
TO: Kate Thunstrom, City Administrator
FROM: Paul Carpenter, Public Works Director
SUBJECT: Ordinance Amendment - City Code Chapter 7, Section 5, Subdivisions 3, 7, 9, 10, 14, and 20 adding Small Cell Wireless Facility – First Reading
DATE: April 20, 2026

OVERVIEW:

Small cell technology became a major infrastructure focus leading up to Super Bowl LII in Minneapolis, which served as a "proving ground" for the technology that is still being used today. The city needs an ordinance in place for the reasons listed below:

1. Aesthetic Control and Neighborhood Character

Small cells are much denser than traditional towers, requiring a unit every few blocks. An ordinance allows cities to enforce:

- Design and Stealth Standards: Requirements for equipment to be camouflaged, painted to match existing poles, or hidden inside "stealth" structures.
- Historic and Design Districts: More stringent rules for aesthetically sensitive areas, such as historic districts or underground utility zones.
- Preferred Siting: Prioritizing placement on existing infrastructure (like streetlights) over the construction of new poles.

2. Public Safety and Right-of-Way Management

Cities have a duty to manage their public rights-of-way (ROW) to ensure they remain safe and functional. An ordinance helps:

- Prevent Physical Obstructions: Ensuring poles do not interfere with sidewalks, traffic signals, or vehicular sightlines.
- Structural Safety: Requiring permits to verify that existing poles can handle the weight of new equipment and comply with safety codes.
- Interference Prevention: Ensuring new wireless signals do not disrupt existing city communications or emergency services.

3. Compliance with Federal "Shot Clocks"

The Federal Communications Commission (FCC) imposes strict timelines (often 60 or 90 days) for cities to approve or deny applications.

- An ordinance creates a standardized administrative process, ensuring the city doesn't miss these deadlines, which could result in a "deemed granted" status where the carrier can build without local input.

4. Administrative and Cost Recovery

Federal law limits how much a city can charge carriers for using the public ROW.

- An ordinance allows a city to set and collect reasonable fees to cover the actual costs of application review, inspections, and ongoing management.

5. Managing Rapid Infrastructure Growth

With the rollout of 5G, the number of small cell deployments has grown by over 500%. Without a preemptive ordinance the city risks the ability to negotiate placements effectively.

ACTION TO BE CONSIDERED:

Council approves the 1st reading of Ordinance 357 approving the amendment of City Code Chapter 7, Section 5, Subdivisions 3, 7, 9, 10 14, and 20 adding Small Wireless Facility.

The following timeline will apply:

- April 20 – 1st Reading
- May 18th – 2nd Reading
- May 21st – Published for comment
- June 21st - Effective

BUDGET IMPLICATION:

None

Attachments:

- Ordinance 357 amending City Code Chapter 7, Section 5, Subdivisions 3, 7, 9, 10, 14, and 20 adding Small Cell Wireless Facility