
SUBSTITUTE SENATE BILL 6683

State of Washington

54th Legislature

1996 Regular Session

By Senate Committee on Energy, Telecommunications & Utilities
(originally sponsored by Senators Finkbeiner and Sutherland)

Read first time 02/02/96.

1 AN ACT Relating to personal wireless service facilities; adding a
2 new section to chapter 43.21C RCW; adding new sections to chapter 80.36
3 RCW; adding a new section to chapter 19.27 RCW; adding a new section to
4 chapter 70.92 RCW; adding a new section to chapter 43.70 RCW; and
5 making an appropriation.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.21C RCW
8 to read as follows:

9 (1) Unless this section is preempted by applicable federal
10 statutes, decisions pertaining to applications to site personal
11 wireless service facilities are not subject to the requirements of RCW
12 43.21C.030(2)(c), if those facilities meet the following requirements:

13 (a)(i) The facility to be sited is a microcell or personal
14 communications services antenna, and is to be attached to an existing
15 structure that is not a residence or school; or (ii) the facility is an
16 antenna, other than a microcell or personal communications services
17 antenna, and is to be attached to an existing structure that is not a
18 residence or school and the existing structure to which it is to be
19 attached is located in a commercial, industrial, manufacturing, forest,

1 or agricultural zone; or (iii) the siting project involves
2 constructing, or colocation of an antenna on, a cellular tower less
3 than sixty feet in height that is located in a commercial, industrial,
4 manufacturing, forest, or agricultural zone; and

5 (b) The project is not in a designated environmentally sensitive
6 area; and

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

10 (2) For the purposes of this section, "personal wireless service"
11 means any wireless telecommunications service licensed by the federal
12 communications commission.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 80.36 RCW
14 to read as follows:

15 (1) Unless this section is preempted by applicable federal
16 statutes, if a telecommunications service provider applies to site
17 several microcells or personal communications services antennas in a
18 single geographical area:

19 (a) If one or more of the microcells or personal communications
20 services antennas are not exempt from the requirements of RCW
21 43.21C.030(2)(c), local governmental entities are encouraged: (i) To
22 allow the applicant, at the applicant's discretion, to file a single
23 set of documents required by chapter 43.21C RCW that will apply to all
24 the microcells or personal communications services antennas to be
25 sited; and (ii) to render decisions under chapter 43.21C RCW regarding
26 all the microcells or personal communications services antennas in a
27 single administrative proceeding; and

28 (b) Local governmental entities are encouraged: (i) To allow the
29 applicant, at the applicant's discretion, to file a single set of
30 documents for land use permits that will apply to all the microcells or
31 personal communications services antennas to be sited; and (ii) to
32 render decisions regarding land use permits for all the microcells or
33 personal communications services antennas in a single administrative
34 proceeding.

35 (2) For the purposes of this section, "personal wireless service"
36 means any wireless telecommunications service licensed by the federal
37 communications commission.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 19.27 RCW
2 to read as follows:

3 (1) The state building code council shall exempt equipment shelters
4 of personal wireless service facilities from building envelope
5 insulation requirements and mechanical systems efficiency requirements.

6 (2) For the purposes of this section, "personal wireless service"
7 means any wireless telecommunications service licensed by the federal
8 communications commission.

9 NEW SECTION. **Sec. 4.** A new section is added to chapter 70.92 RCW
10 to read as follows:

11 (1) An equipment shelter of a personal wireless service facility is
12 exempt from the barrier-free accessibility requirements of this chapter
13 and rules adopted under this chapter, if the shelter meets the
14 following conditions: (a) The shelter is not located on or otherwise
15 attached to a building or structure subject to barrier-free access
16 requirements; (b) the shelter is not staffed; and (c) to conduct
17 maintenance activities, employees who visit the shelter must be able to
18 climb.

19 (2) For the purposes of this section, "personal wireless service"
20 means any wireless telecommunications service licensed by the federal
21 communications commission.

22 NEW SECTION. **Sec. 5.** A new section is added to chapter 80.36 RCW
23 to read as follows:

24 (1) Unless this section is preempted by applicable federal
25 statutes, a personal wireless service facility, by itself or in
26 combination with others, shall not expose the public to non-ionizing
27 electromagnetic radiation in an amount exceeding the standard
28 recommended by the American national standard institute in 1992.

29 (2) For the purposes of this section, "personal wireless service"
30 means any wireless telecommunications service licensed by the federal
31 communications commission.

32 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.70 RCW
33 to read as follows:

34 The department shall conduct a survey of scientific literature
35 regarding the possible health effects from the radiofrequency part of
36 the electromagnetic spectrum, 300 Hz to 300 GHz. The department shall

1 submit the survey results to the legislature by January 1, 1997, and
2 shall prepare a summary of that survey, and make the summary available
3 to the public. The department shall update the survey and summary in
4 even-numbered years.

5 NEW SECTION. **Sec. 7.** The sum of fifty thousand dollars, or as
6 much thereof as may be necessary, is appropriated for the fiscal year
7 ending June 30, 1997, from the general fund-state to the department of
8 health for the purposes of carrying out the department's
9 responsibilities under section 6 of this act.

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