

Land Use Telecommunications Application 2025

(Please upload completed form with building permit application)



PROJECT TYPE (check all that apply)	☐ Existing Antenna Replacement Review ☐ New Antenna Placement Review ☐ New Tower (less than 80") Site Zoning Land Use Plan Review	*Additional fees and process required for the following project types, please contact Planning Division prior to submission* ☐ Maintenance/Replacement on City Water Tower/Tank ☐ New Location on City Water Tower/Tank ☐ New, Renewal or Alteration of City Lease
SITE SPECIFICATIONS	Site Address: _____ Zoning District: _____ (if zoned R1 or adjacent to R1 property, a Conditional Use Permit is required – CUP Application)	
APPLICANT INFORMATION	Service Provider: _____ Phone: _____ Authorized Agent: _____ Address: _____ City/State/Zip: _____ Email: _____ Phone: _____	
REQUIRED INFORMATION	1. Does the application modify an existing Tower or Base Station? ____ Yes ____ No 2. Does the application involve the colocation, removal, or replacement of transmission equipment? ____ Yes ____ No 3. Does the request modify the Tower in any of the following ways? (Check all applicable modifications) ☐ Increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet (as measured from the top of the existing antenna to the bottom of the proposed new antenna), whichever is greater; ☐ Involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; ☐ Involves installation of more than the standard number of new cabinets for the technology involved, but not to exceed four cabinets;	

	☐ Entails any excavation or deployment of transmission equipment outside of the current site by more than 30 feet in any direction; ☐ Would defeat the concealment elements of the structure; or ☐ It does not comply with previously issued conditions. 4. Does the request modify the Base Station in any of the following ways? (check all applicable modifications) ☐ Involves installation of more than the standard number of new cabinets for the technology involved, but not to exceed four cabinets. ☐ Involves installation of any new equipment cabinets on the ground if there are currently none or involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other existing ground cabinets. ("Equipment cabinets" does not include relatively small electronic components, such as remote radio units, radio transceivers, amplifiers, or other devices mounted on the structure.); ☐ Entails any excavation or deployment outside the current site; ☐ It would defeat the concealment elements of the structure; ☐ It does not comply with previously issued conditions.	
FEES (more than one fee may apply)	Administrative Review (non-refundable; required for all projects) \$600 Payment must be mailed via check to City of Eden Prairie Attn: Planning Division. This is a separate fee from the building permit fee.	Antenna License Deposit Agreement \$5,000 Required for any new, renewal or alterations to City Lease Agreement Deposit Agreement \$9,000 Required for all projects located on City water tower/tanks.
SUBMISSION REQUIREMENTS/ REVIEW INFORMATION	• Review City Code Chapter 11 Section 11.06 titled "Towers and Antennas" • Administrative Review Process highlighted on page 3 • See pages 3 and 4 for a proposed new tower. May require a Planning Commission and City Council review if over 80' in height.	
CITY CONTACT	Sarah Strain: 952-949-8413, SStrain@edenprairie.org	
REQUIRED SIGNATURES	_____ Applicant/Authorized Representative _____ Date _____ Property/Fee Owner _____ Date	

ADMINISTRATIVE REVIEW PROCESS

1. Planning Division reviews Telecommunications Land Use Applications as part of the Building Permit review. Please ensure Land Use Application is included with submission for Building Permit.
 2. Building Permit will not be approved until Land Use review is complete and payment is received.
 3. Planning Division staff will upload approved Telecommunications Land Use permit into ProjectDox file once review is complete.
 4. If application is complete, you will receive the approved Telecommunications Land Use permit within 15 business days. If application is incomplete a letter identifying items that will need to be submitted for a complete application package, will be emailed to you.
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SUBMISSION REQUIREMENTS FOR A NEW TRANSMISSION TOWER

1. Legal description of property.
2. The location of all existing towers within one mile of the location of the proposed **new** tower, together with the distances between the existing towers and the proposed tower.
3. A certificate of survey, to scale, showing the location of the tower and tower setbacks from property lines. Location of any ground-mounted, ground-based telecommunication equipment and/or, accessory structures with setbacks to property lines. NOTE: **(a site plan for co-location sites not required unless otherwise directed by City staff)**
4. Description of the tower, including its height, size of base, configuration, design, number of antennas to be attached to the tower, potential for additional antennas, color and camouflage treatment and lighting, if any, and materials out of which the tower will be constructed.
5. Description of any ground mounted equipment and or accessory structures including size, dimensions, and materials of the equipment and/or accessory structures planned. Provide a screening plan for ground-based telecommunication equipment located on private property according to City Code Chapter 11, Section 11.03, and screening plan for ground-based equipment in public right of way City Code Chapter 11, Section 11.06.
6. A certificate by a qualified registered professional engineer in such form as approved by the City Manager or designee that the applicant's commercial wireless telecommunications services equipment cannot be accommodated on an existing tower in accordance with City Code, Chapter 11, Section 11.06 and a certificate by a qualified registered professional engineer selected or approved by the City Manager or designee that the commercial wireless telecommunications services to be accommodated on the proposed tower or increase in size or capacity of an existing tower will not interfere with public safety wireless telecommunications.

7. The application package shall be accompanied by payment of such fees as provided by City Council resolution. Fees shall include reimbursement to City of its costs, including those incurred for consulting and technical advice relating to the proposed tower.
8. Color propagation maps showing area of coverage, that is, current coverage and proposed coverage.
9. Submit an "Antenna License Deposit Agreement" if antenna or tower located on City owned property.

CITY OF EDEN PRAIRIE

DEPOSIT AGREEMENT

THIS AGREEMENT is made and entered into on the _____ day of _____, 2025, by

_____.

("Applicant") for the benefit of the City of Eden Prairie, a Minnesota Municipal corporation ("City"). **WHEREAS**, Applicant has applied to City for the following approval(s) or action(s)

a.

b.

c.

d.

(the "Requested Approval"); and,

WHEREAS, in conjunction with City's review of the Requested Approval, City may incur costs, including administrative, planning, engineering, and other consulting costs, and City requires a guaranty that such costs will be paid by Applicant; and

WHEREAS, Applicant acknowledges the receipt of a benefit from City's review of the Requested Approval and from City's Review Costs;

NOW, THEREFORE, Applicant agrees as follows for the benefit of the City:

1. Deposit. Applicant has made the following deposits required for the Requested Approvals, consistent with Resolution 93-6 (all such deposits hereafter collectively referred to as the "Deposit Funds"):

☐ **Check Box for Administrative Review Applications** (Combination / Subdivision or Lot Line Adjustments)

Total Acres _____

Deposit Amount _____

2. Use of Deposit Funds. City may, at any time, draw upon the Deposit Funds to pay Review Costs for the Requested Approvals. City shall determine the Review Costs based upon the rates listed in the most current fee schedule adopted by the Eden Prairie City Council.

The fee schedule is subject to change by the City Council, without notice to the Applicant.

3. Conditions of Deposit. The following conditions shall apply to the Deposit Funds:
- a. Administrative hourly rates for processing applications shall be charged at a flat rate of \$100 per hour.
 - b. Payment shall be made to City consultants, including but not limited to, engineering, legal and planning, in the amounts actually billed, according to the customary consulting rates in effect at that time. Such consulting services or costs shall reasonably and necessarily relate to the subject matter of the Requested Approval, as determined by City in its sole discretion.
 - c. Payment shall be made to cover costs relating to public hearing mailings.
 - d. City shall not be responsible for paying any interest on the Deposit Funds.
 - e. If in the discretion of City, there is deemed to be an inadequate balance in Applicant's deposit account to pay for all the Review Costs incurred or to be incurred by City, City will notify Applicant of the need for additional Deposit Funds. Applicant agrees to make such additional deposits within ten (10) days of mailing of such notice.
 - f. No Requested Approval will be acted upon or processed by any City personnel until all Deposit Funds due at the time of original submission, or which thereafter become due pursuant to subparagraph 3.d., have been paid in full.

4. Positive Balances in Account. In the event there is a positive balance in the deposit account and there is (a) completion of the development process, either in the form of final approval or final denial of the Requested Approvals, or (b) an application is withdrawn, in writing, by Applicant, then the balance shall be paid to Applicant within ninety (90) days of receipt by City of a written request by Applicant for payment.
5. Accounting. Upon Request by Applicant, City will provide an accounting of all expenses charged against the account, but in no event more often than once every 30 days. An accounting will be provided when City notifies Applicant of a requirement for additional deposits and when the account is closed.
6. Application Fees. Applicant understands and agrees that the Review Costs and Deposit Funds are in addition to, and not in lieu of, City application fees.
7. Breach. In the event of breach of any terms of this Agreement by Applicant, City may, at its option, cease processing any Requested Approval which has been submitted by Applicant to cease any further development or work on any project to which the Requested Approval relates. Applicant shall be responsible for all costs and expenses, including attorney's and expert's fees and costs, incurred by City to enforce this Agreement or to collect any monies due to City from Applicant pursuant to this Agreement.
8. Validity. If any portion, section, subsection, sentence, clause, paragraph or phrase of this Agreement is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Agreement.
9. Amendments. No amendment or change of any kind to this Agreement shall be valid unless made in writing and with the consent of the City.
- 10 Binding Agreement. Applicant recognizes and agrees that all terms and conditions of this Agreement shall be binding upon the heirs, successors, administrators, and assigns of Applicant.

IN WITNESS WHEREOF, the Applicant has caused these presents to be executed as of the day and year aforesaid.

APPLICANT

By: _____

Its _____

STATE OF MINNESOTA)

)ss.

COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this ____ day of _____, 2025,
by _____, the _____ of _____,
a Minnesota _____, on behalf of the _____.

Notary Public