

FINAL BILL REPORT

SB 6578

C 44 L 02
Synopsis as Enacted

Brief Description: Exempting land leases for personal wireless communication facilities from the subdivision act.

Sponsors: Senators B. Sheldon, Finkbeiner, Poulsen, Rossi and T. Sheldon.

Senate Committee on Economic Development & Telecommunications
House Committee on Technology, Telecommunications & Energy

Background: The location of personal wireless services facilities, such as cellular towers, is generally governed by local zoning ordinances. In many cases, personal wireless services companies apply for building permits or conditional use permits and then construct their facilities on leased property.

The state Subdivision Act and supplemental local ordinances govern many divisions of property by sale, lease, or transfer of ownership. The Subdivision Act requires that property divisions be accomplished by "plats," which are detailed maps that show the new parcels along with such things as streets, alleys, and parks. The Subdivision Act has seven exceptions:

- Property divisions for cemeteries and burial plots.
- Certain property divisions of five acres or larger.
- Property divisions by will or inheritance.
- Certain property divisions for industrial or commercial use.
- Certain property divisions by lease when no residential structures other than mobile homes or trailers will be placed on the land.
- Certain property divisions to adjust boundaries.
- Certain property divisions to develop condominiums.

Summary: An exception is added to the Subdivision Act for property leases for personal wireless services facilities. "Personal wireless services" means any federally licensed personal wireless service. "Facilities" means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including antenna arrays, transmission cables, equipment shelters, and support structures.

Votes on Final Passage:

Senate	48	0
House	97	0

Effective: June 13, 2002