

CITY OF SPRING LAKE PARK

ORDINANCE NO. 508

AN INTERIM ORDINANCE PROHIBITING NEW COMMUNICATION TOWERS AND ANTENNA SUPPORT STRUCTURES TO ALLOW FOR THE STUDY, ADOPTION, OR AMENDMENT OF OFFICIAL CONTROLS RELATED TO THE CITY CODE AND ZONING CODE

WHEREAS, the purpose and intent of this ordinance is to temporarily prohibit the acceptance, review, approval, permitting, and construction of new communication towers, antennas requiring new support structures, and related antenna support structures during the City's study and planning activities related to applicable land use regulations as well as its current communication tower and antenna regulations; and

WHEREAS, the City intends to study whether amendments are needed to its City Code, Zoning Code, land use regulations, public property regulations, and related official controls concerning communication towers, antenna support structures, and related facilities; and

WHEREAS, Minnesota Statutes, section 462.355, subdivision 4, authorizes municipalities to adopt interim ordinances to regulate, restrict, or prohibit any use, development, or subdivision while the municipality conducts studies or considers amendments to its official controls for the purpose of protecting the planning process and the health, safety, and welfare of its citizens; and

WHEREAS, the City is a substantially developed community with limited vacant land, and future land use change is expected to occur primarily through redevelopment; and

WHEREAS, new freestanding communication towers and antenna support structures may create long-term land use impacts that are difficult to reverse once constructed, including impacts on existing land uses, redevelopment potential, neighborhood compatibility, visual character, public infrastructure, public safety, and future land use planning; and

WHEREAS, the City's planning process has identified the need to analyze various interrelated planning factors to facilitate appropriate regulation of communication towers, antennas, and antenna support structures in various zoning districts and on public property; and

WHEREAS, the City should review whether its current regulations adequately address tower height, setbacks, fall zones, separation from residential uses, screening, lighting, design standards, signal interference, use compatibility, safe construction considerations, abandonment, removal, insurance, indemnification, performance security, application requirements, and collocation preferences; and

WHEREAS, the City should also review whether its current regulations adequately distinguish between new freestanding communication towers, collocation on existing structures, eligible facilities requests, public safety communication facilities, private residential antennas, amateur radio antennas, and small wireless facilities governed by state law; and

WHEREAS, a temporary moratorium is necessary to protect the City's planning process, prevent applications for new communication towers and antenna support structures from being submitted under potentially outdated regulations, preserve the City's ability to consider appropriate amendments, and promote the public health, safety, and welfare.

THE CITY COUNCIL OF THE CITY OF SPRING LAKE PARK DOES ORDAIN:

SECTION 1. INTERIM ORDINANCE.

Except as otherwise provided in this ordinance, any new communication tower, antenna requiring a new antenna support structure, freestanding wireless communication tower, monopole, lattice tower, guyed tower, or related or similar antenna support structure, hereinafter collectively referred to as "Communication Facilities," shall be prohibited for a period of one year from the effective date of this ordinance or until the City Council adopts regulations or amendments for such Communication Facilities, whichever occurs first.

During the interim ordinance period:

- A. No building permit applications for Communication Facilities shall be accepted, processed, approved, or issued by the City;
- B. No planning, zoning, conditional use permit, interim use permit, variance, site plan, administrative permit, or similar land use application for Communication Facilities shall be accepted, processed, approved, or issued by the City;
- C. No Comprehensive Plan amendment application shall be accepted, processed, or approved by the City if the Comprehensive Plan amendment is related to an application for Communication Facilities; and
- D. No permit, license, or other City approval for Communication Facilities shall be accepted, processed, approved, or issued by the City.

SECTION 2. EXCLUSIONS.

- A. Small wireless facilities, wireless support structures, collocation of small wireless facilities, or related applications, permits, or approvals governed by Minnesota Statutes, sections 237.162 and 237.163;
- B. Eligible facilities requests that the City is required to approve under applicable federal law, including 47 U.S.C. § 1455 and applicable Federal Communications Commission regulations;
- C. Collocation, removal, or replacement of transmission equipment on an existing tower, base station, building, utility pole, or other existing support structure, provided the work does not involve construction of a new communication tower or new antenna support structure subject to this ordinance;

- D. Ordinary repair, maintenance, or replacement of lawfully existing antennas, towers, support structures, or related equipment, provided the work does not establish a new communication tower or new antenna support structure subject to this ordinance;
- E. Emergency repairs necessary to protect public safety or restore communication services;
- F. Communication facilities owned, operated, installed, or directed by the City for public safety, emergency management, public works, utility, traffic control, or other municipal purposes; and
- G. Amateur radio antennas, residential television antennas, satellite dishes, or similar private residential antennas that are otherwise permitted by City Code and applicable law, provided they do not require construction of a new communication tower or antenna support structure subject to this ordinance.

SECTION 3. STUDY.

During the period of this interim ordinance, the Planning Commission and/or the City Council shall, and hereby does direct City staff, consultants, and the City Attorney, as appropriate, to study the required planning and public safety factors for the timely amendment, adoption, or confirmation of official controls related to Communication Facilities.

The study may include review of the City's City Code, Zoning Code, Comprehensive Plan, public property regulations, application requirements, permit procedures, and related official controls. The study may also include review of applicable state and federal law, current communication technology, collocation opportunities, zoning district standards, height and setback requirements, fall zone standards, screening and design requirements, signal interference, use compatibility, safe construction considerations, abandonment and removal requirements, insurance and indemnification requirements, and the relationship between Communication Facilities and redevelopment opportunities within the City.

SECTION 4. STAFF DIRECTION.

City staff is directed to conduct a study, gather information, and make recommendations to determine whether and how the City Code, Zoning Code, and related official controls should be amended regarding Communication Facilities to better protect the public health, safety, and welfare of the residents of Spring Lake Park.

SECTION 5. EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its passage and publication according to law.

PASSED AND ADOPTED BY THE SPRING LAKE PARK COUNCIL this 20th day of July 2026.

AYE NAY ABSENT ABSTAIN

Councilmember Wendling

Councilmember Goodboe-Bisschoff

Councilmember Dircks

Councilmember Moran

Mayor Nelson

Presiding Officer

Attest

Robert Nelson

Mayor

Daniel R. Buchholtz

Administrator, Clerk/Treasurer