§ 160D-972. Siting and construction of advanced air mobility radar.

(a) A permit applicant that proposes to construct advanced air mobility radar within the planning and development regulation jurisdiction of a local government shall do all of the following:

(1) Submit a completed application with the necessary copies and attachments to the local government, including documentation of any collocation agreement.

(2) Comply with all development regulations.

(3) Obtain all applicable development approvals.

(b) A local government shall not assess a fee for the application for, or the installation and use of, advanced air mobility radar provided the advanced air mobility radar is installed and operated in compliance with the standards and requirements set forth in this Part.

(c) In reviewing an application, the local government may review the following:

(1) Applicable public safety and development regulations, including aesthetics, landscaping, land-use based location priorities, structural design, setbacks, and fall zones.

(2) Information or materials directly related to an identified public safety or development regulation.

(3) If a collocation agreement is not included with the completed application, a local government may require permit applicants to evaluate the reasonable feasibility of collocation, including information necessary for the local government to determine whether collocation is reasonably feasible.

(d) The local government shall make a determination approving or denying an application under this section within 30 days after the completed application is received.

(e) The local government may condition approval of an application for a new advanced air mobility radar on any of the following:

(1) If not included in the completed application, the provision of a collocation agreement if collocation is deemed feasible.

(2) The permit applicant obtaining a Federal Communications Commission operator license for any spectrum band required for the installation.

(3) The installation of the advanced air mobility radar in a manner that complies with all applicable federal and State laws, and local development regulations.

(4) The operation of the advanced air mobility radar in a manner that complies with all safety guidelines issued by the Federal Communications Commission regarding limiting exposure to electromagnetic radiation.

(5) The requirement to construct facilities within a reasonable period of time, which shall be no less than 24 months. (2024-45, s. 23(a).)