

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1183**

Chapter 317, Laws of 2013

63rd Legislature  
2013 Regular Session

WIRELESS COMMUNICATION STRUCTURES

EFFECTIVE DATE: 07/28/13

Passed by the House April 26, 2013  
Yeas 96 Nays 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate April 25, 2013  
Yeas 37 Nays 10

BRAD OWEN

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**President of the Senate**

Approved May 21, 2013, 2:19 p.m.

JAY INSLEE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1183** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

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**Chief Clerk**

FILED

May 21, 2013

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1183**

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AS AMENDED BY THE SENATE

Passed Legislature - 2013 Regular Session

**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** House Technology & Economic Development (originally sponsored by Representatives Morris, Smith, Habib, Crouse, Morrell, Magendanz, Freeman, Kochmar, Walsh, Tarleton, Dahlquist, Vick, Zeiger, Maxwell, Hudgins, Upthegrove, Ryu, and Bergquist)

READ FIRST TIME 02/04/13.

1           AN ACT Relating to wireless communications structures; amending RCW  
2 43.21C.0384; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4           **Sec. 1.** RCW 43.21C.0384 and 1996 c 323 s 2 are each amended to  
5 read as follows:

6           (1) Decisions pertaining to applications to site (~~personal~~)  
7 wireless service facilities are not subject to the requirements of RCW  
8 43.21C.030(2)(c), if those facilities meet the following requirements:

9           (a)(~~(i)~~) The (~~facility to be sited is a microcell and is to be~~  
10 ~~attached to an existing structure that is not a residence or school and~~  
11 ~~does not contain a residence or a school~~) collocation of new  
12 equipment, removal of equipment, or replacement of existing equipment  
13 on existing or replacement structures does not substantially change the  
14 physical dimensions of such structures; or (~~(ii) the facility includes~~  
15 ~~personal wireless service antennas, other than a microcell, and is to~~  
16 ~~be attached to an existing structure (that may be an existing tower)~~  
17 ~~that is not a residence or school and does not contain a residence or~~  
18 ~~a school, and the existing structure to which it is to be attached is~~

1 located in a commercial, industrial, manufacturing, forest, or  
2 agricultural zone; or (iii))

3 (b) The siting project involves constructing a ((personal))  
4 wireless service tower less than sixty feet in height that is located  
5 in a commercial, industrial, manufacturing, forest, or agricultural  
6 zone((; and

7 ~~(b) The project is not in)). This exemption does not apply to~~  
8 projects within a designated ((environmentally sensitive)) critical  
9 area((; and

10 ~~(c) The project does not consist of a series of actions: (i) Some~~  
11 ~~of which are not categorically exempt; or (ii) that together may have~~  
12 ~~a probable significant adverse environmental impact)).~~

13 (2) The exemption authorized under subsection (1) of this section  
14 may only be applied to a project consisting of a series of actions when  
15 all actions in the series are categorically exempt and the actions  
16 together do not have a probable significant adverse environmental  
17 impact.

18 (3) The department of ecology shall adopt rules to create a  
19 categorical exemption for ((microcells and other personal)) wireless  
20 service facilities that meet the conditions set forth in subsections  
21 (1) and (2) of this section.

22 ((~~(3) For the purposes of this section:~~))

23 (4) By January 1, 2020, all wireless service providers granted an  
24 exemption to RCW 43.21C.030(2)(c) must provide the legislature with the  
25 number of permits issued pertaining to wireless service facilities, the  
26 number of exemptions granted under this section, and the total dollar  
27 investment in wireless service facilities between July 1, 2013, and  
28 June 30, 2019.

29 (5) The definitions in this subsection apply throughout this  
30 section unless the context clearly requires otherwise.

31 (a) "((Personal)) Wireless services" means wireless data and  
32 telecommunications services, including commercial mobile services,  
33 commercial mobile data services, unlicensed wireless services, and  
34 common carrier wireless exchange access services, as defined by federal  
35 laws and regulations.

36 (b) "((Personal)) Wireless service facilities" means facilities for  
37 the provision of ((personal)) wireless services.

1 (c) (~~"Microcell" — means — a — wireless — communication — facility~~  
2 ~~consisting of an antenna that is either: (i) Four feet in height and~~  
3 ~~with an area of not more than five hundred eighty square inches; or~~  
4 ~~(ii) if a tubular antenna, no more than four inches in diameter and no~~  
5 ~~more than six feet in length)) "Collocation" means the mounting or  
6 installation of equipment on an existing tower, building, or structure  
7 for the purpose of either transmitting or receiving, or both, radio  
8 frequency signals for communications purposes.~~

9 (d) "Existing structure" means any existing tower, pole, building,  
10 or other structure capable of supporting wireless service facilities.

11 (e) "Substantially change the physical dimensions" means:

12 (i) The mounting of equipment on a structure that would increase  
13 the height of the structure by more than ten percent, or twenty feet,  
14 whichever is greater; or

15 (ii) The mounting of equipment that would involve adding an  
16 appurtenance to the body of the structure that would protrude from the  
17 edge of the structure more than twenty feet, or more than the width of  
18 the structure at the level of the appurtenance, whichever is greater.

19 NEW SECTION. Sec. 2. The code reviser is directed to put the  
20 defined terms in RCW 43.21C.0384(5) into alphabetical order.

Passed by the House April 26, 2013.

Passed by the Senate April 25, 2013.

Approved by the Governor May 21, 2013.

Filed in Office of Secretary of State May 21, 2013.