
SUBSTITUTE HOUSE BILL 1183

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))~~ and

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 a designated environmentally sensitive~~
8 ~~area; and~~

9 ~~(c) The project does not consist of a series of actions: (i) Some~~
10 ~~of which are not categorically exempt; or (ii) that together may have~~
11 ~~a probable significant adverse environmental impact)).~~ This exemption
12 does not apply to projects within a designated environmentally
13 sensitive area.

14 (2) The department of ecology shall adopt rules to create a
15 categorical exemption for ~~((microcells and other personal))~~ wireless
16 service facilities that meet the conditions set forth in subsection (1)
17 of this section.

18 (3) ~~((For the purposes of this section:))~~ No more than two
19 categorical exemptions related to increases in structure height, width,
20 or the boundaries of an existing equipment compound for a specific
21 wireless service facility may be granted within a six year time period.

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

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

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

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

37 ~~((c) "Microcell" means a wireless communication facility~~
38 ~~consisting of an antenna that is either: (i) Four feet in height and~~

1 ~~with an area of not more than five hundred eighty square inches; or~~
2 ~~(ii) if a tubular antenna, no more than four inches in diameter and no~~
3 ~~more than six feet in length.))~~

4 (c) "Collocation" means the mounting or installation of equipment
5 on an existing tower, building, or structure for the purpose of either
6 transmitting or receiving, or both, radio frequency signals for
7 communications purposes.

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

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

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

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

18 (iii) The expansion of the boundaries of the existing equipment
19 compound surrounding the existing wireless facility by more than thirty
20 linear feet in any direction or excavation outside the expanded
21 boundaries or outside any existing access or utility easement related
22 to the existing wireless facility; or

23 (iv) The mounting of a proposed antenna or equipment would involve
24 the addition of more than the standard number of new equipment
25 cabinets, not to exceed four, or the addition of more than one new
26 equipment shelter.

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

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