

Small Cell Wireless Infrastructure Design Guidelines

Pursuant to the Federal Communications Act of 1934, as amended; Minnesota Statutes Sections 237.162-.163; and Burnsville City Code Title 8, Chapter 14 Right-of-Way, the City of Burnsville provides the following Small Cell Wireless Infrastructure Design Guidelines to aid small cell wireless providers with placement and aesthetic design decisions for proposed small cell wireless infrastructure, including the wireless facility and all associated equipment required for operation of the small cell wireless facility, within public rights-of-way. This document serves only as guidance and each proposed small cell wireless installation will be evaluated based on a number of factors, including but not limited to: specific location or district, adjacent land uses, proximity to other providers and other utilities, and other jurisdictional/ownership requirements.

Definitions:

DIRECTOR: The City's Public Works Director, City Engineer, or designee.

MICRO WIRELESS FACILITY: A small wireless facility that is no larger than twenty four inches (24") long, fifteen inches (15") wide, and twelve inches (12") high, and whose exterior antenna, if any, is no longer than eleven inches (11").

SMALL WIRELESS FACILITY: (A) A wireless facility that meets both of the following qualifications:

1. Each antenna is located inside an enclosure of no more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all its exposed elements could fit within an enclosure of no more than six (6) cubic feet; and
2. All other wireless equipment associated with the small wireless facility, excluding electric meters, concealment elements, telecommunications demarcation boxes, battery backup power systems, grounding equipment, power transfer switches, cutoff switches, cable, conduit, vertical cable runs for the connection of power and other services, and any equipment concealed from public view within or behind an existing structure or concealment, is in aggregate no more than twenty eight (28) cubic feet in volume; or

(B) A micro wireless facility.

Aesthetics:

- Burnsville City Code 8-14-9(C) Screening And Decorative Structures: The permittee shall screen all aboveground facilities and make reasonable accommodations for decorative wireless support structures or signs, as required by the Director. Screening methods shall include the use of shrubs, trees and/or with landscape rock or installation using stealth or camouflaged forms of the facility. The Director may also impose reasonable restocking, replacement, or relocation requirements when a new wireless support structure is placed in a public right-of-way.

- Providers must consider the aesthetics of the existing streetlights and neighborhoods adjacent to proposed small cell locations. New or replacement small cell wireless support structures must resemble in aesthetics, color, and style, the surrounding support structures. In areas where decorative poles exist, the provider must show how their support structure design will be consistent with the adjacent aesthetics, including but not limited to mast arms, decorative pole bases, architectural luminaires, mounting heights, pole colors, etc. Additionally, in districts or areas with a designed or planned streetscape, the provider must show a plan for block that shows how their small cell wireless support structure fits in with the streetscape including but not limited, structure design and aesthetics, structure spacing, proximity to other streetscape elements within the block such as trees, planting beds, trash receptacles, benches, etc.
- Where practical, equipment associated with small cell wireless facilities should be provided underground in a vault or handhole rather than in an above ground pedestal. Where impractical for equipment associated with small cell wireless facilities to be underground, the above ground pedestal or cabinet must be a consistent color to the nearby pole, and where possible, screened.
- All of the small cell wireless facility affixed to a wireless support structure that has exterior exposure shall be as close to the color of the wireless support structure as is commercially available. When practical, cables, wires, and/or appurtenances shall not be exposed and shall be encased in a shroud that is as close to the color of the wireless support structure as is commercially available. For exposed cables, wires, and/or appurtenances that are impractical to cover, the cables, wires, and/or appurtenances should be provided in commercially available colors that are close to the wireless support structure and small cell wireless facility.
- The City reserves the right to specify support structures to be placed in City right-of-way to ensure consistency between providers.

Restoration:

- Burnsville City Code 8-14-11(A) Timing: The work to be done under the excavation permit, and the patching and restoration of the right-of-way as required herein, must be completed within the dates specified in the permit, increased by as many days as work could not be done because of circumstances beyond the control of the permittee or when work was prohibited as unseasonal or unreasonable under section 8-14-14 of this chapter (of the Burnsville City Code).

Location:

- Burnsville City Code 8-14-22(I)1. All facilities shall be placed in appropriate portions of right-of-way so as to cause minimum conflict with other underground facilities.
- Burnsville City Code 8-14-23(C) Limitation Of Space: To protect the public health, safety, and welfare or when necessary to protect the right-of-way and its current use, the city shall have the power to prohibit or limit the placement of new or additional facilities within the right-of-way. In making such decisions, the city shall strive to the extent possible to accommodate all existing and potential users of the right-of-way, but shall be guided primarily by considerations of the public interest, the public's needs for the particular utility service, the condition of the right-of-way, the time of year with respect to essential utilities, the protection of existing facilities in the right-of-way, and future city plans for public improvements and development projects which have been determined to be in the public interest.
- Collocation is preferred when practical. When collocating on a City facility, the small cell wireless provider must enter into a master collocation agreement approved by the City Council and provide details for each collocation in the form of a permit and supplemental agreement that must be approved by the Public Works Director or his/her designee.
- Collocation on traffic signal infrastructure will not be permitted.
- Small Cell Wireless support structures must be separated by a minimum of 300 feet. Small cell wireless providers are encouraged to collocate with other providers, as multiple small cell wireless facilities are permitted on the same support structure. Wireless support structures may be no higher than fifty (50) feet above ground level unless the user is replacing an existing support structure that exceeded fifty (50) feet in height, in which case the replacement can exceed fifty (50) feet but be no higher than the previous structure.

Conditional Use Permit:

- Burnsville City Code 10-7-7 Essential services shall be permitted as authorized and regulated by State law and the provisions of this Code, it being the intention that such are exempt from the application of this title, except that small wireless or other telecommunications facilities, to the extent allowed by State law or this Code to be placed in the right-of-way as specified by title 8, chapter 14 of this Code, shall be allowed only as a conditional use if located within or abutting zoning districts allowing residential uses, if the proposed facility is to be located on a new or replacement pole or support structure.

(A) Conditions for locating small cell wireless facilities in residential and historical districts:

1. Standard Conditions:

a. Height of all facilities shall not exceed the average height of all structures on the block or the maximum height of structures allowed in the district, whichever is less.

b. All facilities shall be located in the right-of-way in the area defined by the side

yard drainage and utility easement area. If an area does not have drainage and utility easements then the facilities shall be within five feet (5') of a side property line.

c. All facilities within any front or rear setback areas shall be located closest to the property line, furthest from the road centerline as possible, but no further back from the curb or any sidewalk or trail than ten feet (10').

d. All facilities shall be located as near as practicable to intersections.

e. All facilities shall be located to the extent practicable on existing poles and other structures currently in the right-of-way.

2. Other Conditions:

a. Other conditions unique to the proposed placement of facilities in the right-of-way may be attached to protect the health, safety and welfare of neighboring properties, other users of the right-of-way, and the public.