

ORDINANCE NO. 2299

AN ORDINANCE amending the Camas Municipal Code by adding a new chapter regulating planned residential developments, adding a new chapter regulating telecommunication facilities, adding a new chapter regulating home occupations, and repealing Chapters 18.66, 18.71, 18.70, and 18.93 of the Camas Municipal Code.

THE COUNCIL OF THE CITY OF CAMAS DO ORDAIN AS FOLLOWS:

Section I

There is hereby added to Title 18 of the Camas Municipal Code a new Chapter to be entitled "Planned Residential Development (PRD)". Such Chapter shall be in the form attached hereto as Exhibit "A" and by this reference incorporated herein.

Section II

There is hereby added to Title 18 of the Camas Municipal Code a new Chapter to be entitled "Telecommunication Facilities". Such Chapter shall be in the form attached hereto as Exhibit "B" and by this reference incorporated herein.

Section III

There is hereby added to Title 18 of the Camas Municipal Code a new Chapter to be entitled "Home Occupations". Such Chapter shall be in the form attached hereto as Exhibit "C" and by this reference incorporated herein.

Section IV

The following Chapters of the Camas Municipal Code are hereby repealed: 18.66—Home Occupations; 18.71—Wireless Telecommunications Facilities; 18.70—Telecommunications Facilities Regulations; and 18.93—Planned Developments.

Section V

This ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED by the Council and APPROVED by the Mayor this 23rd day of July, 2001.

SIGNED: _____

Mayor

ATTEST: _____

Clerk

APPROVED as to form:

Shawn D. MacPherson

City Attorney

Chapter 18.23 PLANNED RESIDENTIAL DEVELOPMENT (PRD)

Sections:

18.23.010	Purpose.
18.23.020	Definitions.
18.23.030	Scope.
18.23.040	Density Standards.
18.23.050	Density Bonus.
18.23.060	Permitted Uses.
18.23.070	Preliminary Master Plan – Requirements.
18.23.080	Professional Preparation.
18.23.090	Final Master Plan.
18.23.100	Approval Standards.
18.23.110	Relationship to Adjacent Areas.
18.23.120	Amendments.
18.23.130	Procedure

18.23.010 Purpose.

The purpose of this chapter is to promote the public health, safety and general welfare of the citizens of the City of Camas in accordance with state law and the City's Comprehensive Plan; to facilitate the innovative development of land; and to provide for greater flexibility in the development of residential lots in medium and high density districts.

A further purpose of this chapter is to allow for the modification of certain regulations when it can be demonstrated that such modification would result in a development which would not increase the density and intensity of land use (except as provided for in section 18.23.040 - Density Standards); would preserve or create features or facilities of benefit to the community such as, but not limited to, open space or active recreational facilities; would be compatible with surrounding development; and would conform to the goals and policies of the City of Camas' Comprehensive Plan.

18.23.020 Definitions.

The following terms are defined as follows:

- A. **Density Bonus.** A percentage of units allowed in a PRD over and above the number of units provided for in the zoning district absent a PRD proposal.
- B. **Density Transfer.** A transfer of dwelling units located on a site identified as sensitive lands or open space to the developable portion of land on the site. (Refer to sections 18.09.060 and 18.09.070)
- C. **Development Agreement.** A legal contract between the "City" and the "Developer" relative to a specific project and piece of property. The agreement may specify and further delineate, and may include but is not limited to, findings of Council, actions, requirements of the Developer and City, benefits to the parties involved, conditions of approval, time frames, etc. A Development Agreement shall become binding upon the land.

- D. **Master Plan.** As used in this Chapter a master plan is a planned proposal for development that includes and illustrates the division of land into lots, the location and sizes of streets, roads and accessways, pedestrian circulation, landscaping, parking areas and the location of and types and densities of uses. A master plan further identifies the dimensions, height, location, and setbacks of all such buildings to the extent necessary to comply with the purpose and intent set forth in this chapter.
- E. **Open Space.** Land that is set aside and maintained in a natural state, providing air, light, and habitat for wildlife, and/or containing significant trees and vegetation. Open space may also contain environmentally sensitive lands, which include but are not limited to steep slopes and areas with unstable soils, wetlands, and streams and watercourses. Open space may also provide for active and passive recreation use. There are two general categories of open space:
1. **Natural Open Space** is land that is devoted to protecting environmentally sensitive lands as defined in this code. Natural open space generally has no developed areas, with the exception of trails as identified in the Comprehensive Parks, Recreation, and Open Space Plan, or by a condition of development approval.
 2. **Recreational Open Space** is land that is set aside and shall include development for recreational opportunities such as trails, sports fields, playgrounds, swimming pools, tennis courts, and picnic areas. Recreational open space is generally limited in size and intensity, proportionate to the development, and is intended for the enjoyment of the residents of the development.
- F. **Peripheral Yard.** Those areas which form the boundary between a planned unit or planned residential development district and any other zoning district, planned unit, or planned residential development.
- G. **Planned Residential Development** (hereinafter referred to as a **PRD**): A development constructed on land of at least 10 acres in size, designed and consistent with an approved master plan. A PRD is comprised of two components: single family and multi-family units. The single-family component shall contain only single-family detached residences on lots equal to or greater than 5,000 square feet. The multi-family component may contain either attached or detached single-family residences on lots smaller than 5,000 square feet, or it may contain, but may not be limited to, duplexes, rowhouses, apartments, and designated manufactured homes, all developed in accordance with Section 18.23.030 (A).

18.23.030 Scope.

Planned Residential Developments (PRD's) shall be established under the following criteria:

- A. A PRD shall only be established in the following zones: R-6, R-7.5, R-10, R-12, LMF, MMF, or HMF.
- B. The minimum land area necessary to apply for a PRD shall be 10 acres of contiguous land.
- C. All land in which a PRD is to be developed shall be held and maintained in a single ownership, including but not limited to an individual, partnership, corporation, or homeowner's association. Evidence of such ownership shall be provided to the Planning Commission and City Council before PRD approval.
- D. Permissible uses within a PRD include any use listed as a permitted use or conditional use in the applicable zone as per section 18.07.040 Table -2, when approved as part of a master plan. Notwithstanding an approved master plan, incidental accessory buildings, incidental accessory structures, and home occupations may be authorized on a case by case basis.
- E. A minimum of fifty percent to a maximum of seventy percent of the overall permitted density of the PRD must be single-family homes.
- F. The multi-family component (two or more attached dwelling units) of a PRD shall ideally be developed toward the interior of the tract rather than the periphery to ensure compatibility with existing single family residences that border the surrounding properties. Deviation from this requirement shall be requested during the preliminary master plan review and specifically approved by the Planning Commission and City Council.
- G. Density standards and bonuses for a PRD shall be in accordance with Section 18.23.040 and 18.23.050.
- H. An equivalent amount of up to twenty percent (20%) of the net area shall be set aside and developed as recreational open space in a PRD, and shall include the following:
 1. Passive or active recreation concentrated in large usable areas; and
 2. Provide trails and open space for connection and extension with the City's open space and trail plan, if feasible; and
 3. Be held under one ownership and maintained by the ownership; or be held in common ownership by means of homeowners' association, and maintained by the homeowners' association. The open space and recreation areas shall be dedicated for public use and be maintained by the ownership or homeowners' association.

18.23.040 Density Standards.

- A. Density standards for a PRD shall be based on the gross area of the parcel being considered. Open space, greenways, sensitive areas, parks and recreation areas set aside within the tract shall be used in the computation of the gross development area. The maximum number of dwelling units in the PRD shall be determined as follows:

Subtract 20% (for public right-of-way) from the gross land area. Divide the net land area (in square feet) by the minimum lot size (in square feet) of the underlying zoning district.

- B. The minimum lot size for a single family dwelling within the single-family component of the PRD shall be 5,000 square feet. The minimum lot width, depth and setback requirements, and maximum lot coverage requirement shall be established for each PRD as part of the approval process. The minimum lot size for the dwellings within the multi-family component of the PRD shall be established as part of the master plan approval.
- C. If more than one zoning district is included within the PRD area, the number of dwelling units allowed in each zoning district shall be computed, and then combined to determine the total number of dwelling units within the entire development.

18.23.050 Density Bonus.

A density bonus of no more than 20% may be granted by the City Council for a PRD as demonstrated by site design and layout. For example: 10 acres in an R1-10 zone less 20% right-of-way yields 348,480 net square feet. This is then divided by 10,000 square feet. Using this example, the maximum number of units equals 35 units, and with a 20% density bonus the maximum number of units allowed would be 42.

18.23.060 Permitted Uses.

Permitted or conditional uses currently listed in the applicable zoning classification shall be considered permitted within a PRD. All proposed uses shall be reviewed in conjunction with the preliminary master plan review.

18.23.070 Preliminary Master Plan – Requirements

- A. Initial conference. Schedule a conference with the Planning Manager, with invitations extended to the City Engineer, Fire Marshal, Police Chief and Building Official to discuss and resolve conceptual problems prior to submission of the preliminary master plan related to said application.
- B. Contents. The preliminary master plan shall include the following information:
 1. The legal description of the total site proposed for development;
 2. The existing and proposed land uses within the development and the existing and proposed location of buildings and other structures;
 3. The proposed residential density for the development which shall include the number and types of dwelling units;
 4. The proposed lot sizes and building envelopes. Approved building envelopes will establish the setbacks for each lot or parcel in which development may occur;

5. A site plan drawn to scale and depicting the following:
 - a. The location of all areas to be conveyed, dedicated, or maintained as public or private streets; access and egress to the development showing proposed traffic circulation, parking areas and pedestrian walks;
 - b. The proposed location of any residential buildings and any other structures, including identification of all buildings as single family, duplex, townhouse, apartment, condominium, designated manufactured home, or otherwise;
 - c. The location of areas to be maintained as common open space, and a description of the proposed use of those areas,
 - d. The location of areas to be maintained as open space network, if applicable;
 - e. Proposed lot or boundary lines for residential, open space, parks and recreational areas, management or allocation purposes;
 6. An accurate survey of the property showing the topography in five foot contours identifying slopes above 15%, all existing, isolated trees six inches or more in diameter, all wooded areas, all existing streets, utility easements, drainage patterns, structures and other improvements, the location of all easements and rights of way for utilities, including, but not limited to water, sanitary sewers, storm sewer, and electricity, gas, telephone and cable TV lines;
 7. A document containing agreements, provisions, and covenants regarding the establishment of a Homeowner's Association which provides for the permanent ownership, maintenance, protection and use of the planned development including streets (if privately owned), storm drain facilities, utilities, common areas (e.g. storage areas, parking areas, and landscaping) open spaces, greenways, parks and recreational areas;
 8. A landscaping plan drawn to scale and demonstrating compliance with Chapter 18.13 - Landscaping. Additionally, the landscape plan shall indicate the landscaping features such as screening, fences, lighting and signing;
 9. A development schedule outlining the expected schedule and phases of development;
 10. The calculation of all applicable impact fees. This shall be coordinated with the City prior to submission of the preliminary master plan.
- C. Effect of Approval. Approval by the City Council of a preliminary master plan shall constitute provisional approval of the PRD. This approval is contingent upon the applicant submitting a final development plan and Development Agreement, if required, that complies with the provisions of this chapter.

18.23.080 Professional Preparation.

- A. The applicant for a proposed PRD shall certify that one or more of the following have been involved with the preparation of the preliminary master plan:
 1. An architect licensed in the state of Washington; and/or
 2. A landscape architect licensed in the state of Washington; and/or
 3. A registered civil engineer or a registered land surveyor licensed in the state of Washington; and/or

4. A certified arborist, if a vegetation management plan is required.
- B. All plans and specifications required for the development shall be prepared and designed by engineers and/or architects licensed in the state of Washington.

18.23.090 Final Master Plan.

- A. **Time Limit.** The final master plan shall be prepared, submitted, approved, and signed by the City within five years following the conditional approval given on the preliminary master plan by the City Council. If the owner or developer wishes to proceed with the development of said land after the expiration date of the five-year period, he shall resubmit an application for development and proceed in accordance with Section 18.23.070 "Preliminary Master Plan".
- B. **Form-Information Required.** The final master plan shall be submitted in the form required by these regulations and state laws, including RCW Chapters 58.16 and 58.18 covering the methods of making the survey and accuracy thereof. In addition to the information required by state law, the following information shall be included on the final master plan:
1. Date, northpoint and scale of drawing;
 2. Legal Description of the tract boundaries;
 3. Name and address of the owner or owners, subdivider, architect, engineer or surveyor, and land planner or landscape architect;
 4. Tract boundary lines, right of way lines of streets and lot lines with dimensions, bearings or deflection angles and radii, arcs, points of curvature and tangent bearings. All bearings and angles shall be shown to the nearest ten seconds and all dimensions to the nearest one hundredth foot;
 5. Location, dimension and purpose of all easements;
 6. Any building setback lines if more restrictive than the City zoning ordinance;
 7. Location and purpose for which sites, other than residential lots, are dedicated or preserved;
 8. Easements and any other areas for public use dedicated without any reservation or restriction whatever;
 9. A copy of any deed restrictions written on the face of the plan or prepared to record with the plan with reference on the face of the plan;
 10. Certification of title showing ownership of land and also written proof that all taxes and assessments on the tract are paid to date;
 11. A certificate by the City Engineer certifying the developer has complied with one of the following alternatives:
 - a. All improvements have been installed in accordance with the requirements of these regulations and with the action of the Planning Commission giving conditional approval of the preliminary master plan, or
 - b. A bond, certificate check, or letter of credit has been posted with the City clerk in an amount sufficient to assure such completion of all required improvements;
 12. Calculation of application impact fees to be applied to the plan;
 13. A detailed cost estimate prepared by a registered civil engineer identifying the total cost of improvements dedicated to the City. This estimate shall be

itemized for water, sewer, street, storm drainage, parks, and other appropriate items.

- C. **Submittal-Review-Compliance Determination.** The applicant shall submit two prints containing the above-mentioned information to the Planning Manager with a letter requesting the final master plan be processed. The Planning Manager shall review the plan and all required information to determine that the development is the same as it appeared on the approved preliminary master plan as required by this title and that the plan is technically complete. After the plan has been approved, signed and recorded, the applicant shall furnish the City with a reproducible Mylar copy of the recorded plan, along with an electronic copy (compatible with the City's computer system) containing a digitized final master plan in the same format as submitted for recording.
- D. **Approval-Recommendation.** The final master plan shall be submitted to the Planning Commission for its recommendation as to approval or disapproval. The Planning Commission shall determine whether the final master plan is in full conformance with the approved preliminary master plan and other regulations. After review of the proposed final master plan, the Planning Commission shall forward the final master plan to the City Council, together with the report of the Planning Commission and its recommendation and the reasons therefor.
- E. **Approval.** Approval of the final master plan by the City Council shall be binding on the applicant, his heirs, successors, and assigns, and any changes in the approved final master plan are subject to the provisions of Section 18.23.120 relating to amendment of the final development plan. Approval authorizes the applicant to complete all criteria necessary to put said final development plan into effect, including the dedication of public streets, recording of a final master plan and recording of a declaration pursuant to the Horizontal Property Regimes Act.

18.23.100 Approval Standards.

Approval for a PRD shall be based on the following standards:

- A. The proposed PRD conforms to:
1. The City of Camas' Comprehensive Plan;
 2. All provisions of the Camas Zoning Code which are not proposed for modification;
 3. All engineering design standards; and
 4. Any other applicable city, state, federal regulations, policies or plans, except those standards proposed for modification.
- B. Utilities and other public services necessary to serve the needs of the proposed development shall be made available, including open spaces, drainage ways, streets, alleys, other public ways, potable water, transit facilities, sanitary sewers, parks, playgrounds, schools, sidewalks and other improvements that assure safe walking conditions for students who walk to and from school.
- C. The probable adverse environmental impacts of the proposed development, together with any practical means of mitigating adverse impacts, have been considered such that the proposal shall not have an unacceptable adverse effect upon the quality of the environment, in accordance with CMC Title 16 and 43.21C RCW.

- D. Approving the proposed development shall serve the public use and interest and adequate provision has been made for the public health, safety, and general welfare.
- E. The proposed development satisfies the standards and criteria as set forth in this chapter.
- F. The proposed development shall be superior to or more innovative than conventional development and shall provide greater public benefit without additional probable adverse impacts to public health, safety or the environment, than available through the use of conventional zoning and/or development standards.
- G. The proposed development shall provide at least two access points (where a PRD does not have access to a primary or secondary arterial) that distribute the traffic impacts to adjacent streets in an acceptable manner.
- H. Preliminary approval does not constitute approval to obtain any building permits or begin construction of the project.

18.23.110 Relationship to Adjacent Areas.

The design and layout of a planned development shall take into account the integration and compatibility of the site to the surrounding areas. The perimeter of the planned development shall be so designed as to minimize any undesirable impact on adjacent properties. Setbacks from the property lines of the planned development shall be comparable to, or compatible with, those of any existing development on adjacent properties. Or, if adjacent properties are undeveloped, then setbacks shall conform to the type of development that may be permitted.

18.23.120 Amendments.

- A. Minor Amendments. In issuing building permits for construction of a PRD, the City Engineer may approve minor adjustments provided that such adjustments shall not:
 - 1. Increase the number of dwelling units;
 - 2. Decrease the amount of parking spaces, loading spaces, or open space;
 - 3. Permit structures to be located closer to any property line;
 - 4. Change any points of ingress or egress to the development as set forth in the final development plan;
 - 5. Conflict with any conditions or statements within a Development Agreement.
 - 6. Increase the height of buildings beyond the limits of the underlying zone.
- B. Amendment of Final Development Plan. Any change in the final development plan, other than those minor adjustments specifically authorized in writing by the City Engineer at the time building permits are issued, must be reviewed by the Planning Commission and recorded in the minutes thereof. The recommendation of the Planning Commission regarding any change in the final development plan, together with its reasons therefor, shall be submitted to the City Council for its approval. Upon approval of such changes by the City Council, the final development plan shall be considered amended to that extent.

- C. **Unauthorized Changes.** Unauthorized changes or substantial deviations from the final development plan shall be subject to a stop work order by the City Engineer. If not corrected, no occupancy permits shall be issued until the development is brought into compliance with the approved final development plan.

18.23.130 Procedure.

An application for a PRD shall be processed pursuant to Chapter 18.55. "Development Administration" of this code. A public hearing before the Planning Commission and review by City Council is required for both preliminary and final master plan approval. The applicant shall be deemed to have abandoned an application for a PRD if not substantially complete within one year from the application date.

Chapter 18.35 TELECOMMUNICATION ORDINANCE

Sections:

18.35.010	Purpose.
18.35.020	Findings.
18.35.030	Definitions.
18.35.040	Abbreviations.
18.35.050	Scope.
18.35.060	Use Authorization.
18.35.070	Exemptions/nonconforming uses.
18.35.080	Height limitations.
18.35.090	General provisions.
18.35.100	Antennas and Add-on Antennas.
18.35.110	Wireless communication -Conditional use permits.
18.35.120	Landscaping and screening requirements.
18.35.130	Federal requirements.
18.35.140	Application requirements.
18.35.150	Permitting process-Waiver of fees for collocation.
18.35.160	Removal of antennas and support structures.
18.35.170	Periodic review.
18.35.180	Best available technology (BAT) employment.

18.35.010 Purpose.

The purpose of this chapter is to minimize the exposure to potential adverse impacts of radio frequency radiation, to preserve the aesthetics of residential, commercial and light industrial areas, and to minimize interference by telecommunication transmissions and radio frequency signals with manufacturing and industrial processes and with emergency and residential communication equipment.

The purpose of this chapter is to set forth the regulations for the placement, development, permitting, and removal of wireless communication facilities, support structures, and antennas. The goals of this ordinance are to:

- A. Establish clear and objective standards for the placement, design and maintenance of wireless communication facilities in order to minimize adverse visual, aesthetic and safety impacts.
- B. Ensure that such standards do not unreasonably discriminate among providers of functionally equivalent services.
- C. Encourage the design of such facilities to be aesthetically and architecturally compatible with the surrounding built and natural environment.
- D. Encourage the location of wireless communication support structures in non-residential areas.

- E. Encourage the collocation and clustering of wireless communication support structures and antennas to help minimize the total number of such facilities throughout the community.
- F. Encourage competition in the provision of wireless communication services for the benefit of the entire community.

18.35.020 Findings.

The Council makes the following findings:

- A. Radio and television broadcasts, wireless and other communication facilities provide public benefits.
- B. These facilities can be incompatible with the character of residential, commercial and light industrial areas due to their size and appearance.
- C. These facilities can result in interference with public safety communications. This interference usually manifests when a cell tower is placed too close to a police or fire station, or consequently, when a public safety radio comes within close proximity to one of these structures.
- D. These facilities may result in interference with industrial and manufacturing processes and with residential communications equipment.
- E. The City is authorized to adopt regulations to promote the public health, safety, and general welfare of its citizens.

18.35.030 Definitions.

As used in this Chapter, the following terms shall have the following meaning:

- A. **City.** City means the City of Camas.
- B. **Accessory Equipment Structure.** An Accessory Equipment Structure is an unstaffed structure used to house and protect the electronic equipment necessary for processing wireless communications signals. Associated equipment may include air conditioning and emergency generators.
- C. **Add-on Antenna.** An Add-on Antenna shall mean an additional antenna(s) placed on an existing wireless communication support structure or other existing building or structure and does not include the originally approved antenna(s).
- D. **Antennas.** Antennas shall mean the specific device used to capture an incoming and/or transmitting an outgoing radio-frequency signal. This definition shall include directional (panel) antennas, omnidirectional (whip) antennas, parabolic (microwave dish) antennas, and ancillary antennas. All other transmitting or receiving equipment not specifically described herein shall be regulated in conformity with the type of antenna described herein which most closely resembles such equipment.
 1. **Directional Antenna** (also known as a panel antenna) is an antenna array designed to transmit and receive signals in a directional pattern.

2. **Omni-directional Antenna** (also known as a whip antenna) is an antenna that transmits signals in a 360 degree pattern.
 3. **Dish Antennas** (also known as a parabolic antenna) is a bowl shaped device that receives and transmits signals in a point to point pattern.
- E. **Clustering.** Clustering is the placement of more than one wireless communication support structure on a single site.
- F. **Collocation.** Collocation is the use of a single wireless communication support structure, by more than one wireless communication provider or the use of a site by more than one wireless communication provider.
- G. **Leased Area.** Leased area is the specified area of the parent parcel upon which a wireless communication facility is located and is subject to specific lease provisions.
- H. **Wireless Communication Facilities.** Wireless Communication Facility is the site, structures, equipment and appurtenances used to transmit, receive, distribute, provide or offer wireless telecommunications services. This includes, but is not limited to antennas, poles, towers, cables, wires, conduits, ducts, pedestals, vaults, buildings, electronics and switching equipment.
- I. **Wireless Communication Systems.** Wireless Communication Systems is the sending and receiving of radio frequency transmissions and the connection and/or relaying of these signals to land lines and other sending and receiving stations (cell sites), and including, but not limited to cellular radiotelephone, personal communications services (PCS), enhanced/specialized mobile radio, and commercial paging services, and any other technology which provides similar services.
- J. **Wireless Communication Support Structure.** Wireless Communication Support Structure is a structure erected to support wireless communications antennas and connecting appurtenances. The primary purpose is to elevate an antenna above the surrounding terrain or structures and may be attached to an existing building or other permanent structures or as a free-standing structure which may include, but are not limited to monopole support structures and lattice support structures, and may have supporting guyed wires and ground anchors.
- K. **Lattice support structure.** A Lattice support structure is a support structure which consists of a network of crossed metal braces, forming a tower which is usually triangular or square in cross-section and is anchored at the base by a concrete foundation.
- L. **Monopole support structure.** A monopole support structure is a support structure or tower consisting of a single pole which is either sunk into the ground and/or attached to a foundation.
- M. **Earth station.** Earth station means a facility that transmits signals to and/or receives signals from orbiting satellite. Satellite dish antennas less than 25 feet in diameter shall not be considered earth stations.

- N. **Major telecommunication facility.** Major telecommunication facility means a utility use in which the means for transfer of information is provided. These facilities, because of their size, typically have impacts beyond their immediate site. Major telecommunication facilities shall include, but not be limited to, FM and AM radio transmission towers, UHF and VHF television transmission towers and earth stations. Major telecommunication facilities do not include communication equipment accessory to residential uses nor the studios of broadcasting companies such as radio or television stations.
- O. **Minor telecommunication facility.** Minor telecommunication facility means a telecommunication facility in which the transfer of information is provided but which generally does not have significant impacts beyond the immediate location of the facility. These facilities are smaller in size than a major telecommunication facility.
- P. **Satellite dish antenna.** Satellite dish antenna means an instrument or device designed or used for the reception and transmission of television or other electronic communication signals broadcast or relayed from an earth satellite. It may be a solid, open-mesh or a bar-configured structure. Satellite dish antennas shall be considered major telecommunication facilities.
- Q. **Transmission tower.** Transmission tower means a broadcasting facility that is constructed above ground or water or is attached to or on top of another structure and is intended to support an antenna and accessory equipment or which is itself an antenna and whose principal use is to transmit telecommunication signals.

18.35.040 Abbreviations.

As used in this ordinance, the following abbreviations shall stand for the following terms or entities:

- A. **FAA.** FAA shall mean the Federal Aviation Administration established pursuant to the "Federal Aviation Act of 1958", as amended.
- B. **FCC.** FCC shall mean the Federal Communications Commission established pursuant to the "Communications Act of 1954", as amended.

18.35.050 Scope.

The following facilities shall be subject to the regulations set forth in this chapter:

- A. All wireless communication support structures, antennas, equipment structures and uses accessory to an antenna.
- B. Any modification to a wireless communication support structure, antenna, equipment structure or uses accessory to an antenna.
- C. Major and minor telecommunication facilities, earth stations, transmission towers.

18.35.060 Use Authorization

Major and minor telecommunication facilities may be authorized as provided under Chapter 18.07. Wireless Communications structures and antennas shall be permitted, prohibited or conditionally allowed as indicated in Table 18.35-1.

Table 18.35-1

KEY:	P=Permitted	C=Conditional Use
	X=Prohibited	

Use	NC	DC	CC	RC	LI/BP	LI	HI	R	MF
Wireless Communication - Support Structures (no lattice)	C	C	C	C	P	P	P	C	C
Lattice Support Structures	X	X	X	X	X	X	C	X	X
Antenna and Add-on Antennas	P	P	P	P	P	P	P	P	P

18.35.070 Exemptions/nonconforming uses.

The following shall be exempt from requirements in this chapter:

- A. Wireless telecommunication support structures, antennas and equipment structures for which a permit has been issued prior to the effective date of this ordinance shall be allowed to continue their previously permitted use under the development standards in effect at the time of permitting.
- B. The following shall be permitted outright for existing wireless communication support structures, antenna, equipment or uses which are nonconforming, provided that there is no increase in excess of 25% of the cross-sectional diameter of any wireless communication support structure and there is compliance with FCC radio frequency radiation standards:
 1. Structural alterations to meet safety requirements;
 2. Replacement on-site;
 3. Routine or emergency maintenance, renovation or repair;
 4. Addition of new antennas to an existing wireless communication support structure to permit collocation provided that no more than a total of 3 antennas over 6 feet in any dimension may be located on any existing wireless communication support structure.
- C. The operation of industrial, scientific and medical equipment at frequencies designed for that purpose by the Federal Communications Commission;
- D. Machines and equipment that are designed and marketed as consumer products, such as computers, telephones, microwave ovens and remote-control toys;
- E. Hand held, mobile and marine radio transmitters and/or receivers and portable radio frequency sources;

- F. Two-way communication transmitters utilized on a temporary basis for experimental or emergency service communications;
- G. Licensed amateur radio frequency facilities including, but not limited to, amateur (ham) radio stations and citizen band stations;
- H. Satellite dish antenna systems normally used for television reception and internet connections at home or place of business.
- I. Emergency or routine repair, reconstruction or routine maintenance of previously approved telecommunication facilities, or replacement of transmitters, antennas, or other components or previously approved facilities, replacement of transmitters, antennas, or other components of previously approved facilities which does not increase the power output of the facility by more than 10%.

18.35.080 Height limitations.

- A. The height of a wireless communications facility shall mean to include the support structure and any antennas proposed at the time of application. A lightning rod, not to exceed 10 feet or FAA required lighting shall not be included within the height limitations.
- B. The maximum height of wireless communications support structures and their antennas may vary from the standards of the underlying zone.
- C. The allowable overall height of a structure associated with a wireless communication facility or major telecommunication facility shall be no greater than the distance from any point at the base of the support structure to any point of a residential building, located on or off site and existing on the date of application, unless the owner of said residential building(s) consent in writing to such tower location.
- D. A variance to the height standard shall be subject to Chapter 18.45. In addition to the criteria of Chapter 18.45, the application must demonstrate the variance is necessary for wireless coverage to exist in a specific identifiable area that could not feasibly be covered by locating at a different location in the vicinity.

18.35.090 General provisions.

The following general provisions shall apply to all wireless communications facilities:

- A. All wireless communications support structures and required fencing shall be equipped with appropriate anti-climbing devices.
- B. All wireless communication support structures and antennas which are located at a wireless communication facility shall be identified with a sign not exceeding four (4) square feet. The sign shall list the wireless service provider's name and emergency telephone number and shall be posted in a place visible to the general public.

- C. Wireless communication support structures and antennas locating on any site or existing building that is on a historic register or in a historic district shall require a conditional use permit. If the proposed site or existing building is on the Local Historic Register, the wireless communication support structure and antenna design shall be subject to the applicable design standards prescribed by the Clark County Historic Preservation Commission. If the site is on the National Historic Register, the wireless communication support structure and antenna shall be subject to the applicable design standards prescribed by the Secretary of the Interior.
- D. Wireless communication support structures not regulated by the FAA shall have a finished surface that minimizes the visibility of the structure.
- E. Wireless communication support structures shall not be illuminated except where required by the FAA.

18.35.100 Antennas and Add-on Antennas.

Antennas and add-on antennas shall be permitted as a Type 1 Review in any zone and further subject to the applicable provisions of the Uniform Building Code and the following conditions and exceptions:

- A. Shall add no more than 20 feet to the height of an existing structure as measured at the point of attachment to the existing structure.
- B. Shall be painted or finished in a manner that blends with dominant color of the background, unless required to be marked by the FAA.
- C. Shall be affixed to structures with mounting apparatus which produces the least visual impact and blends with the dominant background color.
- D. Individual add-on antennas shall be limited to the following size restrictions:
 1. A whip antenna shall not be more than 3 inches in diameter and 15 feet in length.
 2. A panel, dish or microwave antenna shall have not more than 15 square feet.
 3. Multiple add-on antennas proposed for a single wireless communication support structure or existing building which increase the existing cumulative cross-sectional diameter of antennas by more than 25% shall require a conditional use permit.

18.35.110 Wireless Communications -Conditional use permits.

Wireless communications support structures shall be subject to the conditional use permit provisions of Chapter 18.43 CMC except within an industrial or light industrial zone where they shall be subject to a Type 1 decision subject to notice, be submitted on application forms and in the manner set forth by the City with the following additional requirements:

- A. Collocation feasibility evaluation as prescribed by CMC 18.35.130, "Application Requirements" Conditions. In addition to the conditions of approval of Chapter 18.43, the permit may include requirements which:
1. Require the use of concealment technology, including, but not limited to fencing, landscaping, strategic placement adjacent to existing buildings or vegetation, and "stealth" designs to minimize adverse aesthetic and visual impacts;
 2. Require compatibility with key design elements in the surrounding area; for example, in single family residential zones, use of peaked roof lines, painted surfaces, and wooden fences.
 3. Minimize the cumulative aesthetic, visual or safety impacts of additional wireless communication facilities in the surrounding area.

18.35.120 Landscaping and screening standards.

The following landscaping and screening standards shall apply to all wireless communication support structures, major or minor telecommunication facilities, and accessory equipment structures and any other accessory facilities located on the ground:

- A. The perimeter of the wireless communication support structure and any guyed wires and anchors shall be enclosed by a fence or wall subject to Section 18.18.050 Fences. A partially sight-obscuring fence or wall shall be landscaped around the outside perimeter of the fence or wall with 6 foot high evergreen shrubs that provide a screen that is 75% opaque year around.
- B. A 5 foot landscaped buffer shall be located around the perimeter of the fence or wall.
- C. Landscaping shall be installed in compliance with Chapter 18.13 - Landscaping.
- D. Add-on antennas to existing structures that requires the ground installation of equipment structures and accessory equipment shall be landscaped with a 5 foot buffer around the perimeter of the facility.

18.35.130 Federal requirements.

All wireless communications support structures must meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the federal government with the authority to regulate wireless communications support structures and antennas. If such standards and regulations are changed, owners of the wireless communication support structure, antennas and electronic equipment governed by this ordinance shall bring such wireless communication support structure, antennas and electronic equipment into compliance with such revised standards and regulations within the compliance schedule of the regulatory agency. Failure to bring wireless communications support structures and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the wireless communication support structure, antenna or electronic equipment at the owner's expense.

The owners of such wireless communications support structures, antennas and electronic equipment shall provide the City with copies of all environmental assessments (EA's) required to be submitted to the FCC or FAA regarding locations within the City simultaneously with any filing with the federal agencies pursuant to 47 CFR Part I.

18.35.140 Application requirements.

In addition to the requirements of CMC, the applicant shall provide the following:

- A. A copy of the applicant's collocation evaluation study consisting of the following:
1. Certification that the following notice was mailed to all other wireless providers licensed to provide service within the City of Camas:

“Pursuant to the requirements of CMC 18.35, (wireless provider) is hereby providing you with notice of our intent to apply to the City of Camas to construct a wireless communication support structure that would be located at (address). In general, we plan to construct a support structure of _____ feet in height for the purpose of providing (cellular, PCS, etc.) service.

Please inform us whether you have any wireless facilities located within (distance) of the proposed facility, that may be available for possible collocation opportunities. Please provide us with this information within _____ days after the date of this letter. If no response is received within that time, we shall assume you do not wish to pursue collocation at such site.

Sincerely, (pre-application applicant, wireless provider).”

2. Certification from a licensed radio engineer indicating whether the necessary service is technically feasible if provided by collocation at the identified site(s) by the other provider(s).
3. If applicable, evidence that the lessor of the site(s) identified by the other provider(s) agrees to collocation on their property.
4. Certification by a licensed radio engineer that adequate site area exists or does not exist at the site(s) identified by the other provider(s) to accommodate needed equipment and meet all of the site development standards.
5. If applicable, evidence that adequate access does exist at the possible collocation site(s) identified by the other provider(s).
6. A copy of the applicant's license issued by the FCC.
7. A copy of the findings from the FAA's *Aeronautical Study Determination* regarding the proposed wireless communication support structure.
8. A report from a licensed professional engineer indicating the anticipated capacity of the wireless communication support structure, including the number and types of antennas which can be accommodated.
9. Proof of liability insurance coverage for the proposed wireless communication support structure or antenna. Liability insurance shall be maintained until the

wireless communication support structure or antenna is dismantled. Failure to maintain insurance coverage shall constitute a violation of this ordinance and grounds for revocation of a permit.

10. In the case of a leased site, a lease agreement which shows on its face that it does not preclude the site owner from entering into leases of the site with other providers.

18.35.150 Permitting process - Waiver of fees for collocation.

If the wireless communication support structure and originally approved antennas required a conditional use permit, and attaching add-on antenna(s) does not require any additional wireless communication support structure expansion except for normal mounting hardware, the add-on antennas shall only be subject to fees for being permitted outright. The site plan and SEPA fee shall be waived.

18.35.160 Removal of antennas and support structures.

Any antenna or wireless communication support structure that is not operated for a continuous period of twelve (12) months shall be removed by the owner of the property on which the wireless communication support structure or antenna is situated or by the owner or lessee of the wireless communication support structure or antenna within ninety (90) days of receipt of notice to remove from the City. If the antenna and/or wireless communication support structure is not removed within said ninety (90) days, the City may remove the antenna or wireless communication support structure at the owner's expense. If there are two or more wireless communications providers on a single wireless communication support structure, this provision shall not become effective until all providers cease using the wireless communication support structure for a continuous period of twelve (12) months. The provider shall submit a notice to the City informing the City that the antenna or wireless communication support structure is no longer in use or in operation. Said notice shall be submitted within thirty (30) days that the facility becomes unused or inoperable.

18.35.170 Periodic review.

The City recognizes that communication technologies are subject to rapid change. Future innovations may result in reducing the impacts of individual facilities and render specific portions of this ordinance obsolete. Additionally, the ordinance may not address new technologies as they develop. Therefore, periodic review and revision of this ordinance shall occur at least every two years or at the request of the Planning Commission or City Council.

18.35.180 Best available technology (BAT) employment.

At the time of application for a new or revised permit subject to the provisions of this Chapter, best available technology (BAT) shall be employed. Further, the City strongly encourages the communication industry to review and replace outdated facilities with (BAT).

Chapter 18.39 HOME OCCUPATIONS

Sections:

- 18.39.010 Purpose.
- 18.39.020 Definitions.
- 18.39.030 Types distinguished.
- 18.39.040 Criteria for Approval – Type B Home Occupation.
- 18.39.050 Complaints/Enforcement.

18.39.010 Purpose.

The purpose of the home occupation chapter is to address the need for small scale home based business' and to ensure they are suitable to the characteristic of the surrounding neighborhood or the area. The regulations are designed to:

- A. Protect the individual characteristics of neighborhoods in the City of Camas and maintain the quality of life for all residents of the City.
- B. Join in an effort to reduce vehicle miles traveled, traffic congestion and air pollution in the State of Washington.

18.39.020 Definitions.

- A. Employee – one full or part time participant, resident or non-resident, in the business shall constitute one employee.
- B. Normal deliveries – The home occupation shall not involve the use, parking, or storage of any vehicle exceeding a gross vehicle weight of 11,000 pounds except deliveries by parcel post, United Parcel Service, or similar in-town delivery service trucks. These deliveries or pick-ups of supplies or products, associated with business activities are allowed at the home only between 7 a.m. and 6 p.m.
- C. Headquarters – A business operation where employees come to the site at any time.
- D. Vehicles or motors – vehicles or equipment with internal combustion engines (such as autos, motorcycles, scooters, snowmobiles, outboard marine engines, lawn mowers, chain saws, and other engines).

18.39.030 Types Distinguished.

- A. **Type A Home Occupation:** A home occupation where the residents use their dwelling as a place of work. Type A Home Occupations may be established subject to the filing of a statement on forms provided by the Director indicating the occupants understanding of and agreement to satisfy all of the following:
 - 1. No non-resident employees;
 - 2. With the exception of horticultural activities, the home occupation is conducted wholly within an existing enclosed dwelling or structure;
 - 3. No dwelling or accessory structure shall be constructed, modified or altered to accommodate a home occupation in such a way as to alter the

residential character of the property or to render its appearance incompatible with neighboring residences;

4. Deliveries shall be limited to "normal deliveries" as defined in this chapter.
5. No outdoor storage or displays shall occur (including vehicle parking associated with the Home Occupation);
6. No signage shall be allowed;
7. No noise above 50 dba (decibels adjusted) at the property lines shall be permitted;
8. The primary function of the home occupation shall not be based on the maintenance, repair or assembly of any vehicles or motors associated with any vehicle, yard equipment, or construction/demolition equipment;
9. A Type A Home Occupation may not serve as headquarters or dispatch where employees come to the site;
10. The occupant of the home in which the occupation will take place completes and submits to the City a *Type A Notification Form* indicating an understanding of the limitations to the use.

- B. **Type B Home Occupation:** A home occupation where the residents use their dwelling as a place of work but exceeds the standards of the type A home occupation. Type B Home Occupations shall be processed as per Chapter 18.55.040 – Administrative Decisions and 18.55.200 - Administrative Approvals Subject to Notice. Type B- Home Occupations shall be filed on forms provided by and in the manner set forth by the City Planner.

18.39.040 Criteria for Approval – Type B Home Occupation.

Administrative approval shall be guided by the following criteria:

- A. The criteria found in Section 18.44.050;
- B. The home occupation employs no more than one non-resident employee;
- C. No dwelling or accessory structure shall be constructed, modified or altered to accommodate a home occupation in such a way as to alter the residential character of the property or to render its appearance incompatible with neighboring residences;
- D. No dwelling or accessory structure shall be used for a Type B home occupation, nor constructed, modified or altered to accommodate a Type B home occupation without the appropriate review and approval of the Building Official.
- E. The site has adequate on site parking to accommodate any additional traffic resulting from the use;
- F. Traffic generated by the home occupation shall not noticeably effect the residential character of the neighborhood;
- G. Deliveries shall be limited to "normal deliveries" as defined in this chapter.
- H. No outdoor storage or display;
- I. Signage limited to one sign not to exceed four square feet. The sign shall be affixed to the dwelling and non-illuminated and non-mechanized.

- J. No noise above 50 dba at the property lines.
- K. The primary function of the home occupation shall not be based on the maintenance, repair or assembly of any vehicles or motors associated with any vehicle, yard equipment, or construction/demolition equipment;
- L. Each approval shall be specific for the particular home occupation and reference the number of employees allowed, the hours of operation, frequency and type of deliveries, the type of business and any other specific information for the particular application.

18.39.050 Complaints/Enforcement.

Any complaint made that a home occupation is being conducted in violation of this chapter shall be enforced pursuant to Article VII Enforcement of Chapter 18.55.