



City of Yelm

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NOTICE OF DECISION

DATE: October 28, 2020
PROJECT NAME: TCOMM 911 Telecommunications Facility
PROJECT LOCATION: 901 Rhoton Road NW, Yelm, WA
PARCEL NUMBER: 22719210404
CASE NUMBER: 2020.0259.PR0008

NOTICE IS HEREBY GIVEN that the Community Development Department issued an Administrative site plan review approval to TCOMM 911 at the above referenced location.

The complete decision may be viewed on the City's website at www.yelmwa.gov and choosing 'I Want To' then 'View' then 'Public Notices' from the menu system. A copy of the decision may also be obtained at the Community Development Department in City Hall at 106 2nd Street SE, 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.



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ADMINISTRATIVE SITE PLAN REVIEW 2020.0259-PR0008

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION

INTRODUCTION

TCOMM 911 filed an administrative site plan review application to the City of Yelm for the construction of a new telecommunications building and antenna installation on an existing water tank at the City of Yelm Public Works facility location located at 901 Rhoton Road NW.

The application for site plan review includes 6 exhibits submitted by TCOMM, including application, conceptual plans, and environmental documents. A full list of exhibits is described below.

- Exhibit A: Site Plan Review Application
- Exhibit B: Cover Letter
- Exhibit C: Preliminary Civil Construction Plans
- Exhibit D: NIER Report
- Exhibit E: Noise Report
- Exhibit F: Paint Sample

Having fully considered the record, the Site Plan Review Committee enters the following:

FINDINGS OF FACT

1.

TCOMM 911 proposes to mount (2) microwave antennas, (4) omni antennas, (1) TTA unit and coaxial cables on the existing water tank, and construct a 12'x24' equipment shelter with generator at 901 Rhoton Road NW, identified by Assessor's Tax Parcel Number 22719210404.

2.

The property is currently developed as the City of Yelm Public Works facility. Properties to the north, east and south are developed as industrial uses, with residentially zoned parcels to the west. The property is approximately 7.63 acres in area.

3.

The property is zoned Industrial (I) which is codified at Chapter 18.39 YMC. The Industrial district is intended to provide for areas which certain types of industrial activities may be located. Attached, co-located and freestanding wireless communication facilities are an allowed use in the I zone. [Section 18.39.020 YMC]

4.

TCOMM 911 submitted a site plan review application on September 2, 2020, which was determined to be complete on September 18, 2020. The application materials included a cover letter, preliminary civil construction plans, NIER report, noise report and paint samples.

5.

As required by Section 18.10.050 YMC, the Yelm Community Development Department mailed a Notice of Application to local and state agencies and surrounding property owners on September 21, 2020. Notice was published on the City's website and published in the Nisqually Valley News on October 8, 2020.

No comments were submitted to the City.

6.

The project is exempt from the State Environmental Policy Act pursuant to Section 197-11-800 (25).

7.

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.

Concurrency with sewer infrastructure is met when 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 proposal includes an unmanned structure that does not require connection to the City's STEP sewer system.

Concurrency with water infrastructure is met when 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 proposal includes an unmanned structure that does not require connection to the City's water system.

Concurrency with transportation infrastructure is met when 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 proposal includes an unmanned structure, with projected maintenance or personnel trips about 1 time per month.

Concurrency with school infrastructure is met through the payment of a school impact fee at the time of construction.

The project does not generate new students and are therefore exempt from school impact fees.

Concurrency with fire protection is met through the payment of a fire impact fee at the time of construction.

A fire impact fee will be calculated and 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.

Attached, co-located and freestanding wireless communication facilities are an allowed use in the I zone [Section 18.39.020 (K) YMC]

Setback requirements for the I zoning district are 15 feet from the front yard, 25 feet from a side and rear yard if the adjacent property is residentially zoned, otherwise 15 feet. [Section 18.39.040 YMC]

The proposed building will be located greater than 25 feet from all property lines.

Buildings in the I zoning district may be up to 40 feet in height. [Section 18.39.040 YMC].

The building is less than 40 feet in height. The antennas will be located on an existing water tower, not increasing the tower height.

9.

Title 18 YMC provides guidance and regulation for site planning during development. Chapter 18.55 establishes landscaping requirements for various types of development.

Perimeter landscape requires an 8-foot planter area with a combination of evergreen and deciduous trees, and screening is required for service areas. The proposal includes appropriate landscape and screening.

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.

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]

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 site is mainly gravel, developed as The City of Yelm Public Works facility, water tower and associated lay down yard, and soils unsuitable.

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.

FEMA maps show this property being located in a flood zone hazard area. The proposal includes building and construction plans showing compliance with locating structures within a flood zone.

11.

Impervious surfaces create stormwater runoff which, when uncontrolled and untreated can create health, safety, and environmental hazards. The City of Yelm has adopted the current Stormwater Management Manual for Western Washington as issued by the Washington State Department of Ecology, which requires all development to treat and

control stormwater on site. The proposal is not creating any additional impervious surface. A stormwater report is not required for the proposed project.

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.

The proposal, as submitted, is consistent with the development, construction, and design standards of the Unified Development Code.

DECISION

In accordance with the analysis above, the Site Plan Review Committee issues the following decision:

The Administrative Site Plan Review is hereby approved as proposed, subject to the following conditions:

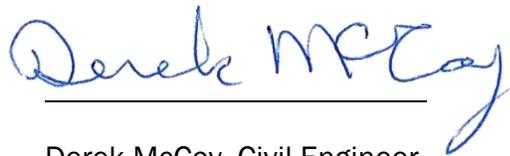
1. Prior to construction, civil engineering plans shall be submitted to the Community Development Department for review and approval. Civil plans submission shall be consistent with the requirements of this approval and Yelm Development Guidelines and shall include details on all required infrastructure.

Dated this 26th day of October, 2020



Grant Beck,

Community Development Director



Derek McCoy, Civil Engineer

for Cody Colt, Public Works Director

Prepared this 23rd day of October, 2020



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.