



City of Yelm

Site Plan Review Committee

*105 Yelm Avenue West
Yelm, WA 98597*

NOTICE OF DECISION

DATE: January 24, 2018
PROJECT NAME: Yelm Boat and RV Storage
PROJECT LOCATION: 557 Rhoton Road NW, Yelm, WA 98597
PARCEL NUMBER: 22719240300
CASE NUMBER: 20070276

NOTICE IS HEREBY GIVEN that the Community Development Department issued a site plan review approval to Randy Weber at the above referenced location.

The complete decision may be viewed on the City's website at www.yelmwa.gov and choosing 'Document Library' then 'Currently Under Review' from the menu system. A copy of the decision may also be obtained at the Community Development Department in City Hall at 105 Yelm Avenue West, Yelm, WA 98597 during normal business hours for a fee of 15 cents per page. For additional information, please contact the Community Development Department at 360-458-3835.



City of Yelm

Site Plan Review Committee

105 Yelm Avenue West
Yelm, WA 98597

Site Plan Review 20070276

Findings of Fact, Conclusions of Law, and Decision

FINDINGS OF FACT

1. Randy Weber proposes to construct covered and uncovered boat and RV storage with an associated office located at 557 Rhoton Road NW, identified by Assessor's Tax Parcel Number 22719240300.
2. The property is approximately 7.57 acres and is currently vacant. The property is zoned Industrial District (I) which is codified at Chapter 18.39 YMC. The Industrial district is intended to provide for the location of industrial activities. Warehousing and storage of equipment, commodities and products are an allowed use in the Industrial zone. [Section 18.39.020 YMC].
3. Randy Weber submitted a site plan review application on December 4, 2017. The application materials included a preliminary site plan, stormwater report, infiltration evaluation, project narrative and FEMA determination letter. A notice of application was mailed to adjacent property owners on December 26, 2017, and the published in the *Nisqually Valley News* on December 29, 2017.

Comments were received from the Department of Ecology requiring compliance with existing regulations.

4. In 2007, the City issued a site plan approval to construct 11 mini storage buildings, with outdoor RV and boat storage. Civil construction plans were approved in 2008. The project was not constructed, and the approvals expired. In 2012, the Federal Emergency Management Agency (FEMA) updated the Flood Insurance Rate Map for Yelm. The change resulted in the west and east portions of the property being within the flood hazard area, while the center of the property was above the flood elevation. The applicant applied for a Letter of Map Revision based on Fill (LOMR-F). The LOMR was issued on August 17, 2017.
5. The City of Yelm incorporates by reference the following environmental documents: City of Yelm MDNS 07-0276, including environmental checklist, preliminary storm drainage report, and traffic impact analysis.

City of Yelm DNS 20130331, including environmental checklist, FEMA floodplain habitat assessment, critical areas report and proposed mitigation plan, stormwater site plan and tree and preservation/protection plan.

5. Chapter 18.16 YMC requires a determination that the infrastructure facilities necessary to serve a proposed development are in place or planned for and properly funded with a reasonable expectation that the facilities will be in place at the time needed to preserve adopted levels of service.

- a. Concurrency with sewer infrastructure means the project is within an area approved for sewer pursuant to the adopted sewer comprehensive plan for the City and improvements necessary to provide facilities and services are present to meet the needs of the proposed development.

The applicant will connect the proposed office building to the City sewer system. Connection to the sewer system satisfies concurrency requirements.

- b. Concurrency with water infrastructure means the project is within an area approved for municipal water service pursuant to the adopted water comprehensive plan for the City and improvements necessary to provide services are present.

The applicant will connect the proposed office building to the City water system. This connection satisfies concurrency requirements.

- c. Concurrency with transportation infrastructure means that the project completes frontage improvements, makes off-site improvements required for the safe movement of traffic and pedestrians if impacted by traffic from the development, and pays a traffic facilities charge.

The parcel fronts Rhoton Road NW. Rhoton Road is considered a Commercial Collector Street, but is not constructed to City Standards. The applicant has requested a deferral of frontage improvements based on low traffic generation. A signed agreement for deferral of frontage improvements would meet concurrency requirements. Dedication of right-of-way is needed to provide for future frontage improvements.

- d. Concurrency with school infrastructure means the developer pays a school impact fee at the time of construction.

The proposal will have no impact on the School system as it will not increase student population.

- e. Concurrency with fire protection means the developer pays a fire impact fee at the time of construction.

The City Council has waived fire impact fees by Resolution 533 until the SE Thurston Regional Fire Authority establishes a region wide impact fee. This fee is subject to change by resolution of the City Council and is collected at the time of building permit issuance.

8. Title 18 YMC is the Unified Development Code for the City of Yelm and establishes standards for development within the various zoning districts. The subject property is identified by the Zoning Map as being within the Industrial zoning district. A church is located on the property to the north, vacant industrial zoned property to the east, undeveloped residential property to the west, and an existing industrial use to the south.
 - a. Warehousing of equipment and commodities is allowed in the Industrial zoning district as a permitted use. [Section 18.39.020 YMC]
 - b. Setback requirements for the Industrial zoning district are 15 feet from front, side, and rear yards. [Section 18.39.040 YMC] The proposed buildings meet the Industrial district setback requirements.
 - c. Buildings in the Industrial zoning district may be up to 40 feet in height. [Section 18.39.040 YMC]. The proposed buildings meet the height requirement for the Industrial district.
 - d. Chapter 18.52 provides guidance for Ingress and egress. The driveway access was approved during the construction of floodplain fill and grade. Industrial driveway widths shall not exceed 50 feet and meet minimum industrial driveway standards found in the Yelm Development Guidelines.
 - e. Industrial uses require one parking space per employee based on the greatest number of employees on a single shift, plus one square foot parking per square foot of display or retail area, plus one space for each vehicle owned, leased or operated by the company, one of which must be a van accessible handicap stall.

The conceptual plan shows 3 parking stalls, one of which to be a van accessible handicap stall, to serve a 216 square foot building. There is also additional parking within the site for employees and any company vehicles. The conceptual plan does not meet parking and access pursuant to the Americans with Disabilities Act. The plan will need to be changed to provide the correct parking stall size and approved accessible route surface. With these changes, the proposed parking meets the parking requirements of the Industrial district.
9. Title 18. YMC provides guidance and regulation for site planning during development. Chapter 18.55 establishes landscaping requirements for various types of development.

- a. Perimeter landscape includes an 8 foot planter area with a combination of evergreen and deciduous trees. The applicant is proposing sight obscuring landscaping along the north and south property lines, from the eastern property lines extending to the edge of the floodplain designation. The critical areas and mitigation plan requires the new flood zone area to be revegetated. This vegetation plan meets the requirement of perimeter landscaping along the west property line.

Due to the nature of the storage facility, security fencing is necessary. Section 18.61.050 (B) YMC prohibits chain link fencing when visible from the street. The applicant has proposed a “wire-worked” fence, with wood accents along the frontage of the property and extending 100 feet west along both north and south property lines with substantial landscaping. From that point continuing west, the fencing will be black vinyl coated chain link fencing, with a sight obscuring landscape.

- b. Pedestrian corridors require streetscape landscaping to provide visual relief and separation of pedestrians from streets and parking areas. This landscaping is achieved with frontage improvements. The applicant has requested a deferral of frontage improvements. If approved, the pedestrian corridor landscape would be included in the deferral.
- c. Chapter 18.59 requires trash enclosures to be incorporated into the architectural feature of the primary structure and landscaping. The enclosure shall be constructed of CMU, wood or architectural steel, with gates of similar durable materials. [Section 18.59.040 YMC]. Due to the nature of the business and size of office, it is likely that the business will be allowed a residential sized refuse container. If so, the container must not be stored between the building and street, and must be screened.
- e. Section 18.59.050 YMC provides guidance for illumination. Walkways shall be lit to a minimum of 2 foot candles. Parking lot illumination levels shall not exceed 0.1 foot candle at five feet past the edge of the property line(s). Fixtures shall be mounted to a maximum of 20 feet above grade.
- f. Mailboxes for the site shall be cluster box units (CBU) and placed on site. [Section 18.59.080 YMC]
- g. Section 18.51.050 YMC requires that outside storage shall be maintained in an orderly manner consistent with good housekeeping practices and shall be effectively fenced and screened from all residential areas and public rights-of-way.

10. The Yelm Critical Areas and Resource Lands, Chapter 18.21 YMC provides protection for critical aquifer recharge areas, frequently flooded areas, wetlands, geologically hazardous areas, and fish and wildlife habitat conservation areas.

a. All of Yelm is identified as a critical aquifer recharge area. Compliance with Federal, State, and County water source protection regulations and with the City's adopted stormwater regulations is required to protect the aquifer. [Section 18.21.070 (C) YMC]

b. The Mazama Pocket Gopher has been listed as a threatened species by the Washington Department of Fish and Wildlife since at least 2008. Yelm has protected this species through the implementation of the Critical Areas Code. When a development occurs on property suspected to be occupied by the Mazama Pocket Gopher, the Community Development Department has required the applicant prepare a critical areas report which would include mitigation measures if it was determined that pocket gophers would be impacted by the proposed development. The Washington Department of Fish and Wildlife is provided with notice of all threshold determinations issued pursuant to the State Environmental Policy Act and the City consults with the Department when a critical areas report is required.

In April, 2014, the U.S. Fish and Wildlife Service listed the Yelm subspecies of the Mazama Pocket Gopher as threatened under the Endangered Species Act. While the City of Yelm is not responsible for implementation or enforcement of the Endangered Species Act, it consults with the Service and provides notice to applicants that the pocket gopher is a federally protected species and a permit from the U.S. Fish and Wildlife Service may be required.

The applicant submitted a critical areas report and habitat assessment as part of the 2013 floodplain fill application that showed no adverse impact to species protected under the Endangered Species Act. The report was updated in 2017 to reflect the same.

Compliance with Yelm's requirements under the Critical Areas Code does not ensure compliance with the provisions of the Endangered Species Act. The applicant should contact the US Fish and Wildlife Service with any questions about compliance with Federal standards for threatened species.

Section 18.21.080 YMC states that all structures shall be located outside the floodplain. No fill or any activity is proposed in the floodplain, with the exception of mitigation measures as described in the critical areas and mitigation plan.

11. Chapter 13.04 YMC and Chapter 6 of the Development Guidelines establish requirements for connection to the City's water system.
 - a. Water service connections are by a service line and water meter in the public right-of-way. [Section 13.04.110 YMC]. New service connections are calculated at 875 cubic feet per equivalent residential unit (ERU). [Section 13.04.120 YMC]

The site is currently vacant and not served by City water. The applicant proposes to connect the office to the City water system.
 - b. If the proposed use will use more than 875 cubic feet of water per month, additional water connections will be required.
 - b. The City implements a cross-connection and backflow control program pursuant to Title 43 RCW and Chapter 248-54 WAC. [Section 13.04.220 YMC] A backflow prevention assembly at water meter and double check backflow assembly at irrigation meter are required to protect Yelm's water system from cross-connections. [Section 13.04.220 (D) YMC].
12. Chapter 13.08 YMC and Chapter 7 of the Development Guidelines establish requirements for connection to the City's sewer system.
 - a. The site is currently vacant and not served by City sewer. The applicant proposes to connect the office to the City sewer system.
 - b. The tank shall be a minimum 1,500 gallon with a 20 mgd pump. The tank is required to be a Class 1 Division 1 Commercial STEP system.
 - c. S.T.E.P. tanks must be accessible to City staff at all times for routine maintenance and pumping.
 - d. The discharge of waste containing fats, oils, or greases in excess of 100 mg/l to the S.T.E.P. tank is prohibited. [Section 13.08.080 (B) YMC]

If the use has the potential of generating fats, oils, or greases to the S.T.E.P. tank, requiring an oil/water separator or a grease interceptor would ensure compliance with Section 13.08.080 (B) YMC.
13. All of Yelm is considered a critical aquifer discharge area. The control and treatment of stormwater is required to protect the critical aquifer. The City has adopted the latest edition of the *Stormwater Management Manual for Western Washington* published by the Washington Department of Ecology. [Section Chapter 18.27 YMC]. The project as proposed triggers Best Management Practices as provided by the manual.

The applicant is proposing permeable pavement with treatment provided via infiltration through native soil layer, design based on the 2014 Department of Ecology Stormwater Management Manual for Western Washington.

14. Frontage improvements are required as part of development in the City. [Section 18.16.050 YMC]

The property fronts Rhoton Road, and is considered a Commercial Collector. Section 18.16.080 (C) YMC allows the City to determine when frontage improvements are required, and under certain circumstances may permit deferral of installation of such improvements to a later date.

The applicant has requested a deferral of frontage improvements based on low traffic generation. There is public benefit in coordinating small improvements with a larger project such as through local Improvement Districts (LID).

Deferred frontage improvements shall be secured for installation at a later date by a waiver of protest, and commitment to participate in a local improvement district. Any required right-of-way shall be dedicated prior to occupancy.

15. Fire protection to the buildings shall be provided pursuant to the International Fire Code. The specific requirements of installation of fire hydrants, fire sprinklers and fire lanes will be determined during civil and building plan review.

CONCLUSIONS OF LAW

- A. Section 18.13.020 (B) YMC allows the Site Plan Review Committee to approve a proposal when the preliminary site plan conforms to the standards, provisions and policies of the city as expressed in its various adopted plans and ordinances.
- B. Randy Weber has established that the request for site plan review approval can satisfy all criteria set forth in Section 18.13.020(C) YMC, meet all requirements of the Industrial District zoning classification, and meet all other requirements of the Yelm Municipal Code. Therefore, the preliminary site plan should be approved subject to the following conditions:
1. The proposed office building shall connect to the City water system.
 2. A reduced pressure backflow assembly is required at the current water meter. An estimate of water usage is required to determine water connection requirements.
 3. The existing building shall connect to the City sewer system. The STEP tank shall be a minimum 1,500 gallon with a 20 mgd pump. The tank is required to be a Class 1 Division 1 Commercial STEP system. Any potential of fats, oils or greases to the

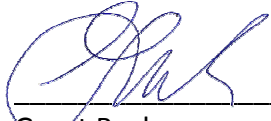
sewer system requires an oil/water separator or grease interceptor. The tank shall be accessible to City staff at all times.

4. The existing ingress/egress on Rhoton Road shall be constructed to meet City of Yelm Development Guideline standards.
 5. An Agreement and Waiver of Protest for the deferral of frontage improvements on Rhoton Road shall be recorded. Right-of-way dedication on Rhoton Road shall be required.
 6. The applicant shall provide a minimum of four (3) parking stalls, one of which must be a van accessible handicap stall. The conceptual plan does not meet parking and access pursuant to the Americans with Disabilities Act. The plan will need to be updated to meet standards for parking and accessible routes.
 7. Perimeter landscape shall include an 8 foot planter area as proposed on the conceptual site plan.
 8. All fencing shall be as proposed on the conceptual site plan.
 9. If a trash enclosure is required, it shall incorporate the architectural feature of the primary structure and landscaping. The enclosure shall be constructed of CMU, wood or architectural steel, with gates of similar durable materials, and landscaped pursuant to Section 18.59.040(C) YMC.
 10. Walkways shall be lit to a minimum of 2 foot candles. Parking lot illumination levels shall not exceed 0.1 foot candle at five feet past the edge of the property line(s). Fixtures shall be mounted to a maximum of 20 feet above grade.
 11. Mailboxes for all units shall be cluster box units (CBU) and placed on site.
 12. Stormwater infiltration and treatment shall meet or exceed the 2014 Stormwater Management Manual for Western Washington.
- C. The site plan is valid for eighteen (18) months from the date of this approval. The applicant may request a six-month extension on the approval, if the request is made in writing prior to the expiration date of this approval.

DECISION

The request for site plan review approval is hereby granted subject to the conditions contained in the conclusions above.

Dated this 24th day of January, 2018



Grant Beck,
Community Development Director



Chad Bedlington,
Public Works Director



Chris Vaccaro, Building Official

Prepared this 22nd day of January, 2018



Tami Merriman,
Associate Planner

APPEAL

The Site Plan Review Committee's decision in this matter may be appealed pursuant to Chapter 18.10 YMC, to the City of Yelm Hearing Examiner no later than 21 days from the date of this decision. An appeal must be in writing, contain specific factual objections, and include the appeal fee of \$1,250.00.