

CITY OF MILWAUKEE

**TRANSMISSION TOWER
POLICY STATEMENT**

INTRODUCTION

This policy has been developed through the joint efforts of elected officials, the Plan Commission and staff from various City of Milwaukee departments. The policy is designed to establish city-wide goals, policies and objectives applicable to transmission towers as a major land use within the City of Milwaukee. The policy is also designed to be general in nature in order to accommodate rapidly advancing technology in the area of communications.

THE PLANNING CONTEXT: The Comprehensive Plan

This policy is one component of Milwaukee's Comprehensive Plan. The Comprehensive Plan is a guide for all City planning, programming, and budgeting decisions.

In February, 1978, the Common Council established an overall policy of preservation, which is the initial component of the Comprehensive Plan. The Preservation Policy emphasizes that Milwaukee must concentrate on preserving its current share of the region's population, housing, employment, services, and tax base. The Preservation Policy is the overall City strategy used in preparing the Comprehensive Plan's other three components, which are increasingly specific in scope. There is a citywide component, a component for subareas of the city, and a component for individual neighborhoods, where appropriate. Each component defines goals, policies, and objectives for major land use activities in the city, like housing and transportation. This policy is the citywide component for transmission towers.

The comprehensive planning process for transmission towers, as well as for other land use activities in the city, is to continuously evaluate city trends and to formulate and implement consistent and realistic goals, policies, objectives, and programs. The steps of the process are:

1. Monitor and report on citywide and subarea trends;
2. Discuss trends with officials and citizens in the context of their philosophy on what the city can and should be and the range of realistic, available options;
3. Establish goals, policies, and objectives;
4. Establish strategies, programs, and budgets to achieve goals, policies, and objectives; and

5. Evaluate progress toward goals.

The first three steps establish the goals and policies the City wishes to achieve. The fourth step establishes an implementation plan — how the goals and policies can be achieved. The final step monitors the results of the implementation of the policy.

TRANSMISSION TOWER POLICY STATEMENT

It is the policy of the City of Milwaukee to accommodate the radio wave infrastructure systems necessary for a thriving economy and for the personal convenience of its citizens and visitors. These infrastructure systems must, however, be carefully planned and regulated so that economic vitality and personal convenience do not come at the expense of neighborhood stability and urban aesthetics. The provisions of this policy, when implemented, should provide an opportunity for tower proponents, affected neighbors and other interested citizens to share information and to participate in an open decision making process. The policy statements which follow, along with public testimony and other case-specific information, will form the basis for future decision-making by the City.

This policy statement has been prepared in recognition of extensive state and federal regulation of communications and transmission towers. Future City regulation of transmission towers must be consistent with all applicable state and federal statutes, orders, rules and regulations governing the communications field generally and the construction or operation of transmission towers.

Transmission towers generally come in two varieties — those that support TV and radio reception/transmission systems ("RTS"), and those that support personal communications systems, cellular communications facilities, personal wireless services and similar facilities ("PWS"). The former are usually very tall (often over 1000 feet in height) and relatively few in number. The latter are relatively short (100 - 200 feet in height) but are becoming quite numerous. The policy statements apply to either or both tower types as noted.

General design standards should be applicable to all transmission towers, both RTS towers and PWS towers. Tower design should be as advanced as technologically feasible and take into consideration the individual site characteristics and the proximity of other buildings/uses. Plans should include at-grade screening of equipment, storage buildings, and structural support elements. Access drives should be paved. Towers should not be illuminated except as required by FAA or other applicable standards. The base of any freestanding tower should be located a distance at least equal to 25% of the tower height

away from the nearest habitable structure. When proposing a transmission tower to be located within 1000 linear feet of any building for which an occupancy permit is required, proponents should be required to make extra efforts to be "good neighbors" by minimizing potential adverse impacts. Proponents should indicate in their application materials the steps which will be taken to protect nearby properties from adverse impacts. Such steps could include installation of extra landscaping or other types of buffering, provision of informational materials about the construction and operation of the tower and scheduling informational meetings to discuss the tower proposal.

Transmission towers which exceed applicable height limitations as established by the City of Milwaukee Zoning Code should be established as special uses and reviewed in light of the following policy statements:

1. Regional Distribution (Applicability: RTS Towers Only). The City recognizes the need to provide for towers necessary to meet the needs of the City and surrounding areas. It is the policy of the City to encourage the placement of such towers within the City in a manner which will serve the public convenience of its citizens. The City should not become the regional repository for all such towers, either as a result of inadequate regional planning or unduly restrictive regulation in other surrounding communities, where such towers do not primarily serve the public convenience of the citizens of the City. Applicants seeking approval of plans for the construction or operation of towers or for modifications which change the character of towers should affirmatively demonstrate the manner in which the proposed tower serves the public convenience.

2. Coordinated Usage (Applicability: Both RTS Towers and PWS Towers). As advances in technology render it feasible to improve overall communications while reducing the total number of transmission towers, it is the policy of the City to strongly encourage the design of such towers to accommodate multiple users in order not only to reduce the proliferation of such towers, but also to secure a reduction in the total number of towers. To the extent that transmission towers can hold multiple reception/transmission ("R/T") systems, tower proponents should be strongly encouraged to make every effort to locate their R/T systems on existing structures. Applicants for new transmission towers should be encouraged to design such facilities to accommodate multiple R/T systems and associated equipment in order to fulfill the City's policy of reducing the total number of towers over time. At a minimum, RTS towers for TV and/or radio facilities should be designed to support at least three R/T systems having similar power. PWS towers should be designed to accommodate as many systems as are feasible. The extent to which proposed towers promote the City's policy of providing for consolidated usage is a factor to be considered in the ultimate determination as to whether such towers meet the public convenience. Any Zoning Code amendments adopted

pursuant to this policy should provide specific requirements and criteria for the design of towers in order to contribute to meeting the overall planning objective of coordinated usage.

3. Consolidation (Applicability: RTS Towers Only). Accomplishment of the policy objective providing for coordinated usage of transmission towers should lead to a reduction in the total number of such towers within the City through consolidation. It is the policy of the City to strongly encourage such consolidation in order not only to reduce potential proliferation of transmission towers, but also to secure a net reduction in the total number of transmission towers. The extent to which a proposed tower promotes the City's policy of consolidation should be taken into consideration in determining whether such transmission towers serve the public convenience at a particular location. Applicants for the approval of new towers who are able to demonstrate that the construction of such new towers will ultimately result in the removal of one or more existing towers should be presumptively deemed to have demonstrated that such towers will indeed fulfill the policy objective providing for consolidation of transmission towers.