

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 664

Short Title: Cell Tower Deployment Act. (Public)

Sponsors: Representatives Hager, Moffitt, W. Brawley, and Alexander (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Public Utilities and Energy, if favorable, Finance.

April 10, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE AUTHORITY OF LOCAL GOVERNMENTS TO REGULATE
3 WIRELESS TELECOMMUNICATION FACILITIES TO COMPLY WITH THE
4 MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012 (P.L. 112-96).

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 19 of Chapter 160A of the General Statutes reads as
7 rewritten:

8 "Part 3E. Wireless Telecommunications Facilities.

9 **"§ 160A-400.50. Purpose and compliance with federal law.**

10 (a) The purpose of this section is to ensure the safe and efficient integration of facilities
11 necessary for the provision of advanced mobile broadband and wireless telecommunications
12 services throughout the community and to ensure the ready availability of reliable wireless
13 service to the public, government agencies, and first responders, with the intention of furthering
14 the public safety and general welfare.

15 (a1) The deployment of wireless infrastructure is critical to ensuring first responders can
16 provide for the health and safety of all residents of North Carolina and that, consistent with
17 Section 6409 of the federal Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No.
18 112-96, which, among other things, creates a national wireless emergency communications
19 network for use by first responders that in large measure will be dependent on facilities placed
20 on existing wireless communications support structures, it is the policy of this State to facilitate
21 the placement of wireless communications support structures in all areas of North Carolina.

22 The following standards shall apply to a city's actions, as a regulatory body, in the regulation of
23 the placement, construction, or modification of a wireless communications facility.

24 (b) The placement, construction, or modification of wireless communications facilities
25 shall be in conformity with the Federal Communications Act, 47 U.S.C. § 332 as amended, and
26 in accordance with the rules promulgated by the Federal Communications Commission.

27 **"§ 160A-400.51. Definitions.**

28 The following definitions apply in this Part.

29 (1) Antenna. – Communications equipment that transmits and receives
30 electromagnetic radio signals used in the provision of all types of wireless
31 communications services.

32 (2) Application. – A formal request submitted to the city to construct or modify
33 a wireless support structure or a wireless facility.



- 1 (3) Building permit. – An official administrative authorization issued by the city
2 prior to beginning construction consistent with the provisions of
3 G.S. 160A-417.
- 4 (4) Collocation. – The placement or installation of wireless facilities on existing
5 structures, including electrical transmission towers, water towers, buildings,
6 and other structures capable of structurally supporting the attachment of
7 wireless facilities in compliance with applicable codes. The term collocation
8 includes the placement, replacement, or modification of wireless facilities
9 within a previously approved equipment compound. The term collocation
10 further includes any modification of a wireless support structure that does
11 not meet the definition of a substantial modification. ~~The installation of new~~
12 ~~wireless facilities on previously approved structures, including towers,~~
13 ~~buildings, utility poles, and water tanks.~~
- 14 (5) Equipment compound. – An area surrounding or near the base of a wireless
15 support structure within which a wireless facility is located. ~~Equipment~~
16 ~~enclosure. – An enclosed structure, cabinet, or shelter used to contain radio~~
17 ~~or other equipment necessary for the transmission or reception of wireless~~
18 ~~communication signals.~~
- 19 (5a) Fall zone. – The area in which a wireless support structure may be expected
20 to fall in the event of a structural failure, as measured by engineering
21 standards.
- 22 (6) Land development regulation. – Any ordinance enacted pursuant to this Part.
- 23 (7) Search ring. – The area within which a wireless facility must be located in
24 order to meet service objectives of the wireless service provider using the
25 wireless facility or wireless support structure.
- 26 (7a) Substantial modification. – The mounting of a proposed wireless facility on
27 a wireless support structure which:
- 28 a. Increases the existing vertical height of the structure by:
29 1. More than ten percent (10%), or
30 2. The height of one additional antenna array with separation
31 from the nearest existing antenna not to exceed 20 feet,
32 whichever is greater; or
- 33 b. Involves adding an appurtenance to the body of a wireless support
34 structure that protrudes horizontally from the edge of the wireless
35 support structure more than 20 feet or more than the width of the
36 wireless support structure at the level of the appurtenance, whichever
37 is greater (except where necessary to shelter the antenna from
38 inclement weather or to connect the antenna to the tower via cable);
39 or
- 40 c. Increases the square footage of the existing equipment compound by
41 more than 2,500 square feet.
- 42 (8) Utility pole. – A structure that is designed for and used to carry lines, cables,
43 or wires for telephone, cable television, or electricity, or to provide lighting.
- 44 (8a) Water tower. – A water storage tank, a standpipe, or an elevated tank
45 situated on a support structure originally constructed for use as a reservoir or
46 facility to store or deliver water.
- 47 (9) Wireless facility. – The set of equipment and network components, exclusive
48 of the underlying support structure or tower, including antennas,
49 transmitters, ~~receivers,~~ receivers-base stations, power supplies, cabling, and
50 associated equipment necessary to provide wireless data and
51 telecommunications services to a discrete geographic area.

- 1 (10) Wireless support structure. – A new or existing structure, such as a
2 monopole, lattice tower, or guyed tower that is designed to support or
3 capable of supporting wireless facilities. A utility pole is not a wireless
4 support structure.

5 **"§ 160A-400.52. Construction of new wireless support structures or substantial**
6 **modifications of facilities and wireless support structures.**

7 (a) A city may plan for and regulate the siting or modification of new wireless support
8 structures or the substantial modification of wireless support structures and wireless facilities in
9 accordance with land development regulations and in conformity with this Part. Except as
10 expressly stated, nothing in this Part shall limit a city from regulating applications to construct,
11 substantially modify, or maintain wireless support structures, or construct, substantially modify,
12 maintain, or collocate wireless facilities on a wireless support structure based on consideration
13 of land use, public safety, and zoning considerations, including aesthetics, landscaping,
14 structural design, setbacks, and fall zones, or State and local building code requirements,
15 consistent with the provisions of federal law provided in G.S. 160A-400.50. For purposes of
16 this Part, public safety shall not include requirements relating to radio frequency emissions of
17 wireless facilities.

18 (b) Any person that proposes to construct or substantially modify a wireless support
19 structure or wireless facility within the planning and land-use jurisdiction of a city must do both
20 of the following:

- 21 (1) Submit a completed application with the necessary copies and attachments to
22 the appropriate planning authority.
23 (2) Comply with any local ordinances concerning land use and any applicable
24 permitting processes.

25 (c) A city's review of an application for the placement, construction, or substantial
26 modification of a wireless facility or wireless support structure shall only address public safety,
27 land development, or zoning issues. In reviewing an application, the city may not require
28 information on or evaluate an applicant's business decisions about its designed service,
29 customer demand for its service, or quality of its service to or from a particular area or site. In
30 reviewing an application, the city may review the following:

- 31 (1) Applicable public safety, land use, or zoning issues addressed in its adopted
32 regulations, including aesthetics, landscaping, land-use based location
33 priorities, structural design, setbacks, and fall zones.
34 (2) Information or materials directly related to an identified public safety, land
35 development, or zoning issue including evidence that no existing or
36 previously approved structure can reasonably be used for the antenna
37 placement instead of the construction of a new tower, that residential,
38 historic, and designated scenic areas cannot be served from outside the area,
39 or that the proposed height of a new tower or initial antenna placement or a
40 proposed height increase of a modified tower, replacement tower, or
41 collocation is necessary to provide the applicant's designed service.
42 (3) A city may require applicants for new wireless facilities to evaluate the
43 reasonable feasibility of collocating new antennas and equipment on an
44 existing structure or structures within the applicant's search ring. Collocation
45 on an existing structure is not reasonably feasible if collocation is technically
46 or commercially impractical or the owner of the tower is unwilling to enter
47 into a contract for such use at fair market value. Cities may require
48 information necessary to determine whether collocation on existing
49 structures is reasonably feasible.

50 (d) ~~A collocation application entitled to streamlined processing under~~
51 ~~G.S. 160A-400.53 shall be deemed complete unless the city provides notice in writing to the~~

1 applicant within 45 days of submission or within some other mutually agreed upon timeframe.
2 The notice shall identify the deficiencies in the application which, if cured, would make the
3 application complete. The application shall be deemed complete on resubmission if the
4 additional materials cure the deficiencies identified.

5 (e) The city shall issue a written decision approving or denying an application within 45
6 days in the case of collocation applications entitled to streamlined processing under
7 G.S. 160A-400.53 and within a reasonable period of time consistent with the issuance of other
8 land use permits in the case of other applications, each as measured from the time the
9 application is deemed complete.

10 (f) A city may fix and charge an application fee, consulting fee, or other fee associated
11 with the submission, review, processing, and approval of an application to site new wireless
12 support structures or substantially modify wireless support structures or wireless facilities that
13 is based on the costs of the services provided and does not exceed what is usual and customary
14 for such services. Any charges or fees assessed by a city on account of an outside consultant
15 shall be fixed in advance and incorporated into a permit or application fee and shall be based on
16 the reasonable costs to be incurred by the city in connection with the regulatory review
17 authorized under this section. The foregoing does not prohibit a city from imposing additional
18 reasonable and cost based fees for costs incurred should an applicant amend its application. On
19 request, the amount of the consultant charges incorporated into the permit or application fee
20 shall be separately identified and disclosed to the applicant.

21 (g) The city may condition approval of an application for a new wireless support
22 structure on the provision of documentation prior to the issuance of a building permit
23 establishing the existence of one or more parties, including the owner of the wireless support
24 structure, who intend to locate wireless facilities on the wireless support structure. A city shall
25 not deny an initial land-use or zoning permit based on such documentation. A city may
26 condition a permit on a requirement to construct facilities within a reasonable period of time,
27 which shall be no less than 24 months.

28 (h) The city may not require the placement of wireless support structures or wireless
29 facilities on city owned or leased property, but may develop a process to encourage the
30 placement of wireless support structures or facilities on city owned or leased property,
31 including an expedited approval process.

32 (i) This section shall not be construed to limit the provisions or requirements of any
33 historic district or landmark regulation adopted pursuant to Part 3C of this Article.

34 **"§ 160A-400.53. Collocation and other nonsubstantial modifications of wireless facilities.**

35 (a) Pursuant to Section 6409 of the federal Middle Class Tax Relief and Job Creation
36 Act of 2012, Pub. L. No. 112-96, a city may not deny and shall approve any application
37 Applications for collocation as defined in this Part, entitled to streamlined processing under this
38 section shall be reviewed for conformance with applicable site plan and building permit
39 requirements but shall not otherwise be subject to zoning requirements, including design or
40 placement requirements, or public hearing review.

41 (a1) A collocation application shall be deemed complete unless the city provides notice
42 that the application is incomplete in writing to the applicant within 45 days of submission or
43 within some other mutually agreed upon time frame. The notice shall identify the deficiencies
44 in the application which, if cured, would make the application complete. The application shall
45 be deemed complete on resubmission if the additional materials cure the deficiencies indicated.

46 (a2) The city shall issue a written decision approving a collocation application within 45
47 days of such application being deemed complete.

48 (a3) A city may impose a fee not to exceed five hundred dollars (\$500.00) for technical
49 consultation and the review of a collocation application. The fee must be based on the actual,
50 direct, and reasonable administrative costs incurred for the review, processing, and approval of
51 a collocation application. A city may engage a third-party consultant for technical consultation

1 and the review of a collocation application. The fee imposed by a city for the review of the
2 application may not be used for either of the following:

3 (1) Travel expenses incurred in a third party's review of a collocation
4 application.

5 (2) Reimbursement for a consultant or other third party based on a contingent
6 fee basis or results-based arrangement.

7 ~~(b) Applications for collocation of wireless facilities are entitled to streamlined~~
8 ~~processing if the addition of the additional wireless facility does not exceed the number of~~
9 ~~wireless facilities previously approved for the wireless support structure on which the~~
10 ~~collocation is proposed and meets all the requirements and conditions of the original approval.~~
11 ~~This provision applies to wireless support structures which are approved on or after December~~
12 ~~1, 2007.~~

13 ~~(c) The streamlined process set forth in subsection (a) of this section shall apply to all~~
14 ~~collocations, in addition to collocations qualified for streamlined processing under subsection~~
15 ~~(b) of this section, that meet the following requirements:~~

16 (1) ~~The collocation does not increase the overall height and width of the tower~~
17 ~~or wireless support structure to which the wireless facilities are to be~~
18 ~~attached.~~

19 (2) ~~The collocation does not increase the ground space area approved in the site~~
20 ~~plan for equipment enclosures and ancillary facilities.~~

21 (3) ~~The wireless facilities in the proposed collocation comply with applicable~~
22 ~~regulations, restrictions, or conditions, if any, applied to the initial wireless~~
23 ~~facilities placed on the tower or other wireless support structure.~~

24 (4) ~~The additional wireless facilities comply with all federal, State and local~~
25 ~~safety requirements.~~

26 (5) ~~The collocation does not exceed the applicable weight limits for the wireless~~
27 ~~support structure."~~

28 **SECTION 2.** Article 18 of Chapter 153A of the General Statutes reads as
29 rewritten:

30 "Part 3B. Wireless Telecommunications Facilities.

31 "**§ 153A-349.50. Purpose and compliance with federal law.**

32 (a) Purpose. – The purpose of this section is to ensure the safe and efficient integration
33 of facilities necessary for the provision of advanced mobile broadband and wireless
34 telecommunications services throughout the community and to ensure the ready availability of
35 reliable wireless service to the public, government agencies, and first responders, with the
36 intention of furthering the public safety and general welfare.

37 (a1) The deployment of wireless infrastructure is critical to ensuring first responders can
38 provide for the health and safety of all residents of North Carolina and that, consistent with
39 Section 6409 of the federal Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No.
40 112-96, which, among other things, creates a national wireless emergency communications
41 network for use by first responders that in large measure will be dependent on facilities placed
42 on existing wireless communications support structures, it is the policy of this State to facilitate
43 the placement of wireless communications support structures in all areas of North Carolina.
44 The following standards shall apply to a county's actions, as a regulatory body, in the regulation
45 of the placement, construction, or modification of a wireless communications facility.

46 (b) Compliance with the Federal Communications Act. – The placement, construction,
47 or modification of wireless communications facilities shall be in conformity with the Federal
48 Communications Act, 47 U.S.C. § 332 as amended, and in accordance with the rules
49 promulgated by the Federal Communications Commission.

50 "**§ 153A-349.51. Definitions.**

51 The following definitions apply in this Part:

- 1 (1) Antenna. – Communications equipment that transmits and receives
2 electromagnetic radio signals used in the provision of all types of wireless
3 communications services.
- 4 (2) Application. – A formal request submitted to the county to construct or
5 modify a wireless support structure or a wireless facility.
- 6 (3) Building permit. – An official administrative authorization issued by the
7 county prior to beginning construction consistent with the provisions of
8 G.S. 153A-357.
- 9 (4) Collocation. – The placement or installation of wireless facilities on existing
10 structures, including electrical transmission towers, water towers, buildings,
11 and other structures capable of structurally supporting the attachment of
12 wireless facilities in compliance with applicable codes. The term collocation
13 includes the placement, replacement, or modification of wireless facilities
14 within a previously approved equipment compound. The term collocation
15 further includes any modification of a wireless support structure that does
16 not meet the definition of a substantial modification. ~~The installation of new~~
17 wireless facilities on previously approved structures, including towers,
18 buildings, utility poles, and water tanks.
- 19 (5) Equipment compound. – An area surrounding or near the base of a wireless
20 support structure within which a wireless facility is located. ~~Equipment~~
21 enclosure. – An enclosed structure, cabinet, or shelter used to contain radio
22 or other equipment necessary for the transmission or reception of wireless
23 communication signals.
- 24 (5a) Fall zone. – The area in which a wireless support structure may be expected
25 to fall in the event of a structural failure, as measured by engineering
26 standards.
- 27 (6) Land development regulation. – Any ordinance enacted pursuant to this Part.
- 28 (7) Search ring. – The area within which a wireless facility must be located in
29 order to meet service objectives of the wireless service provider using the
30 wireless facility or wireless support structure.
- 31 (7a) Substantial modification. – The mounting of a proposed wireless facility on
32 a wireless support structure which:
- 33 a. Increases the existing vertical height of the structure by:
- 34 1. More than ten percent (10%), or
- 35 2. The height of one additional antenna array with separation
36 from the nearest existing antenna not to exceed 20 feet,
37 whichever is greater; or
- 38 b. Involves adding an appurtenance to the body of a wireless support
39 structure that protrudes horizontally from the edge of the wireless
40 support structure more than 20 feet or more than the width of the
41 wireless support structure at the level of the appurtenance, whichever
42 is greater (except where necessary to shelter the antenna from
43 inclement weather or to connect the antenna to the tower via cable);
44 or
- 45 c. Increases the square footage of the existing equipment compound by
46 more than 2,500 square feet.
- 47 (8) Utility pole. – A structure that is designed for and used to carry lines, cables,
48 or wires for telephone, cable television, or electricity, or to provide lighting.
- 49 (8a) Water tower. – A water storage tank, a standpipe, or an elevated tank
50 situated on a support structure originally constructed for use as a reservoir or
51 facility to store or deliver water.

1 (9) Wireless facility. – The set of equipment and network components, exclusive
2 of the underlying support structure or tower, including antennas,
3 transmitters, ~~receivers, receivers~~ base stations, power supplies, cabling, and
4 associated equipment necessary to provide wireless data and
5 telecommunications services to a discrete geographic area.

6 (10) Wireless support structure. – A new or existing structure, such as a
7 monopole, lattice tower, or guyed tower that is designed to support or
8 capable of supporting wireless facilities. A utility pole is not a wireless
9 support structure.

10 "§ 153A-349.52. **Construction of new wireless support structures or substantial**
11 **modifications of facilities and wireless support structures.**

12 (a) A county may plan for and regulate the siting or modification of new wireless
13 support structures or the substantial modification of wireless support structures and wireless
14 facilities in accordance with land development regulations and in conformity with this Part.
15 Except as expressly stated, nothing in this Part shall limit a county from regulating applications
16 to construct, substantially modify, or maintain wireless support structures, or construct,
17 substantially modify, maintain, or collocate wireless facilities on a wireless support structure
18 based on consideration of land use, public safety, and zoning considerations, including
19 aesthetics, landscaping, structural design, setbacks, and fall zones, or State and local building
20 code requirements, consistent with the provisions of federal law provided in G.S. 153A-349.50.
21 For purposes of this Part, public safety shall not include requirements relating to radio
22 frequency emissions of wireless facilities.

23 (b) Any person that proposes to construct or substantially modify a wireless support
24 structure or wireless facility within the planning and land-use jurisdiction of a county must do
25 both of the following:

26 (1) Submit a completed application with the necessary copies and attachments to
27 the appropriate planning authority.

28 (2) Comply with any local ordinances concerning land use and any applicable
29 permitting processes.

30 (c) A county's review of an application for the placement, construction, or substantial
31 modification of a wireless facility or wireless support structure shall only address public safety,
32 land development, or zoning issues. In reviewing an application, the county may not require
33 information on or evaluate an applicant's business decisions about its designed service,
34 customer demand for its service, or quality of its service to or from a particular area or site. In
35 reviewing an application the county may review the following:

36 (1) Applicable public safety, land use, or zoning issues addressed in its adopted
37 regulations, including aesthetics, landscaping, land-use based location
38 priorities, structural design, setbacks, and fall zones.

39 (2) Information or materials directly related to an identified public safety, land
40 development or zoning issue including evidence that no existing or
41 previously approved structure can reasonably be used for the antenna
42 placement instead of the construction of a new tower, that residential,
43 historic, and designated scenic areas cannot be served from outside the area,
44 or that the proposed height of a new tower or initial antenna placement or a
45 proposed height increase of a modified tower, replacement tower, or
46 collocation is necessary to provide the applicant's designed service.

47 (3) A county may require applicants for new wireless facilities to evaluate the
48 reasonable feasibility of collocating new antennas and equipment on an
49 existing structure or structures within the applicant's search ring. Collocation
50 on an existing structure is not reasonably feasible if collocation is technically
51 or commercially impractical or the owner of the tower is unwilling to enter

1 into a contract for such use at fair market value. Counties may require
2 information necessary to determine whether collocation on existing
3 structures is reasonably feasible.

4 (d) ~~A collocation application entitled to streamlined processing under
5 G.S. 153A-349.53 shall be deemed complete unless the city provides notice in writing to the
6 applicant within 45 days of submission or within some other mutually agreed upon timeframe.
7 The notice shall identify the deficiencies in the application which, if cured, would make the
8 application complete. The application shall be deemed complete on resubmission if the
9 additional materials cure the deficiencies identified.~~

10 (e) ~~The county shall issue a written decision approving or denying an application within
11 45 days in the case of collocation applications entitled to streamlined processing under
12 G.S. 153A-349.53 and within a reasonable period of time consistent with the issuance of other
13 land use permits in the case of other applications, each as measured from the time the
14 application is deemed complete.~~

15 (f) A county may fix and charge an application fee, consulting fee, or other fee
16 associated with the submission, review, processing, and approval of an application to site new
17 wireless support structures or substantially modify wireless support structures or wireless
18 facilities that is based on the costs of the services provided and does not exceed what is usual
19 and customary for such services. Any charges or fees assessed by a county on account of an
20 outside consultant shall be fixed in advance and incorporated into a permit or application fee
21 and shall be based on the reasonable costs to be incurred by the county in connection with the
22 regulatory review authorized under this section. The foregoing does not prohibit a county from
23 imposing additional reasonable and cost based fees for costs incurred should an applicant
24 amend its application. On request, the amount of the consultant charges incorporated into the
25 permit or application fee shall be separately identified and disclosed to the applicant.

26 (g) The county may condition approval of an application for a new wireless support
27 structure on the provision of documentation prior to the issuance of a building permit
28 establishing the existence of one or more parties, including the owner of the wireless support
29 structure, who intend to locate wireless facilities on the wireless support structure. A county
30 shall not deny an initial land-use or zoning permit based on such documentation. A county may
31 condition a permit on a requirement to construct facilities within a reasonable period of time,
32 which shall be no less than 24 months.

33 (h) The county may not require the placement of wireless support structures or wireless
34 facilities on county owned or leased property, but may develop a process to encourage the
35 placement of wireless support structures or facilities on county owned or leased property,
36 including an expedited approval process.

37 (i) This section shall not be construed to limit the provisions or requirements of any
38 historic district or landmark regulation adopted pursuant to Part 3C of this Article.

39 **"§ 153A-349.53. Collocation and other nonsubstantial modifications of wireless facilities.**

40 (a) Pursuant to Section 6409 of the federal Middle Class Tax Relief and Job Creation
41 Act of 2012, Pub. L. No. 112-96, a county may not deny and shall approve any application
42 Applications for collocation as defined in this Part, entitled to streamlined processing under this
43 section shall be reviewed for conformance with applicable site plan and building permit
44 requirements but shall not otherwise be subject to zoning requirements, including design or
45 placement requirements, or public hearing review.

46 (a1) A collocation application shall be deemed complete unless the county provides
47 notice that the application is incomplete in writing to the applicant within 45 days of
48 submission or within some other mutually agreed upon time frame. The notice shall identify the
49 deficiencies in the application which, if cured, would make the application complete. The
50 application shall be deemed complete on resubmission if the additional materials cure the
51 deficiencies identified.

1 (a2) The county shall issue a written decision approving a collocation application within
2 45 days of such application being deemed complete.

3 (a3) A county may impose a fee not to exceed five hundred dollars (\$500.00) for
4 technical consultation and the review of a collocation application. The fee must be based on the
5 actual, direct, and reasonable administrative costs incurred for the review, processing, and
6 approval of a collocation application. A county may engage a third-party consultant for
7 technical consultation and the review of a collocation application. The fee imposed by a county
8 for the review of the application may not be used for either of the following:

9 (1) Travel expenses incurred in a third party's review of a collocation
10 application.

11 (2) Reimbursement for a consultant or other third party based on a contingent
12 fee basis or results-based arrangement.

13 ~~(b) Applications for collocation of wireless facilities are entitled to streamlined~~
14 ~~processing if the addition of the additional wireless facility does not exceed the number of~~
15 ~~wireless facilities previously approved for the wireless support structure on which the~~
16 ~~collocation is proposed and meets all the requirements and conditions of the original approval.~~
17 ~~This provision applies to wireless support structures which are approved on or after December~~
18 ~~1, 2007.~~

19 ~~(c) The streamlined process set forth in subsection (a) of this section shall apply to all~~
20 ~~collocations, in addition to collocations qualified for streamlined processing under subsection~~
21 ~~(b) of this section, that meet the following requirements:~~

22 ~~(1) The collocation does not increase the overall height and width of the tower~~
23 ~~or wireless support structure to which the wireless facilities are to be~~
24 ~~attached.~~

25 ~~(2) The collocation does not increase the ground space area approved in the site~~
26 ~~plan for equipment enclosures and ancillary facilities.~~

27 ~~(3) The wireless facilities in the proposed collocation comply with applicable~~
28 ~~regulations, restrictions, or conditions, if any, applied to the initial wireless~~
29 ~~facilities placed on the tower or other wireless support structure.~~

30 ~~(4) The additional wireless facilities comply with all federal, State, and local~~
31 ~~safety requirements.~~

32 ~~(5) The collocation does not exceed the applicable weight limits for the wireless~~
33 ~~support structure."~~

34 **SECTION 3.** This act becomes effective October 1, 2013, and applies to
35 collocation applications received on or after that date.