

SHB 1183 - S COMM AMD

By Committee on Energy, Environment & Telecommunications

ADOPTED 04/17/2013

1 Strike everything after the enacting clause and insert the
2 following:

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

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

8 (a)(i) ~~The ((facility to be sited is a microcell and is to be~~
9 ~~attached to an existing structure that is not a residence or school and~~
10 ~~does not contain a residence or a school))~~ collocation of new
11 transmission equipment, removal of transmission equipment, or
12 replacement of existing transmission equipment on existing or
13 replacement structures that do not substantially change the physical
14 dimensions of such structures; or (ii) ((the facility includes personal
15 wireless service antennas, other than a microcell, and is to be
16 attached to an existing structure (that may be an existing tower) that
17 is not a residence or school and does not contain a residence or a
18 school, and the existing structure to which it is to be attached is
19 located in a commercial, industrial, manufacturing, forest, or
20 agricultural zone; or (iii)) the siting project involves constructing
21 a personal wireless service tower less than sixty feet in height that
22 is located in a commercial, industrial, manufacturing, forest, or
23 agricultural zone. This exemption does not apply to projects within a
24 designated environmentally sensitive area; and

25 (b) ~~((The project is not in a designated environmentally sensitive~~
26 ~~area; and~~

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

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

5 (3) (~~For the purposes of this section:~~) The definitions in this
6 subsection apply throughout this section unless the context clearly
7 requires otherwise.

8 (a) "Collocation" means the mounting or installation of equipment
9 on an existing tower, building, or structure for the purpose of either
10 transmitting or receiving, or both, radio frequency signals for
11 communications purposes.

12 (b) "Personal wireless services" means commercial mobile services,
13 unlicensed wireless services, and common carrier wireless exchange
14 access services, as defined by federal laws and regulations.

15 (~~(b)~~) (c) "Personal wireless service facilities" means facilities
16 for the provision of personal wireless services.

17 (~~(c) "Microcell" means a wireless communication facility~~
18 ~~consisting of an antenna that is either: (i) Four feet in height and~~
19 ~~with an area of not more than five hundred eighty square inches; or~~
20 ~~(ii) if a tubular antenna, no more than four inches in diameter and no~~
21 ~~more than six feet in length.))~~

22 (d) "Substantially change the physical dimensions" means:

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

26 (ii) The mounting of equipment that would involve adding an
27 appurtenance to the body of the structure that would protrude from the
28 edge of the structure more than twenty feet, or more than the width of
29 the structure at the level of the appurtenance, whichever is greater."

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30 On page 1, line 1 of the title, after "structures;" strike the

1 remainder of the title and insert "and amending RCW 43.21C.0384."

EFFECT: Replaces the bill with the text of SB 5098, the senate companion bill.

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