

ORDINANCE NO.16-015

AN ORDINANCE related to land use and zoning, declaring an emergency, and adopting a moratorium on the establishment of any wireless communication facilities, wireless communication support structure, monopole support structure, or lattice support structure, hereinafter collectively referred to as “Wireless Communication Facilities”, within the limits of the City of Camas; and providing for an immediate effective date.

WHEREAS, Camas Municipal Code Chapter 18.35 sets forth certain regulations for the placement, development, permitting, and removal of Wireless Communication Facilities; and

WHEREAS, for the purposes of this Ordinance, wireless communication facilities, wireless communication support structure, monopole support structure, or lattice support structure, as defined pursuant to Camas Municipal Code Section 18.35.030, shall be collectively referred to herein as “Wireless Communication Facilities”; and

WHEREAS, approved Wireless Communication Facilities shall be vested for the terms as otherwise specified in the land use decision or as per the Camas Municipal Code; and

WHEREAS, Camas Municipal Code Chapter 18.35 was initially established pursuant to Ordinance 2299, on July 23, 2001; and

WHEREAS, while minor amendments to Ordinance 2299 have occurred, the City has not undertaken a comprehensive review of CMC 18.35 related to Wireless Communication Facilities; and

WHEREAS, the City of Camas has made significant changes in the Comprehensive Plan, Zoning Districts, as well as expanded both the Urban Growth Areas and City Limits multiple times since Ordinance 2299 was passed; and

WHEREAS, the City of Camas, through Ordinance 16-010, has adopted a 20-year Comprehensive Plan titled “Camas 2035”; and

WHEREAS, the City Council desires to review its zoning and use codes related to Wireless Communication Facilities for consistency with the vision, goals, and policies established through the

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“Camas 2035” Comprehensive Plan; and

WHEREAS, the City Council desires to explore best available information on wireless technology, stealth technology, and alternatives to the placement of additional Wireless Communication Facilities through the City of Camas; and

WHEREAS, the City Council finds that the regulatory requirements established by this Ordinance are necessary for the immediate preservation of the public peace, health, and safety, and for the immediate support of City government and its existing public institutions,

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF CAMAS:

Section 1. The City Council adopts the foregoing recital clauses herein as findings in support of the adoption of the moratorium provided by this ordinance.

Section 2. Pursuant to the provisions of RCW 36.70A.390 and RCW 35.63.200, a land use authorization moratorium is hereby enacted prohibiting until August 7, 2017, within the City of Camas, the application for and the permitting, placement or development of any Wireless Communication Facilities, as defined herein.

Section 3. Work Plan. The following work plan includes target dates, but it is the intent for staff to have some flexibility in scheduling to accommodate for quorums, workloads, and notice requirement. The City Council moratorium hearing will occur October 3, 2016; a public hearing to hear from citizens on the record regarding allowing the permitting of Wireless Communication Facilities will occur on November 15, 2016 before the Planning Commission; staff will prepare of list of options based upon the testimony received and research conducted and present the options to the Planning Commission in a workshop on Wednesday, February 22, 2017 and to the City Council in a workshop on March 6, 2017; staff will draft a report and amendments available by May 5, 2017; the Planning Commission will conduct a hearing on

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May 16, 2017; and the recommendations of the Planning Commission together with the record will be forwarded on to City Council for consideration in a hearing on June 19, 2017;

Ordinance Adoption will occur July 3, 2017.

Section 4. Effective Date. This Ordinance is designated as a public emergency ordinance necessary for the protection of public health, public safety, public property or public peace, and shall be effective upon adoption, provided that it is passed by majority plus one of the whole membership of the City Council.

Section 5. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not effect or invalidate the remainder or any parts thereof to any person or circumstances and to this end, the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

PASSED BY the Council and APPROVED by the Mayor this 6th day of September, 2016.

SIGNED: _____
Mayor

ATTEST: _____
Clerk

APPROVED as to form:

City Attorney