

**TOWN OF LINWOOD
ANOKA COUNTY
STATE OF MINNESOTA**

ORDINANCE NO. 212

**AN ORDINANCE AMENDING CHAPTER 24, ARTICLE III SECTION 24-382, 24-483,
24-484, AND 24-486**

The Board of Supervisors of the Town of Linwood hereby ordains:

SECTION 1. Periodic Submissions. Section 24-382 of the Linwood Town Code is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Section 24-382 Periodic Submissions

(10) A report prepared by a registered engineer stating that the configuration of the antenna support structure complies with applicable Federal and State of Minnesota safety regulations, or, in the case of the addition or replacement of an antenna support structure described in the original Interim Use Permit issued thereunder to the property owner, a report prepared by a registered engineer stating that the design and proposed method of constructing such added or antenna support structure complies with applicable Federal and State of Minnesota safety regulations.

~~(10)~~ (11) Applications may be rejected by the town if the applications contain disclaimers which state or imply that the actual antenna support structure and/or antennas may not be constructed as is represented within the application materials. Applications shall accurately describe and depict the actual antenna support structure/antennas that the applicant wishes to have reviewed.

SECTION 2. Primary and accessory use. Section 24-483 of the Linwood Town Code is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Sec. 24-483. – Primary and accessory use.

- a. The use of antenna/antenna support structures may be either a principle or an accessory use of land subject to issuance of an interim use permit. If the use is considered a principal use, then the "minimum vacant lot size" requirements of section 24-484 apply. An antenna/support structure may also be considered an accessory use on a parcel of land on which a principal use already exists, thus a smaller parcel of land may be used provided all other standards contained in this article are met. If the antenna support structure is initially considered a principle use and subsequently another use is added to the property, the antenna support structure will be considered an accessory use, only if such principal use is allowed in the zoning district and the antenna is able to meet setback regulations of this chapter.

SECTION 3. Maximum antenna support structure height and vacant lot size requirement. 24-484 of the Linwood Town Code is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Sec. 24-484. Maximum antenna support structure height and vacant lot size requirements.

<i>Zoning District</i>	<i>Maximum Height</i>	<i>Minimum Vacant Lot Size</i>
R-1	165'	10 acres
R-2	195'	10 acres
General Business	195'	2.5 acres
<u>R-A</u>	<u>165'</u>	<u>5 acres</u>

SECTION 4. Distance from Residences. Section 24-483 of the Linwood Town Code is hereby amended by adding the double-underlined language and deleting the ~~stricken~~ language as follows:

Sec. 24-486 Distance from ~~Residences~~ Structures

(a) Antenna support structures of up to 150 feet in height shall not be constructed within 600 feet of any residential structure.

(b) Antenna support structures of over 150 feet in height shall not be constructed within 1,000 feet of any residential structure.

(c) Notwithstanding subsections (a) and (b) of this section, if an antenna support structure is located on the same parcel of land as a residential structure that is owned by the same person, the setback to that residential structure may be equal to the height of the antenna support structure plus 30 feet.

(d) Buildings for uses permitted in the General Business District may not be located closer to the antenna support structure than a distance equal to the height of the antenna support structure.

(e) A variance from the distance requirement in paragraph (d) above may be granted by the town board, provided that a professional engineer certifies that the tower is designed with its weakest stress point at the midpoint of the antenna support structure such that it will fold on itself in the event of collapse. If the antenna support structure is not designed to fold on itself in the event of collapse, no variance shall be granted.

Adopted by the Linwood Township Board of Supervisors on this 22nd day of August 2023.

LINWOOD TOWNSHIP

Robert Millerbernd, Chairman

Public Hearing: August 15, 2023

Adopted: August 22, 2023

Published: August 31, 2023

ATTEST: _____
Pamela J. Olson, Clerk