

SECTION 28. ESSENTIAL SERVICES

Subdivision

28.01 Purpose

28.02 Special Permit Required

28.03 Conditional Use Permit Required

28.01 PURPOSE: The purpose of this section is to provide for the installation of essential services such as telephone lines, pipelines, electric transmission lines and substations in such a manner that the health, safety, and welfare of the City will not be adversely affected. Essential services shall also be installed in recognition of existing and projected demands for such services.

28.02 SPECIAL PERMIT REQUIRED: All underground communication lines, pipelines for distribution to individual properties within the City, and all, underground electric transmission lines, overhead utility lines, electric transmission lines, and substations less than 33 KV, when installed in any location in the City, shall require a permit subject to review by the City Engineer and approval by the City Council and shall be processed according to the following:

- A. Prior to the installation of any of the essential services defined above, the owner of such service shall file with the City Engineer, all maps and other pertinent information as deemed necessary by the City Engineer for review the proposed project.
- B. The City Engineer shall document in writing the findings as to the compliance of the proposed project with the Comprehensive Plan and any other applicable City regulations.
- C. In considering applications for the placement of essential services, as regulated in this section, the aforesaid City Engineer and City Council shall consider the effect of the proposed project upon the health, safety and general welfare of the City, as existing and as anticipated, and the effect of the proposed project upon the Comprehensive Plan.
- D. Upon approval of the City Council, a permit for the installation and operation of the applicant's essential services shall be issued. If the City Council denies the permit, the applicant may appeal said decision to Stearns County District Court under the rules and procedures set forth in Section 8 of this Ordinance."

28.03 CONDITIONAL USE PERMIT REQUIRED: All transmission pipelines (i.e., pipelines

not required for the St. Augusta local distribution network), and overhead and underground transmission and substation lines in excess of 33 KV shall require a conditional use permit.