
ELEV. 16'-0"



PROPOSED LIGHT POLE SIDE ELEVATION ①  
 SCALE: 1" = 3.75'

- TOP OF PROPOSED LIGHT POLE  
ELEV. 30'-0"
- TOP OF PROPOSED ANTENNA  
ELEV. 29'-10"
- CL OF PROPOSED ANTENNA  
ELEV. 28'-10"
- CL OF PROPOSED NOKIA RADIO  
ELEV. 23'-0"
- CL OF PROPOSED NOKIA RADIO  
ELEV. 21'-0"
- CL OF PROPOSED 2" COUPLER  
ELEV. 19'-6"
- CL OF PROPOSED PSU  
ELEV. 18'-6"
- CL OF PROPOSED RAYCAP  
ELEV. 17'-0"
- CL OF PROPOSED 2" COUPLER  
ELEV. 16'-0"



PROPOSED LIGHT POLE BACK ELEVATION ②  
 SCALE: 1" = 3.75'

NOTE:  
 FINAL DESIGN PENDING  
 STRUCTURAL ANALYSIS



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Certification & Seal:

REV.	DATE	DESCRIPTION	INITIALS
0	10/17/19	PERMIT DRAWINGS	GM

PROJECT TITLE:

**CRAN 1C/2C/3C**  
**MRUMW030157**  
**CRAN\_RUMW\_GALCT\_007**  
**217099**

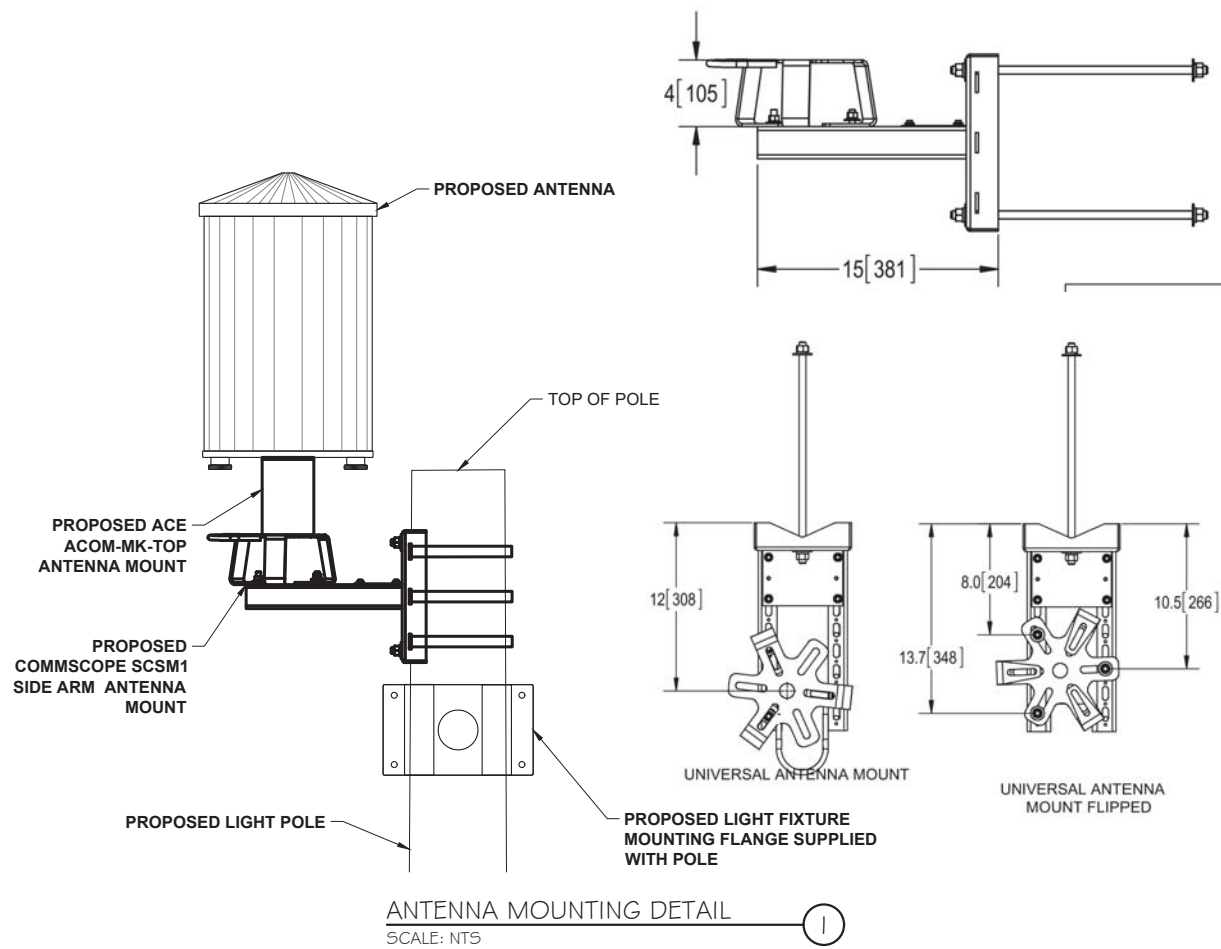
PROJECT INFORMATION:  
 7108 LYNDALE AVE S  
 RICHFIELD, MN 55423

SHEET TITLE:  
 PROPOSED LIGHT POLE  
 ELEVATIONS

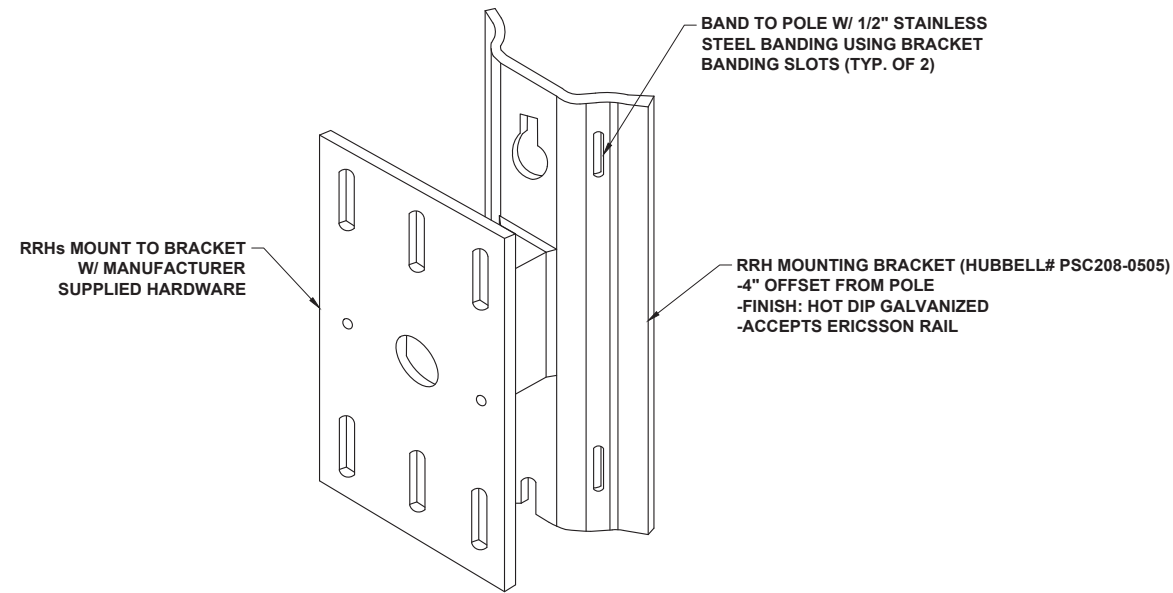
SCALE:  
 AS NOTED

PROJECT NUMBER 44985  
 SHEET NUMBER A-3





ANTENNA MOUNTING DETAIL  
 SCALE: NTS

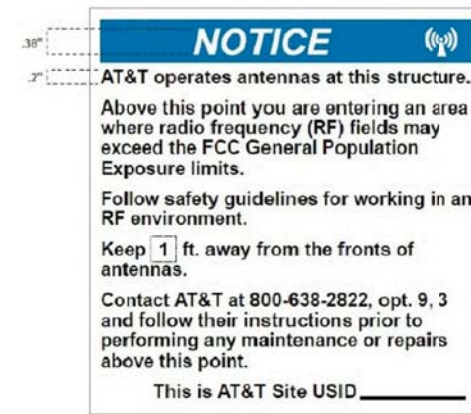


EQUIPMENT MOUNTING DETAIL  
 SCALE: NTS

EXAMPLE CRAN RF CAUTION SIGN



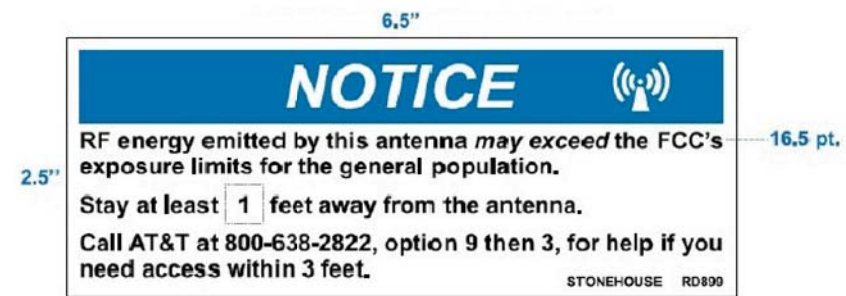
EXAMPLE CRAN RF NOTICE SIGN



EXAMPLE CRAN POLE POWER DISCONNECT SIGN



EXAMPLE STONEHOUSE RD899 RF NOTICE SIGN



CRAN Pole Power Disconnect, RF Notice, and Caution signs shall be ordered through Stonehouse Signs. Three versions are available for each of the signs shown in Figures 16, 17, and 18: .055 Polyethylene – Reflective, .025 Aluminum – Reflective, and Peel Back Label – Reflective. All versions are 6"x6" with font designed to be visible from 2-3 feet away when approached from below to provide warning about ascending into the high RF exposure areas. The RF Caution sign shown in Figure 19 is designed to be visible from 3 feet away and is available in the reflective peel back label version only. It is designed to fit on most of the CRAN/Small Cell antenna types currently deployed. It may also be placed on antenna shrouds as shown in Figures 11 and 12.

SITE SIGNAGE DETAIL  
 SCALE: NTS



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Certification & Seal:

REV.	DATE	DESCRIPTION	INITIALS
0	10/17/19	PERMIT DRAWINGS	GM

PROJECT TITLE:

**CRAN 1C/2C/3C**  
**MRUMW030157**  
**CRAN\_RUMW\_GALCT\_007**  
**217099**

PROJECT INFORMATION:

7108 LYNDALE AVE S  
 RICHFIELD, MN 55423

SHEET TITLE:

MOUNTING DETAILS

SCALE: NONE

PROJECT NUMBER: 44985  
 SHEET NUMBER: A-5

**LIGHTING UNIT TYPE SPECIAL 1**  
 LEOTEK LUMINAIRE: AR18-30M-MV-NW-3-BK-530-PCR7-SC-RPA  
 HAPCO POLE: RTA30C7BF-BA

~~**LIGHTING UNIT TYPE SPECIAL 2**  
 CYCLONE LUMINAIRE:  
 CNM56P1-GAL-3-100W-4K-120-GCN15-DIM-CP4052-RAL9005TX  
 CYCLONE POLE:  
 PM43-16-SA-BM11-T40-CP4341-RAL9005TX  
 CYCLONE BRACKET:  
 M230-C1-S40-CP3731-RAL9005TX-7 PIN PC RECEPTACLE-SHORTING CAP~~

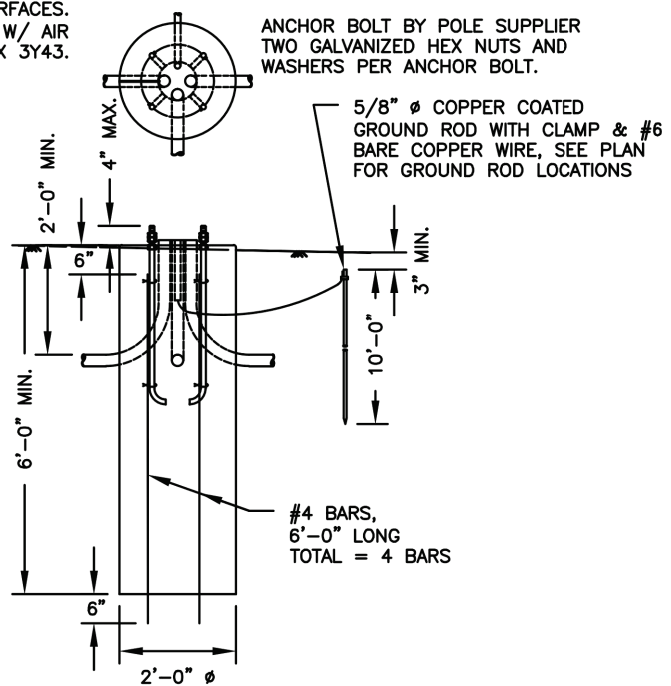
24" DIA. CONCRETE BASE W/ 3" FOUNDATION EXPOSURE AND 3/4" CHAMFERED EDGE. BRUSH FINISH ALL EXPOSED SURFACES. 4000 PSI CONCRETE W/ AIR ENTRAINMENT. MNDOT MIX 3Y43.

BOLT CIRCLE PER POLE MANUFACTURER

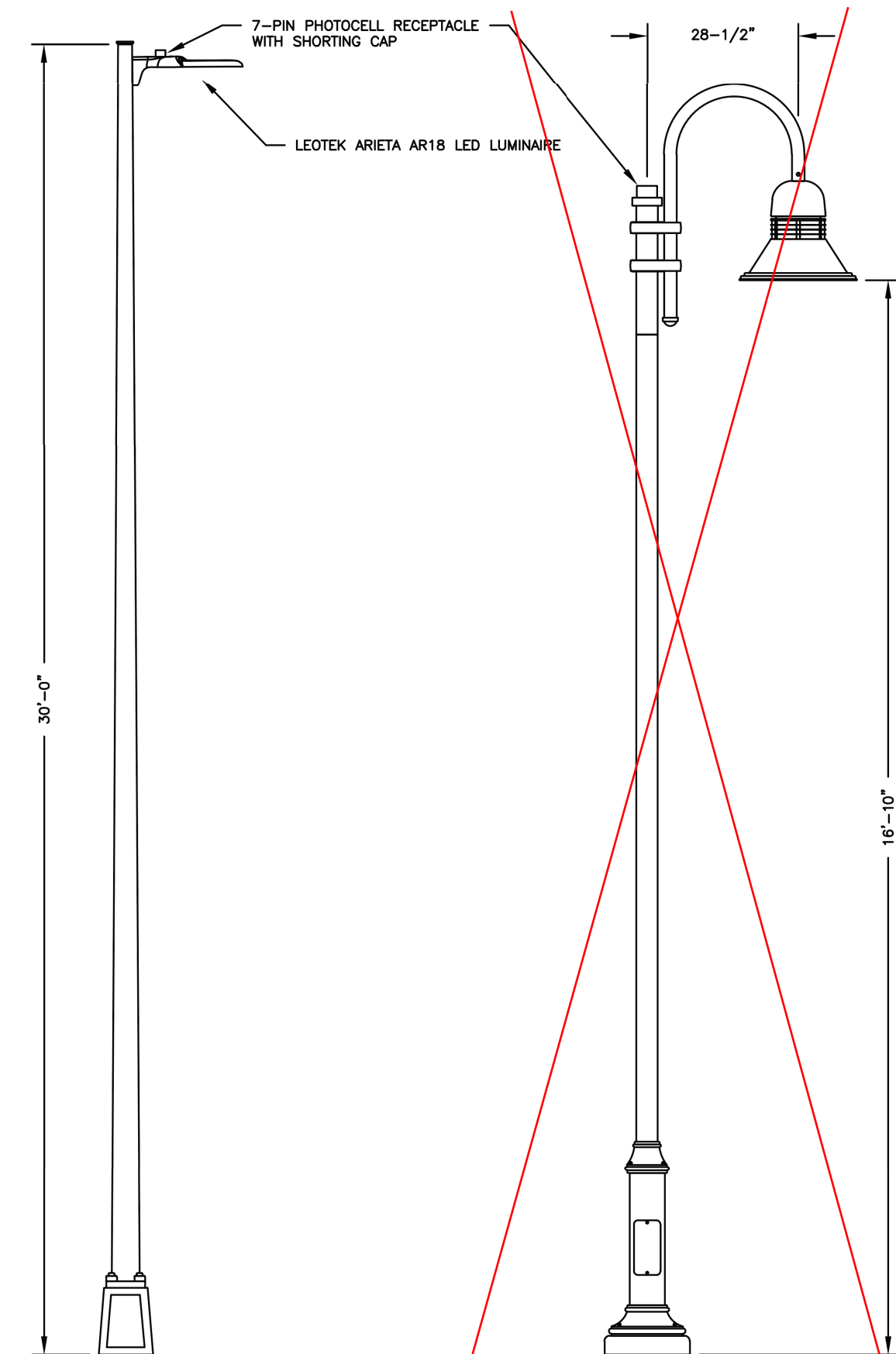
ANCHOR BOLT BY POLE SUPPLIER TWO GALVANIZED HEX NUTS AND WASHERS PER ANCHOR BOLT.

5/8" Ø COPPER COATED GROUND ROD WITH CLAMP & #6 BARE COPPER WIRE, SEE PLAN FOR GROUND ROD LOCATIONS

#4 BARS, 6'-0" LONG TOTAL = 4 BARS



LIGHT FOUNDATION DESIGN E MODIFIED DETAIL



LIGHTING UNIT TYPE SPECIAL 1

LIGHTING UNIT TYPE SPECIAL 2

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I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.  
 Bryan T. Nemeth  
 BRYAN T. NEMETH  
 LIC. NO. 43354 DATE 2/19/19



12224 NICOLLET AVENUE  
 BURNSVILLE, MINNESOTA 55337  
 Phone: (952) 890-0509  
 Email: Burnsville@bolton-menk.com  
 www.bolton-menk.com



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BTN			
CLIENT PROJ. NO.			
T16114541			

CITY OF RICHFIELD, MINNESOTA  
 S.A.P. 157-363-032, LYNDALE AVENUE RECONSTRUCTION

LIGHTING PLANS

SHEET

C7.61



8618 Westwood Center Drive, Suite 315, Vienna, VA 22182  
703.276.1100 • 703.276.1169 fax  
info@sitesafe.com • www.sitesafe.com



**SAC Wireless, LLC on behalf of  
AT&T Mobility, LLC  
Site FA – 14826480  
USID – 217099  
Site Name –  
CRAN\_RUMW\_GALCT\_007  
(MRUMW030157)**

**7108 LYNDAL AVE S  
RICHFIELD, MN 55423**

Latitude: N44-52-22.22  
Longitude: W93-17-18.79  
Structure Type: Utility Pole

Report generated date: October 25, 2019  
Report by: Sophie Thein  
Customer Contact: Meg Lanigan

---

**AT&T Mobility, LLC will be compliant when the  
remediation recommended in Section 5.2 or  
other appropriate remediation is implemented.**

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# 1 General Site Summary

## 1.1 Report Summary

AT&T Mobility, LLC	Summary
Max Cumulative Simulated RFE Level at antenna level	4,438.4% General Public Limit in front of AT&T Mobility, LLC's Alpha Sector Antenna 1
Vertical Safety Distance	3'
Horizontal Safety Distance	13'
Max Cumulative Simulated RFE Level on the Ground	<1% General Public Limit
Compliant per FCC Rules and Regulations?	Will Be Compliant
Compliant per AT&T Mobility, LLC's Policy?	No

The following documents were provided by the client and were utilized to create this report:

RFDS: 217099\_CRAN\_RUMW\_GALCT\_007\_MRUMW030157\_RFDS 10-18-19

CD's: 217099\_CRAN\_RUMW\_GALCT\_007\_MRUMW030157\_CDs REV 0 10-18-19




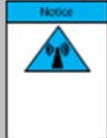





RF Powers Used: Provided by Customer

## 1.2 Fall Arrest Anchor Point Summary



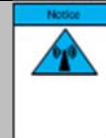
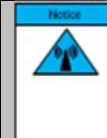





Fall Arrest Anchor & Parapet Info	Parapet Available (Y/N)	Parapet Height (inches)	Fall Arrest Anchor Available (Y/N)
Roof Safety Info	N	N/A	N

### 1.3 Signage Summary

#### a. Pre-Site Visit AT&T Signage (Existing Signage)

AT&T Signage Locations									
	Information 1	Information 2	Notice	Notice 2	Caution	Caution 2	Warning	Warning 2	Barriers
Access Point(s)									
Alpha									
Beta									
Gamma									
Delta									
Epsilon									

#### b. Proposed AT&T Signage

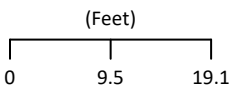
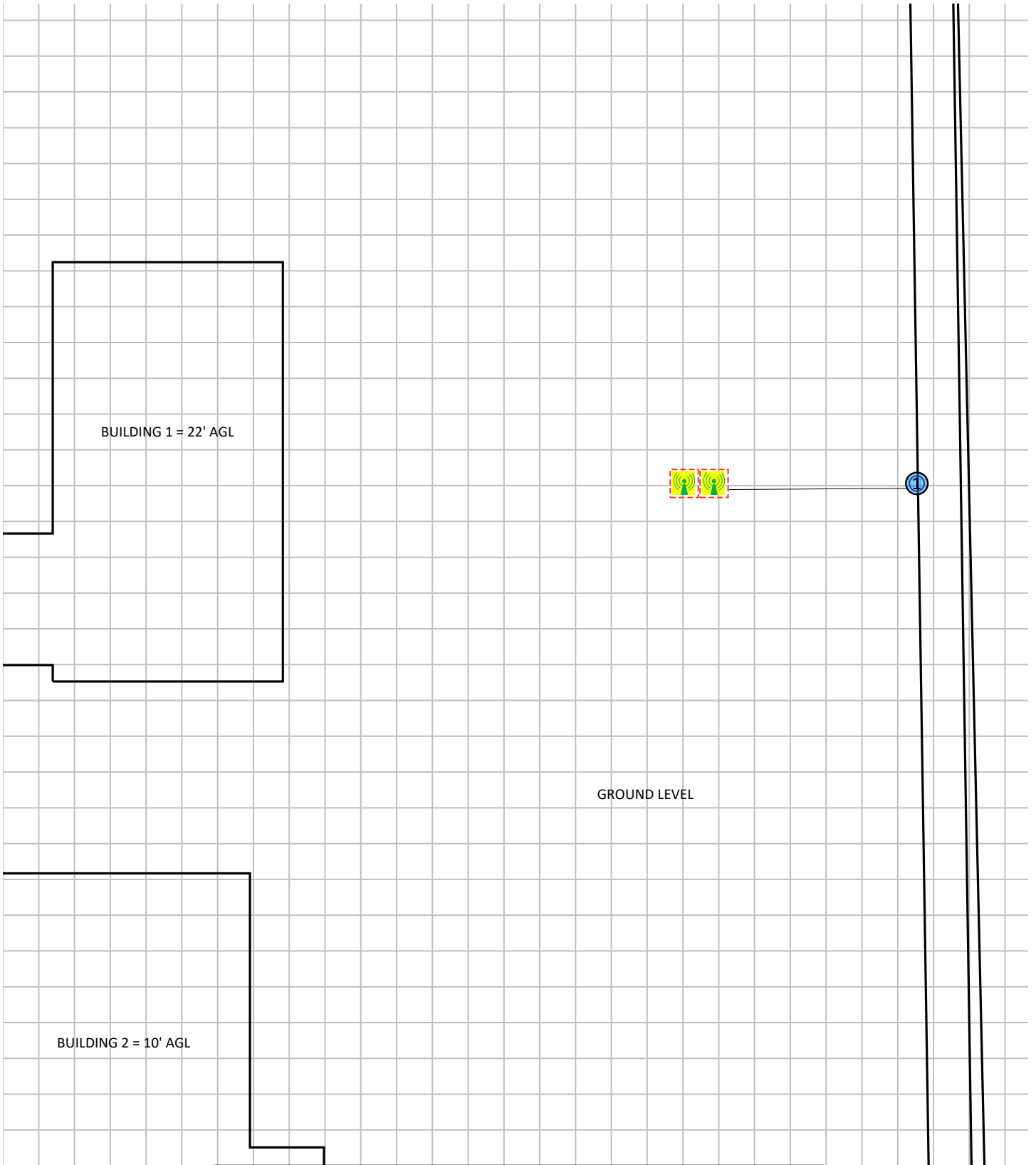
AT&T Signage Locations									
	Information 1	Information 2	Notice	Notice 2	Caution	Caution 2	Warning	Warning 2	Barriers
Access Point(s)									
Alpha						2			
Beta									
Gamma									
Delta									
Epsilon									

## 2 Scale Maps of Site

The following diagrams are included:

- Site Scale Map
- RF Exposure Diagram
- RF Exposure Diagram – Elevation View

Site Scale Map For: CRAN\_RUMW\_GALCT\_007



www.sitesafe.com  
 Site Name: CRAN\_RUMW\_GALCT\_007  
 10/25/2019 9:29:10 AM

Carrier Identification		Sign Legend		Proposed Barriers/ Signs		RF Safety Plan	
AT&T MOBILITY LLC	VERIZON WIRELESS	T-MOBILE	SPRINT	UNKNOWN CARRIER	Caution 1	Caution 2	Notice 2
		Notice 1	Warning	Warning 2	Info 1	Info 2	RSP
Barrier		Proposed Barriers/ Signs					



### 3 Antenna Inventory

The following antenna inventory was obtained by the customer and was utilized to create the site model diagrams:

Ant ID	Operator	Antenna Make & Model	Type	TX Freq (MHz)	Technology	Az (Deg)	Hor BW (Deg)	Ant Len (ft)	Power	Power Type	Power Unit	Misc Loss	TX Count	Total ERP (Watts)	Ant Gain (dBd)	Z (AGL)	MDT	EDT
1	AT&T MOBILITY LLC (Proposed)	Ace Technology ACOM-2F15D-12P	Omni	1900	LTE	0	360	2	160	TPO	Watt	0	1	794.5	6.96	27'	0°	0°
1	AT&T MOBILITY LLC (Proposed)	Ace Technology ACOM-2F15D-12P	Omni	2100	AWS	0	360	2	160	TPO	Watt	0	1	832	7.16	27'	0°	0°
1	AT&T MOBILITY LLC (Proposed)	Ace Technology ACOM-2F15D-12P	Omni	5700	LTE	0	360	2	20	TPO	Watt	0	1	34.4	2.36	27'	0°	0°

Note: The Z reference indicates the bottom of the antenna height above the main site level unless otherwise indicated. Effective Radiated Power (ERP) is provided by the operator or based on Sitesafe experience. The values used in the modeling may be greater than are currently deployed. For other operators at this site the use of "Generic" as an antenna model or "Unknown" for a wireless operator means the information with regard to operator, their FCC license and/or antenna information was not available nor could it be secured while on site. Other operator's equipment, antenna models and powers used for modeling are based on obtained information or Sitesafe experience.

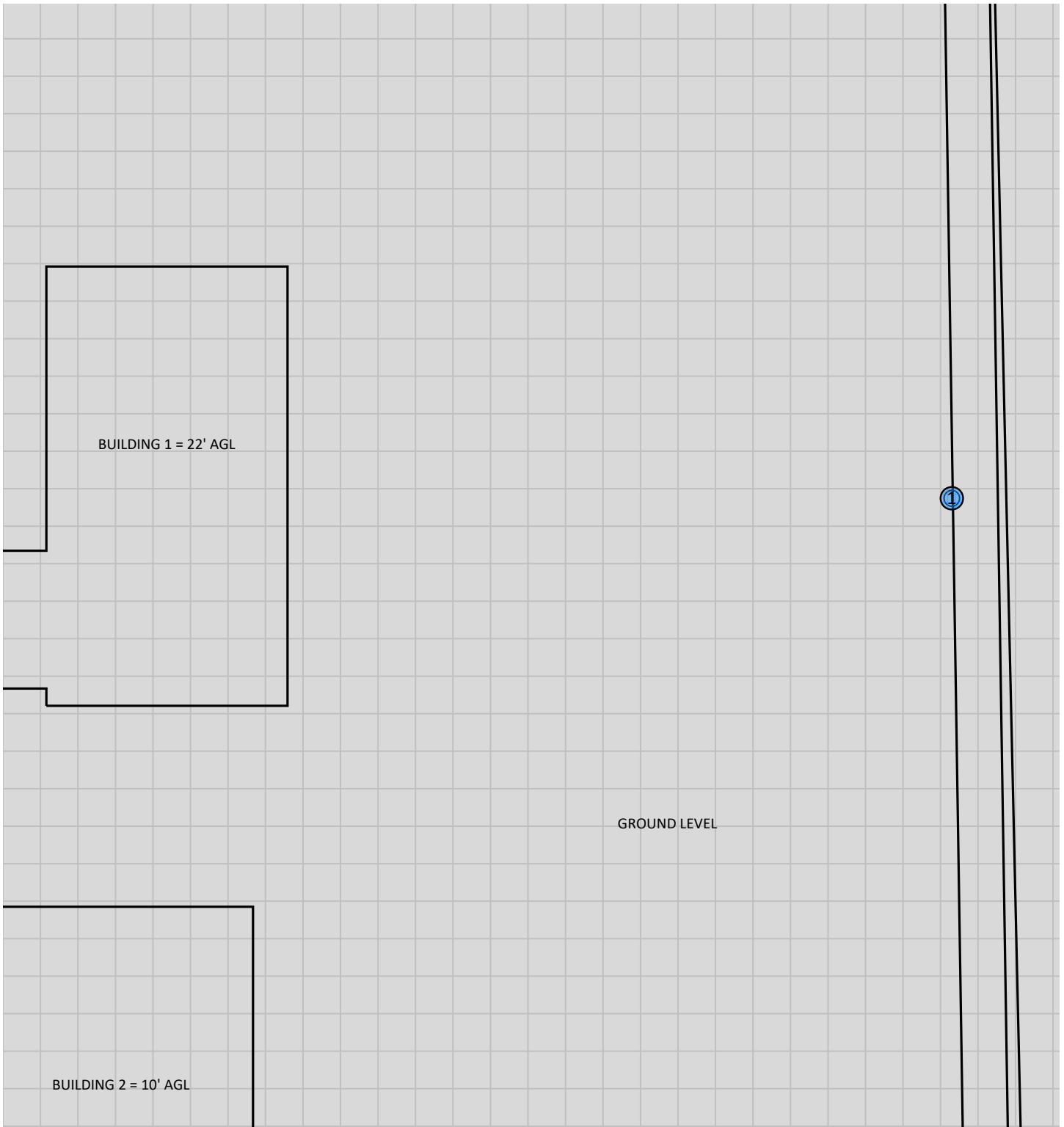
## 4 Emission Predictions

In the RF Exposure Simulations below all heights are reflected with respect to main site level. In most rooftop cases this is the height of the main rooftop and in other cases this can be ground level. Each different height area, rooftop, or platform level is labeled with its height relative to the main site level. Emissions are calculated appropriately based on the relative height and location of that area to all antennas. The total analyzed elevations in the below RF Exposure Simulations are listed below.

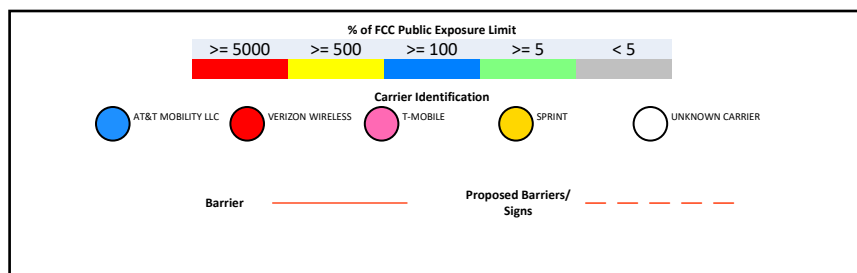
- GROUND LEVEL = 0'
- BUILDING 1 = 24'
- BUILDING 2 = 25'

The Antenna Inventory heights are referenced to the same level.

RF Exposure Simulation For: CRAN\_RUMW\_GALCT\_007  
Composite View



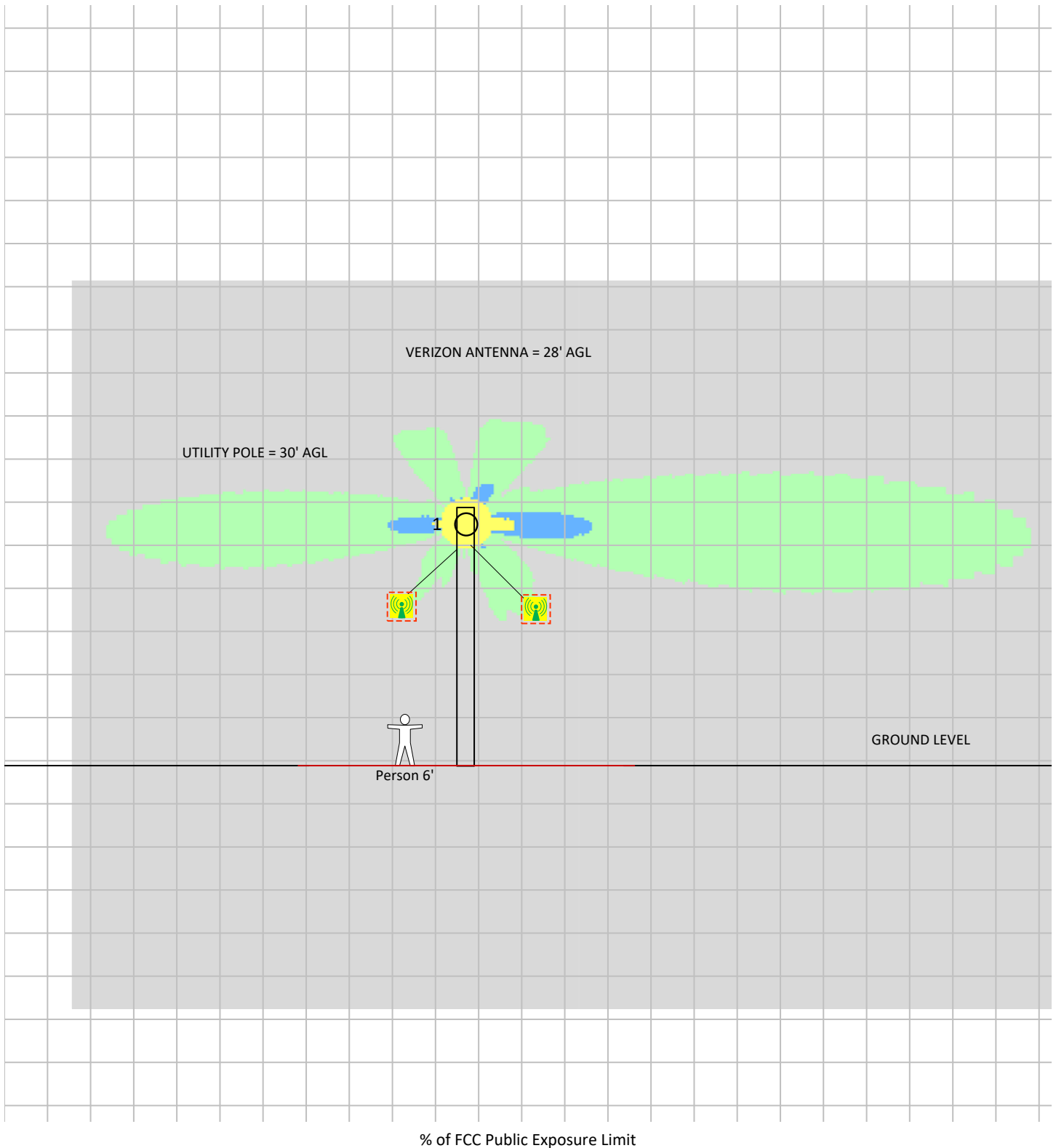
% of FCC Public Exposure Limit  
Spatial average 0' - 6'



(Feet)  
0 10 20  
www.sitesafe.com  
Site Name: CRAN\_RUMW\_GALCT\_007  
10/25/2019 9:27:24 AM

Sitesafe OET-65 Model  
Near Field Boundary:  
1.5 \* Aperture  
Reflection Factor: 1  
Spatially Averaged

RF Exposure Simulation For: CRAN\_RUMW\_GALCT\_007  
Elevation View



(Feet)

0 8.6 17.2

www.sitesafe.com  
Site Name:CRAN\_RUMW\_GALCT\_007  
10/25/2019 9:24:25 AM

% of FCC Public Exposure Limit				
>= 5000	>= 500	>= 100	>= 5	< 5

AT&T MOBILITY LLC	VERIZON WIRELESS	T-MOBILE	SPRINT	UNKNOWN CARRIER
-------------------	------------------	----------	--------	-----------------

Caution 1	Caution 2	Notice 2	Notice 1	Warning	Warning 2	Info 1	Info 2	RF Safety Plan
-----------	-----------	----------	----------	---------	-----------	--------	--------	----------------

Barrier ———— Proposed Barriers/ Signs - - - - -

Sitesafe OET-65 Model  
Near Field Boundary:  
1.5 \* Aperture  
Reflection Factor: 1  
Single Level (0)

## 5 Site Compliance

### 5.1 Site Compliance Statement

Upon evaluation of the cumulative RF emission levels from all operators at this site, RF hazard signage and antenna locations, Sitesafe has determined that:

AT&T Mobility, LLC will be compliant when the remediation recommended in Section 5.2 or other appropriate remediation is implemented.

The compliance determination is based on General Public RFE levels derived from theoretical modeling, RF signage placement, proposed antenna inventory and the level of restricted access to the antennas at the site. Any deviation from the AT&T Mobility, LLC's proposed deployment plan could result in the site being rendered non-compliant.

Modeling is used for determining compliance and the percentage of MPE contribution.

### 5.2 Actions for Site Compliance

Based on FCC regulations, common industry practice, and our understanding of AT&T Mobility, LLC RF Safety Policy requirements, this section provides a statement of recommendations for site compliance. Recommendations have been proposed based on our understanding of existing access restrictions, signage, and an analysis of predicted RFE levels.

AT&T Mobility, LLC will be made compliant if the following changes are implemented:

#### **AT&T Mobility, LLC Proposed Alpha Sector Location**

2 (10.25" x 10.25") Yellow Caution 2 signs required opposite from each other on the pole structure at the bottom of radome.

## 6 Reviewer Certification

The reviewer whose signature appears below hereby certifies and affirms:

That I am an employee of Site Safe, LLC, in Vienna, Virginia, at which place the staff and I provide RF compliance services to clients in the wireless communications industry; and

That I am thoroughly familiar with the Rules and Regulations of the Federal Communications Commission (FCC) as well as the regulations of the Occupational Safety and Health Administration (OSHA), both in general and specifically as they apply to the FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields; and

That I have thoroughly reviewed this Site Compliance Report and believe it to be true and accurate to the best of my knowledge as assembled by and attested to by Sophie Thein.

October 25, 2019

## Appendix A – Statement of Limiting Conditions

Sitesafe has provided computer generated model(s) in this Site Compliance Report to show approximate dimensions of the site, and the model is included to assist the reader of the compliance report to visualize the site area, and to provide supporting documentation for Sitesafe's recommendations.

Sitesafe may note in the Site Compliance Report any adverse physical conditions, such as needed repairs, that Sitesafe became aware of during the normal research involved in creating this report. Sitesafe will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because Sitesafe is not an expert in the field of mechanical engineering or building maintenance, the Site Compliance Report must not be considered a structural or physical engineering report.

Sitesafe obtained information used in this Site Compliance Report from sources that Sitesafe considers reliable and believes them to be true and correct. Sitesafe does not assume any responsibility for the accuracy of such items that were furnished by other parties. When conflicts in information occur between data collected by Sitesafe provided by a second party and data collected by Sitesafe, the data will be used.

## Appendix B – Regulatory Background Information

### FCC Rules and Regulations

In 1996, the Federal Communications Commission (FCC) adopted regulations for the evaluating of the effects of RF emissions in 47 CFR § 1.1307 and 1.1310. The guideline from the FCC Office of Engineering and Technology is Bulletin 65 (“OET Bulletin 65”), *Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields*, Edition 97-01, published August 1997. Since 1996 the FCC periodically reviews these rules and regulations as per their congressional mandate.

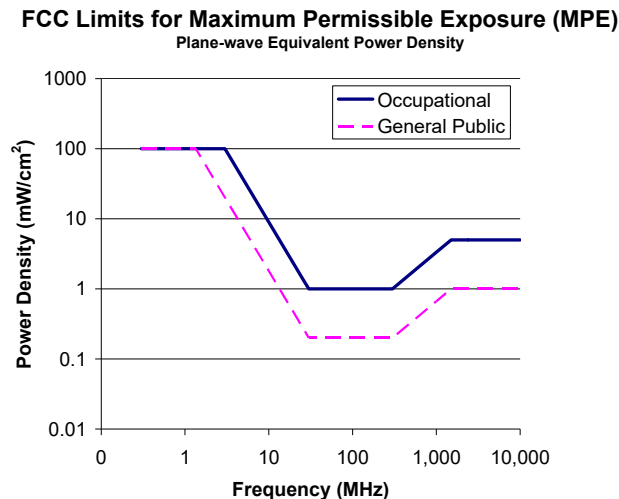
FCC regulations define two separate tiers of exposure limits: Occupational or “Controlled environment” and General Public or “Uncontrolled environment”. The General Public limits are generally five times more conservative or restrictive than the Occupational limit. These limits apply to *accessible* areas where workers or the general public may be exposed to Radio Frequency (RF) electromagnetic fields.

Occupational or Controlled limits apply in situations in which persons are exposed as a consequence of their employment and where those persons exposed have been made fully aware of the potential for exposure and can exercise control over their exposure.

An area is considered a Controlled environment when access is limited to these aware personnel. Typical criteria are restricted access (i.e. locked or alarmed doors, barriers, etc.) to the areas where antennas are located coupled with proper RF warning signage. A site with Controlled environments is evaluated with Occupational limits.

All other areas are considered Uncontrolled environments. If a site has no access controls or no RF warning signage it is evaluated with General Public limits.

The theoretical modeling of the RF electromagnetic fields has been performed in accordance with OET Bulletin 65. The Maximum Permissible Exposure (MPE) limits utilized in this analysis are outlined in the following diagram:





### Limits for Occupational/Controlled Exposure (MPE)

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm <sup>2</sup> )	Averaging Time  E  <sup>2</sup> ,  H  <sup>2</sup> or S (minutes)
0.3-3.0	614	1.63	(100)*	6
3.0-30	1842/f	4.89/f	(900/f <sup>2</sup> )*	6
30-300	61.4	0.163	1.0	6
300-1500	--	--	f/300	6
1500-100,000	--	--	5	6

### Limits for General Population/Uncontrolled Exposure (MPE)

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm <sup>2</sup> )	Averaging Time  E  <sup>2</sup> ,  H  <sup>2</sup> or S (minutes)
0.3-1.34	614	1.63	(100)*	30
1.34-30	824/f	2.19/f	(180/f <sup>2</sup> )*	30
30-300	27.5	0.073	0.2	30
300-1500	--	--	f/1500	30
1500-100,000	--	--	1.0	30

f = frequency in MHz

\*Plane-wave equivalent power density

### OSHA Statement

The General Duty clause of the OSHA Act (Section 5) outlines the occupational safety and health responsibilities of the employer and employee. The General Duty clause in Section 5 states:

(a) Each employer –

- (1) shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;
- (2) shall comply with occupational safety and health standards promulgated under this Act.

(b) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

OSHA has defined Radiofrequency and Microwave Radiation safety standards for workers who may enter hazardous RF areas. Regulation Standards 29 CFR § 1910.147 identify a generic Lockout/Tagout procedure aimed to control the unexpected energization or startup of machines when maintenance or service is being performed.

## Appendix C – Safety Plan and Procedures

The following items are general safety recommendations that should be administered on a site by site basis as needed by the carrier.

**General Maintenance Work:** Any maintenance personnel required to work immediately in front of antennas and / or in areas indicated as above 100% of the Occupational MPE limits should coordinate with the wireless operators to disable transmitters during their work activities.

**Training and Qualification Verification:** All personnel accessing areas indicated as exceeding the General Population MPE limits should have a basic understanding of EME awareness and RF Safety procedures when working around transmitting antennas. Awareness training increases a worker's understanding to potential RF exposure scenarios. Awareness can be achieved in a number of ways (e.g. videos, formal classroom lecture or internet-based courses).

**Physical Access Control:** Access restrictions to transmitting antennas locations is the primary element in a site safety plan. Examples of access restrictions are as follows:

- Locked door or gate
- Alarmed door
- Locked ladder access
- Restrictive Barrier at antenna (e.g. Chain link with posted RF Sign)

**RF Signage:** Everyone should obey all posted signs at all times. RF signs play an important role in properly warning a worker prior to entering into a potential RF Exposure area.

**Assume all antennas are active:** Due to the nature of telecommunications transmissions, an antenna transmits intermittently. Always assume an antenna is transmitting. Never stop in front of an antenna. If you have to pass by an antenna, move through as quickly and safely as possible thereby reducing any exposure to a minimum.

**Maintain a 3 foot clearance from all antennas:** There is a direct correlation between the strength of an EME field and the distance from the transmitting antenna. The further away from an antenna, the lower the corresponding EME field is.

**Site RF Emissions Diagram:** Section 4 of this report contains an RF Diagram that outlines various theoretical Maximum Permissible Exposure (MPE) areas at the site. The modeling is a worst-case scenario assuming a duty cycle of 100% for each transmitting antenna at full power. This analysis is based on one of two access control criteria: General Public criteria means the access to the site is uncontrolled and anyone can gain access. Occupational criteria means the access is restricted and only properly trained individuals can gain access to the antenna locations.

## Appendix D – RF Emissions

The RF Emissions Simulation(s) in this report display theoretical spatially averaged percentage of the Maximum Permissible Exposure for all systems at the site unless otherwise noted. These diagrams use modeling as prescribed in OET Bulletin 65 and assumptions detailed in Appendix E.

The key at the bottom of each RF Emissions Simulation indicates percentages displayed referenced to FCC General Public Maximum Permissible Exposure (MPE) limits. Color coding on the diagram is as follows:

- Areas indicated as Gray are predicted to be below 5% of the MPE limits. Gray represents areas more than 20 times below the most conservative exposure limit. **Gray areas are accessible to anyone.**
- Green represents areas are predicted to be between 5% and 100% of the MPE limits. **Green areas are accessible to anyone.**
- Blue represents areas predicted to exceed the General Public MPE limits but are less than Occupational limits. **Blue areas should be accessible only to RF trained workers.**
- Yellow represents areas predicted to exceed Occupational MPE limits. **Yellow areas should be accessible only to RF trained workers able to assess current exposure levels.**
- Red represents areas predicted to have exposure more than 10 times the Occupational MPE limits. **Red indicates that the RF levels must be reduced prior to access.** An RF Safety Plan is required which outlines how to reduce the RF energy in these areas prior to access.

If trained occupational personnel require access to areas that are delineated as above 100% of the limit, Sitesafe recommends that they utilize the proper personal protection equipment (RF monitors), coordinate with the carriers to reduce or shutdown power, or make real-time power density measurements with the appropriate power density meter to determine real-time MPE levels. This will allow the personnel to ensure that their work area is within exposure limits.

## Appendix E – Assumptions and Definitions

### General Model Assumptions

In this site compliance report, it is assumed that all antennas are operating at **full power at all times**. Software modeling was performed for all transmitting antennas located on the site. Sitesafe has further assumed a 100% duty cycle and maximum radiated power.

The modeling is based on recommendations from the FCC's OET-65 bulletin with the following variances per AT&T guidance. Reflection has not been considered in the modeling, i.e. the reflection factor is 1.0. The near / far field boundary has been set to 1.5 times the aperture height of the antenna and modeling beyond that point is the lesser of the near field cylindrical model and the far field model taking into account the gain of the antenna.

The site has been modeled with these assumptions to show the maximum RF energy density. Areas modeled with exposure greater than 100% of the General Public MPE level may not actually occur but are shown as a prediction that could be realized. Sitesafe believes these areas to be safe for entry by occupationally trained personnel utilizing appropriate personal protective equipment (in most cases, a personal monitor).

### Use of Generic Antennas

For the purposes of this report, the use of "Generic" as an antenna model, or "Unknown" for an operator means the information about a carrier, their FCC license and/or antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use our industry specific knowledge of equipment, antenna models, and transmit power to model the site. If more specific information can be obtained for the unknown measurement criteria, Sitesafe recommends remodeling of the site utilizing the more complete and accurate data. Information about similar facilities is used when the service is identified and associated with a particular antenna. If no information is available regarding the transmitting service associated with an unidentified antenna, using the antenna manufacturer's published data regarding the antenna's physical characteristics makes more conservative assumptions.

Where the frequency is unknown, Sitesafe uses the closest frequency in the antenna's range that corresponds to the highest Maximum Permissible Exposure (MPE), resulting in a conservative analysis.

## Appendix F – Definitions

**5% Rule** – The rules adopted by the FCC specify that, in general, at multiple transmitter sites actions necessary to bring the area into compliance with the guidelines are the shared responsibility of all licensees whose transmitters produce field strengths or power density levels at the area in question in excess of 5% of the exposure limits. In other words, any wireless operator that contributes 5% or greater of the MPE limit in an area that is identified to be greater than 100% of the MPE limit is responsible for taking corrective actions to bring the site into compliance.

**Compliance** – The determination of whether a site complies with FCC standards with regards to Human Exposure to Radio Frequency Electromagnetic Fields from transmitting antennas.

**Decibel (dB)** – A unit for measuring power or strength of a signal.

**Duty Cycle** – The percent of pulse duration to the pulse period of a periodic pulse train. Also, may be a measure of the temporal transmission characteristic of an intermittently transmitting RF source such as a paging antenna by dividing average transmission duration by the average period for transmission. A duty cycle of 100% corresponds to continuous operation.

**Effective (or Equivalent) Isotropic Radiated Power (EIRP)** – The product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna.

**Effective Radiated Power (ERP)** – The product of the power supplied to the antenna and the antenna gain in a given direction relative to a half-wave dipole antenna.

**Gain (of an antenna)** – The ratio of the maximum power in a given direction to the maximum power in the same direction from an isotropic radiator. Gain is a measure of the relative efficiency of a directional antenna as compared to an omnidirectional antenna.

**General Population/Uncontrolled Environment** – Defined by the FCC as an area where RF exposure may occur to persons who are **unaware** of the potential for exposure and who have no control over their exposure. General Population is also referenced as General Public.

**Generic Antenna** – For the purposes of this report, the use of “Generic” as an antenna model means the antenna information was not provided and could not be obtained while on site. In the event of unknown information, Sitesafe will use its industry specific knowledge of antenna models to select a worst-case scenario antenna to model the site.

**Isotropic Antenna** – An antenna that is completely non-directional. In other words, an antenna that radiates energy equally in all directions.

**Maximum Measurement** – This measurement represents the single largest measurement recorded when performing a spatial average measurement.

**Maximum Permissible Exposure (MPE)** – The rms and peak electric and magnetic field strength, their squares, or the plane-wave equivalent power densities associated with these fields to which a person may be exposed without harmful effect and with acceptable safety factor.

***Occupational/Controlled Environment*** – Defined by the FCC as an area where RF exposure may occur to persons who are **aware** of the potential for exposure as a condition of employment or specific activity and can exercise control over their exposure.

***OET Bulletin 65*** – Technical guideline developed by the FCC's Office of Engineering and Technology to determine the impact of RF exposure on humans. The guideline was published in August 1997.

***OSHA (Occupational Safety and Health Administration)*** – Under the Occupational Safety and Health Act of 1970, employers are responsible for providing a safe and healthy workplace for their employees. OSHA's role is to promote the safety and health of America's working men and women by setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual process improvement in workplace safety and health. For more information, visit [www.osha.gov](http://www.osha.gov).

***Radio Frequency Exposure or Electromagnetic Fields*** – Electromagnetic waves that are propagated from antennas through space.

***Spatial Average Measurement*** – A technique used to average a minimum of ten (10) measurements taken in a ten (10) second interval from zero (0) to six (6) feet. This measurement is intended to model the average energy a 6-foot tall human body will absorb while present in an electromagnetic field of energy.

***Transmitter Power Output (TPO)*** – The radio frequency output power of a transmitter's final radio frequency stage as measured at the output terminal while connected to a load.

## Appendix G – References

The following references can be followed for further information about RF Health and Safety.

Site Safe, LLC

<http://www.sitesafe.com>

FCC Radio Frequency Safety

<http://www.fcc.gov/encyclopedia/radio-frequency-safety>

National Council on Radiation Protection and Measurements (NCRP)

<http://www.ncrponline.org>

Institute of Electrical and Electronics Engineers, Inc., (IEEE)

<http://www.ieee.org>

American National Standards Institute (ANSI)

<http://www.ansi.org>

Environmental Protection Agency (EPA)

<http://www.epa.gov/radtown/wireless-tech.html>

National Institutes of Health (NIH)

<http://www.niehs.nih.gov/health/topics/agents/emf/>

Occupational Safety and Health Agency (OSHA)

<http://www.osha.gov/SLTC/radiofrequencyradiation/>

International Commission on Non-Ionizing Radiation Protection (ICNIRP)

<http://www.icnirp.org>

World Health Organization (WHO)

<http://www.who.int/peh-emf/en/>

National Cancer Institute

<http://www.cancer.gov/cancertopics/factsheet/Risk/cellphones>

American Cancer Society (ACS)

[http://www.cancer.org/docroot/PED/content/PED\\_1\\_3X\\_Cellular\\_Phone\\_Towers.asp?sitearea=PED](http://www.cancer.org/docroot/PED/content/PED_1_3X_Cellular_Phone_Towers.asp?sitearea=PED)

European Commission Scientific Committee on Emerging and Newly Identified Health Risks

[http://ec.europa.eu/health/ph\\_risk/committees/04\\_scenihp/docs/scenihp\\_o\\_022.pdf](http://ec.europa.eu/health/ph_risk/committees/04_scenihp/docs/scenihp_o_022.pdf)

Fairfax County, Virginia Public School Survey

<http://www.fcps.edu/fts/safety-security/RFEESurvey/>

UK Health Protection Agency Advisory Group on Non-Ionizing Radiation

[http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb\\_C/1317133826368](http://www.hpa.org.uk/webw/HPAweb&HPAwebStandard/HPAweb_C/1317133826368)

Norwegian Institute of Public Health

<http://www.fhi.no/dokumenter/545eea7147.pdf>

AGENDA SECTION: Public Hearings  
AGENDA ITEM # 3.  
CASE NO.:



## PLANNING COMMISSION MEETING 6/22/2020

REPORT PREPARED BY: Melissa Poehlman, Asst. Community Development Director

CITY PLANNER REVIEW: Melissa Poehlman, Asst. Community Development Director  
6/15/2020

### **ITEM FOR COMMISSION CONSIDERATION:**

**Conduct a public hearing and consider changes to the City's Zoning Code that would eliminate the need for a Conditional Use Permit for small wireless facilities and wireless support structures in the single-family residential districts.**

### **EXECUTIVE SUMMARY:**

In 2017, the Minnesota Legislature amended State law to expressly allow the installation of "small wireless facilities" and "wireless support structures" in the right of way. This right is subject to local governmental authority to manage right of way permitting, but the City's authority to deny permits in the right of way is very limited. Cities are permitted to make such facilities or structures a conditional use in right of way located in areas zoned for single-family residential use and given that cities were not permitted to adopt a moratorium in 2017 to study other potential regulations, the City Attorney recommended that the Council do this.

Since the adoption of the regulation two years ago, staff has continued to study potential aesthetic and spacing guidelines for all small wireless facilities. At a May 26 work session, staff presented a set of regulations to the City Council. These regulations are attached for your reference and review; however, the regulations would not be within the Zoning Code and are therefore outside the official purview of the Planning Commission. These regulations would apply to installations in right of way adjacent to all zoning districts, not just the single-family residential districts.

Staff also recommended to the Council that the requirement for a Conditional Use Permit (CUP) in the single-family residential districts be removed. The CUP process invites the public to participate in the consideration of an application that, in this case, the City has little to no authority to deny. Participants have frequently expressed health concerns related to Radio Frequency Electromagnetic Fields (RF EMF); however, the established guidelines for human exposure to RF EMF are set by the Federal Communications Commission and the City has no authority to deny a request that meets those requirements. A process that invites public comment, but offers no legitimate opportunity for influence, erodes public trust and is frustrating and inefficient for all involved. The Council was supportive of this recommendation. This change is within the Zoning Ordinance and is what is specifically being considered by the Planning Commission.

### **RECOMMENDED ACTION:**

**Conduct and close a public hearing and by motion: Recommend approval of an ordinance related to conditional uses in the single-family residential (R and R-1) districts.**

### **BASIS OF RECOMMENDATION:**



**A. HISTORICAL CONTEXT**

See Executive Summary

**B. POLICIES (resolutions, ordinances, regulations, statutes, etc):**

- The attached ordinance details the minimal changes necessary to remove the requirement for a Conditional Use Permit when locating within a single-family residential district.
- Also attached are the proposed regulations that the City Council will consider at a first reading on July 14 and a public hearing and second reading on July 28.

**C. CRITICAL TIMING ISSUES:**

- While COVID-19 appears to be impacting the short-term outlook for applications and possibly construction of new facilities, AT&T and Verizon have both indicated that they will expect to apply for additional facilities this year.

**D. FINANCIAL IMPACT:**

None

**E. LEGAL CONSIDERATION:**

The City Attorney's office has reviewed the proposed ordinance revisions.

**ALTERNATIVE RECOMMENDATION(S):**

- Recommend rejection of the proposed ordinance and the continued requirement for telecommunication right of way users to apply for a Conditional Use Permit in the single-family districts.

**PRINCIPAL PARTIES EXPECTED AT MEETING:**

None

**ATTACHMENTS:**

	Description	Type
▣	Ordinance	Ordinance
▣	Draft aesthetic & spacing requirements	Exhibit

BILL NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE RICHFIELD CITY CODE  
REGULATIONS RELATED TO  
CONDITIONAL USES IN THE  
SINGLE-FAMILY RESIDENTIAL  
(R AND R-1)  
DISTRICTS**

**THE CITY OF RICHFIELD DOES ORDAIN:**

- Section 1            Subsection 514.05, Subd. 11 of the Richfield City Code related to permitted uses in the Single-Family (R) Zoning District is amended to read as follows:
- Subd. 11.** Minor public utilities, ~~excluding~~including “small wireless facilities” and associated “wireless support structures.” in compliance with regulations detailed in Subsection 802.21 of the City Code.
- Section 2            Subsection 514.07, Subd. 12 of the Richfield City Code related to conditional uses in the Single-Family (R) Zoning District is amended to read as follows:
- Subd. 12.** Major public utilities, ~~and “small wireless facilities” and associated “wireless support structures.”~~
- Section 3            Subsection 518.05, Subd. 11 of the Richfield City Code related to permitted uses in the Low-Density Single-Family (R-1) Zoning District is amended to read as follows:
- Subd. 11.** Minor public utilities, ~~excluding~~including “small wireless facilities” and associated “wireless support structures.” in compliance with regulations detailed in Subsection 802.21 of the City Code.
- Section 4            Subsection 518.07, Subd. 4 of the Richfield City Code related to conditional uses in the Low-Density Single-Family (R-1) Zoning District is amended to read as follows:
- Subd. 4.** Major public utilities, ~~and “small wireless facilities” and associated “wireless support structures.”~~
- Section 5            This Ordinance is effective in accordance with Section 3.09 of the Richfield City Charter.

Passed by the City Council of the City of Richfield, Minnesota this 21st day of July, 2020.

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Maria Regan Gonzalez, Mayor

ATTEST:

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Elizabeth VanHoose, City Clerk

802.21. - Issuance of Permit; Conditions.

**Subdivision 1. Permit Issuance.** If the Applicant has satisfied the requirements of this Section, the City shall issue a permit within a reasonable period of time of receiving a completed application.

**Subd. 2. Conditions.** The City may impose reasonable conditions upon the issuance of the permit and the performance of the applicant thereunder to protect the health, safety and welfare or when necessary to protect the right-of-way and its current use. In addition, a permittee shall comply with all requirements of local, state and federal laws, including but not limited to Minnesota Statutes §§ 216D.01—.09 (Gopher One Call Excavation Notice System) and Minnesota Rules Chapter 7560.

**Subd. 3. Screening.** The Permittee shall screen all above-ground facilities as required by the Director. Screening methods shall include the use of shrubs, trees and/or landscape rock or installation using camouflaged forms of the facility.

**Subd. 4. Small Wireless Facility Conditions.** In addition to subdivisions 2 and 3, the erection or installation of a wireless support structure, the collocation of a small wireless facility, or other installation of a small wireless facility in the right-of-way, shall be subject to the following conditions:

- (a) Each small wireless facility antenna ("antenna") shall be located entirely within a shroud or canister type enclosure. The diameter of the antenna enclosure at its widest point should not be wider than two times the diameter of the top of the wireless support structure.
- (b) A small wireless facility and enclosure shall only be collocated on the particular wireless support structure, under those attachment specifications, and at the height indicated in the applicable permit application.
- (c) All colors shall match the background of any wireless support structure that the facilities are located upon. In the case of existing wood poles, finishes of conduit shall be zinc, aluminum, stainless steel, or colored to match those metal finishes.
- (d) All cables, wires, and connectors related to the small wireless facility must be fully concealed on the wireless support structure and shall match the color of the wireless support structure.
- (e) No new wireless support structure installed within the right-of-way shall exceed 50 feet in height without the city's written authorization, provided that the city may impose a lower height limit in the applicable permit to protect the public health, safety and welfare or to protect the right-of-way and its current use, and further provided that a registrant may replace an existing wireless support structure exceeding 50 feet in height with a structure of the same height subject to such conditions or requirements as may be imposed in the applicable permit.
- (f) All antenna enclosures shall either be mounted to the top of the wireless structure pole aligned with the centerline of the wireless support structure, or mounted to the side of the wireless support structure such that the vertical centerline of the antenna enclosure shall be parallel with the wireless support structure No wireless facility may extend more than ten (10) feet above its wireless support structure.
- (g) Where an applicant proposes to install a new wireless support structure in the right-of-way, the city may impose separation requirements between such structure and any existing wireless support structure or other facilities in and around the right-of-way.

Small wireless facilities and wireless support structures shall be located no closer than 300 feet away, radially, from another small wireless facility and wireless support structure.

- (h) To the greatest extent possible, new wireless support structures shall not be located directly in front of any existing residential, commercial, or industrial structure and shall be located in line with existing lot lines.
- (i) Where an applicant proposes collocation on a decorative wireless support structure, sign or other structure not intended to support small wireless facilities, the city may impose reasonable requirements to accommodate the particular design, appearance or intended purpose of such structure.
- (j) Where an applicant proposes to replace a wireless support structure, the city may impose reasonable restocking, replacement, or relocation requirements on the replacement of such structure.
- (k) Tree “topping” or the improper pruning of trees is prohibited. Any proposed pruning or removal of trees, shrubs, or other landscaping already existing in the right-of-way must be noted in the application and must be approved by the City.
- (l) Ground mounted equipment cabinets shall be the color of brushed aluminum and additionally screened through the use of shrubs, trees, and/or landscape rock or installation using camouflaged forms of the facility.
- (m) New small wireless facilities and wireless support structures shall not be illuminated, except in accordance with state or federal regulations, or unless illumination is integral to the camouflaging strategy such as design intended to look like a street light pole.
- (n) The small wireless facility operator/permittee shall remove or paint over unnecessary equipment manufacturer decals. Small wireless facilities and wireless support structures shall not include advertisements and may only display information required by a federal, state, or local agency.
- (o) In residential areas, the small wireless facility operator/permittee shall use a passive cooling system. In the event that a fan is needed, the small wireless facility operator/permittee shall use a cooling fan with a low noise profile.
- (p) The applicant shall provide photo simulations from at least two reasonable line-of-site locations near the proposed project site. The photo simulations must be taken from the viewpoints of the greatest pedestrian traffic.

**Subd. 5. Small Wireless Facility Agreement.** A small wireless facility shall only be collocated on a small wireless support structure owned or controlled by the city, or any other city asset in the right-of-way, after the applicant has executed a standard small wireless facility collocation agreement with the city. The standard collocation agreement may require payment of the following:

- (a) Up to \$150.00 per year for rent to collocate on the city structure.
- (b) \$25.00 per year for maintenance associated with the collocation;
- (c) A monthly fee for electrical service as follows:
  - 1. \$73.00 per radio node less than or equal to 100 maximum watts;
  - 2. \$182.00 per radio node over 100 maximum watts; or

3. The actual costs of electricity, if the actual cost exceed the foregoing.

The standard collocation agreement shall be in addition to, and not in lieu of, the required small wireless facility permit, provided, however, that the applicant shall not be additionally required to obtain a license or franchise in order to collocate. Issuance of a small wireless facility permit does not supersede, alter or affect any then-existing agreement between the city and applicant.