

ORDINANCE #514

AN ORDINANCE AMENDING SECTION 4A3 OF ZONING ORDINANCE #371 TO ALLOW UTILITY SUBSTATION FACILITIES (INCLUDING TRANSMISSION TOWERS AND ACCESSORY EQUIPMENT TO PROVIDE CELLULAR COMMUNICATIONS SERVICES) TO BE A CONDITIONAL USE IN R1-12.5 AND R1-10 SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS.

Whereas, the Town Council of Yacolt, Washington, is in regular session this 2nd day of December, 2013;

Whereas, each member of the Town Council has had notice of the time, place and purpose of said meeting;

Whereas, the Town Council desires to amend the Town of Yacolt's Zoning Ordinance, Ordinance #371, to allow transmission towers and accessory equipment for cellular communications services as a conditional use in R1-12.5 and R1-10 Single Family Residential Zoning Districts; and,

Whereas, the Town Council has satisfied the public hearing and notice requirements of Ordinance #371 prior to adoption of this Ordinance:

NOW THEREFORE, be it ordained by the Town Council of Yacolt, Washington:

Section 1 – Amendment of Section 4A3 of Ordinance #371.

Section 4A3 of Ordinance #371, adopted February 3, 1997, is hereby amended by adding a new sub-section "1" following sub-section "k" which shall read as follows:

1. Utility Substation Facilities.

Section 2 - Savings Clause.

All terms of Ordinance #371, as amended, shall remain in full force and effect until the effective date of this Ordinance. As of and following the effective date of this Ordinance, the remaining terms of Ordinance #371, shall remain in full force and effect as amended hereby.

Section 3 – Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, the remaining portion of this Ordinance shall remain in full force and effect.

Section 4 - Effective Date.

This Ordinance shall take effect on December 11, 2013, following publication of the following summary, according to law.

Town of Yacolt - Summary of Ordinance #514

The Town Council of the Town of Yacolt adopted Ordinance #514 at its regularly scheduled Town Council meeting held on December 2, 2013. The content of the Ordinance is summarized in its title as follows:

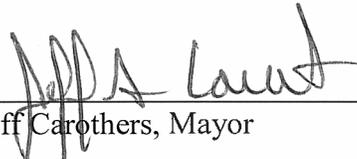
AN ORDINANCE AMENDING SECTION 4A3 OF ZONING ORDINANCE #371 TO ALLOW UTILITY SUBSTATION FACILITIES (INCLUDING TRANSMISSION TOWERS AND ACCESSORY EQUIPMENT TO PROVIDE CELLULAR COMMUNICATIONS SERVICES) TO BE A CONDITIONAL USE IN R1-12.5 AND R1-10 SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS. The effective date of the Ordinance is December 11, 2013.

A copy of the full text of the Ordinance will be mailed upon request to the undersigned at the Town of Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

Published this 11th day of December, 2013.
Cindy Marbut, Town Clerk/Treasurer

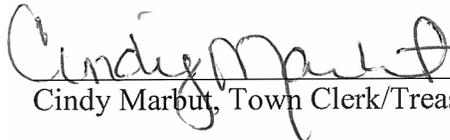
PASSED by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 2nd day of December, 2013.

TOWN OF YACOLT



Jeff Carothers, Mayor

Attest:



Cindy Marbut, Town Clerk/Treasurer

Approved as to Form:

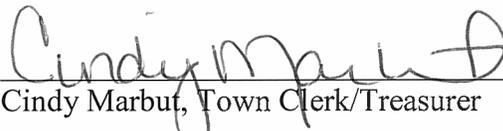
David W. Ridenour, Town Attorney

Ayes: Hancock, Karl, Urias, Gerhardt, Myers
Nays: Ø
Absent: Ø
Abstain: Ø

TOWN CLERK'S CERTIFICATION

I hereby certify that the foregoing Ordinance is a true and correct copy of Ordinance #514 of the Town of Yacolt, Washington, entitled "AN ORDINANCE AMENDING SECTION 4A3 OF ZONING ORDINANCE #371 TO ALLOW UTILITY SUBSTATION FACILITIES (INCLUDING TRANSMISSION TOWERS AND ACCESSORY EQUIPMENT TO PROVIDE CELLULAR COMMUNICATIONS SERVICES) TO BE A CONDITIONAL USE IN R1-12.5 AND R1-10 SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS.", as approved according to law by the Town Council on the date therein mentioned. The Ordinance has been published or posted according to law.

Attest:



Cindy Marbut, Town Clerk/Treasurer

Published: Dec 11th 2013
Effective Date: Dec 11th 2013
Ordinance Number: 514