

# SECTION 10.0600 - WIRELESS COMMUNICATION FACILITIES CO-LOCATION STANDARDS

## Wireless Communication Facilities Co-Location Standards

10.0601 Co-Location Standards

10.0602 Request to Modify an Existing and Eligible Wireless Communication Facility

### Co-Location Standards

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#### 10.0601 Co-Location Standards

The purpose of this section is to provide standards for the co-location of wireless communication facilities. Co-located facilities that cannot meet the standards of this section shall be reviewed through a Type II Special Use Review procedure.

- A. Co-located wireless communication facility antennas shall meet the following standards:
  - 1. The co-located antennas are proposed for an approved wireless communication facility or other location;
  - 2. Additional equipment facilities may be contained within the confines of the existing approved site;
  - 3. Antennas do not extend more than two feet from the pole, co-location facility or existing antenna array upon which it will be attached; or do not extend beyond the easement where the co-location facility is located, whichever distance is less.
- B. Co-located antennas shall obtain a building permit.
- C.
  - 1. All wireless communication facility co-location proposals for personal wireless services shall be subject to the requirements and limitations of 47 U.S.C. 332(c)(7) and the rules adopted by the Federal Communications Commission to implement said section.
  - 2. All wireless communication facility co-location proposals shall be subject to the requirements and limitations of 47 U.S.C. 1455(a) and the rules adopted by the Federal Communications Commission to implement said section.
  - 3. In the event the applicable federal laws or rules conflict with **Section 10.0601**, the provisions of the applicable federal laws and rules shall apply.

#### 10.0602 Request to Modify an Existing and Eligible Wireless Communication Facility

Notwithstanding **Section 8.0103**, **Section 8.0122** or **Section 10.0601**, the modification of a wireless communication facility that is an “eligible facility” shall be subject to the following:

- A. Terms as used in **Section 10.0602** shall have the meanings provided by 47 U.S.C. 1455(a) and the rules adopted by the Federal Communications Commission to implement said section (Mandatory Approval Provisions).
- B. The Manager shall comply with the completeness process, review process and timelines as provided by the Mandatory Approval Provisions. 47 U.S.C. 1455(a).

- C. As required by 47 U.S.C. 1455(a), the Manager may not deny and shall approve an eligible facility request for a modification of an existing wireless tower or base station that meets the requirements of the Mandatory Approval Provisions. Notwithstanding the foregoing, the Manager may place conditions on the grant of an eligible facility request, provided that those conditions are consistent with the requirements of the Mandatory Approval Provisions.
- D. Any 47 U.S.C. 1455(a) application that the City grants, whether by City action or by operation of FCC rule or federal law, shall be subject to the condition that the applicant comply with:
  - 1. The camouflage requirements in the City of Gresham Community Development Code or in the original approval of the existing tower or base station;
  - 2. The applicable provisions of the codes adopted and enforced pursuant to GRC Article 10.05.
  - 3. Any other generally applicable City laws reasonably related to health and safety.
- E. Any application that is deemed granted by reason of the City's failure to act within the applicable time periods provided in federal law:
  - 1. Shall not be deemed granted until the Applicant provides notice to the City, in writing, that the application has been deemed granted after the applicable time period has expired; and
  - 2. Shall be subject to all requirements in **Section 10.0602(D)**.