

(Summary Published in the McPherson Sentinel _____, 20____, once)

ORDINANCE NO. 3304

**AN ORDINANCE FOR ADOPTION OF SMALL CELL
AESTHETIC STANDARDS FOR THE CITY OF McPHERSON,
KANSAS**

WHEREAS, the governing body of the City of McPherson, Kansas finds it available to adopt clear and consistent aesthetic standards for placement of small cell antenna structures within the public right-of-way; and

WHEREAS, the governing body of the City of McPherson, Kansas likewise finds it advisable to adopt a review process for applications submitted in accordance with the aesthetic standards for placement of small cell antenna structures; and

WHEREAS, on December 31, 2018, the governing body adopted both aesthetic standards for placement of small cell antenna structures and a fee schedule for applications, but finds it advisable to modify the aesthetic standards portion to adjust for certain safety standards for the protection of utility workers and the citizens of McPherson.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MCPHERSON, KANSAS:

Section 1. The attached aesthetic standards for placement of small cell antenna structures is hereby adopted and declared to be the official aesthetic standards for the jurisdiction of the City.

Section 2. Said standards shall constitute the basis for determination of approval of applications submitted after the effective date for placement of small cell antenna structures.

Section 3. Application fees shall be set from time to time by Resolution of the governing body.

Section 4. Applications shall be subject to the following time limits:

- A. Applications must be reviewed for completeness and applicant shall be notified in writing if the application is unacceptable within 10 days of submission.
- B. Re-submitted applications must be reviewed for completeness and applicant shall be notified in writing if the application is unacceptable within 10 days of submission.

- C. An application to collocate a small wireless facility on an existing structure shall be acted on within 60 days of application.
- D. An application to request a non-substantial modification, including modifications to macro towers, shall be acted on within 60 days of application.
- E. An application to collocate a facility other than a small wireless facility using an existing structure shall be acted on within 90 days of application.
- F. An application for a small wireless facility using a new structure shall be acted on within 90 days of application.
- G. An application for a facility other than a small wireless facility using a new structure shall be acted on within 150 days of application.
- H. Notification to the applicant that the application is unacceptable in writing will toll the time limits.

Section 5. Repeal. Any and all prior aesthetic standards for small cell systems adopted by prior ordinance are hereby repealed and in their place the new standards attached to this ordinance are adopted.

Section 5. Publication and Effective Date. This ordinance shall take effect and be in full force and effect from and after its passage, signature and publication of a summary of this ordinance in the official city newspaper and posting of the full text of the ordinance on the city's website in compliance with K.S.A. 12-3007(b).

ADOPTED by the governing body this 22nd day of April, 2019.

CITY OF MCPHERSON, KANSAS

Thomas A. Brown, Mayor

[SEAL]

Attest:

Tamra K. Seely, City Clerk

Ordinance No. 3304, Summary

On April 22, 2019, the City of McPherson, Kansas adopted Ordinance No. 3304 providing for adoption of modified small cell aesthetic standards for the City. A complete copy of this Ordinance is available at www.mcpcity.com or at the Municipal Center, 400 E. Kansas, McPherson, Kansas. Jeffrey A. Houston, City Attorney, certified this summary.