



City of Yelm

EST. 1924

WASHINGTON

“Proudly Serving Our Community”

NOTICE OF DECISION

DATE: February 28, 2019
PROJECT NAME: Fyrst Duplexes
PROJECT LOCATION: 315 Washington Avenue SW, Yelm, WA
PARCEL NUMBER: 75300800100
CASE NUMBER: 20190020

NOTICE IS HEREBY GIVEN that the Community Development Department issued a site plan review approval to Tim Fyrst 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.



City of Yelm

EST. 1924

WASHINGTON

“Proudly Serving Our Community”

SITE PLAN REVIEW 20190020

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION

FINDINGS OF FACT

1. Tim Fyrst proposes to construct 2 duplex buildings at 315 Washington Avenue SW, identified by Assessor’s Tax Parcel Numbers 75300800100.
2. The property is approximately .41 acres and is currently developed with a single family home and associated outbuilding.
3. The property is zoned Central Business District (CBD) which is codified at Chapter 18.35 YMC. The Central Business District is intended to promote the special characteristics of the existing downtown Yelm area. Residential development is allowed on lots of record 1 acre or less in the CBD zone. [Section 18.35.020(D) YMC].
4. Tim Fyrst submitted a site plan review application on January 29, 2019, and it was determined to be complete on February 8, 2019. The applicant proposes to construct 2 duplex buildings on the parcel, and demolish the associated outbuilding. The application materials included a preliminary site plan.
5. The application is considered a ministerial site plan review pursuant to Section 18.12.060 YMC, which does not require public notice.
6. The project is exempt from SEPA review pursuant to Section 197-11-800 (1) WAC and Section 18.20.020 (A) (1) YMC.
8. 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 existing residence is connected to the City sewer system. Connection of the new construction 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 existing residence is connected to the City water system. Connection of the new construction to the water system 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 Washington Avenue SW and Rice Street SW, which are both considered Commercial Collector streets that are not constructed to City Standards. The property is also bordered by an alley. The applicant has requested a deferral of frontage improvements. An agreement of deferral and payment of traffic facilities charges satisfies concurrency requirements.

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

Payment of the School Impact Fee at the time of building permit issuance satisfies concurrency requirements.

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

Payment of the Fire Impact Fee at the time of building permit issuance satisfies concurrency requirements.

- 9. 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 Central Business District zoning district (CBD). The surrounding property is residentially developed.

- a. Residential development is allowed in the CBD as a permitted use. [Section 18.35.020(D) YMC]
- b. Residential development in the CBD is subject to High Density Residential district development standards, which require a 25-foot setback from the front, 20-feet for flanking yards, 10 feet for side yards, and 25 feet for rear yards. [Section

- 18.35.040 YMC] The conceptual site plan shows conformance with this requirement.
- c. Maximum building height is 35 feet. [Section 18.35.040 YMC]. The conceptual site plan shows conformance with this requirement.
 - d. Chapter 18.52 provides guidance for Ingress and egress. The applicant proposes a driveway approach that meets the standards found in the Yelm Development Guidelines.
 - e. Residential uses require two parking spaces per dwelling unit.
10. 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. For residential development, a solid wood fence is acceptable on side and rear yards.
 - b. Pedestrian corridors require streetscape landscaping to provide visual relief and separation of pedestrians from streets and parking areas. This is landscaping is achieved with frontage improvements.
 - c. Mailboxes for the site shall be cluster box units (CBU) and placed on site. [Section 18.59.080 YMC]
11. 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.

Visual reconnaissance from City staff show no indications of Mazama Pocket Gophers or Prairie Habitat found on the project site. The site is mostly gravel.

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.

12. 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]. Duplex developments are calculated at 100 percent of an equivalent residential unit (ERU) per unit. [Section 13.04.120 YMC].
 - b. The existing home is connected to City water service. There is a 12-inch service main located in Washington Avenue. Connection of the new construction to this line is required. Each dwelling unit is required to have its owner meter.
13. Fire protection to the buildings must be provided per the International Fire Code. The specific requirements for installation of additional fire hydrants will be determined during civil plan review. The International building code (IBC) provides occupancy ratings for different types of uses. The fire coverage system for the proposed use must meet IBC requirements.

Identified in the 2002 City of Yelm Water Comprehensive Plan is a requirement to install fire hydrant locks as part of the City's water conservation and accountability program.
14. Chapter 13.08 YMC and Chapter 7 of the Development Guidelines establish requirements for connection to the City's sewer system.
 - a. The property is located in the City of Yelm's STEP sewer system service area. The existing home is connected to City sewer service. The STEP tank serving the home does not meet current standards for service. A new tank will need to be installed for the existing home.

- b. There is an existing -4-inch sewer main located in the alley. Connection of new construction to City sewer service is required. The S.T.E.P. tank shall be sized based on the Criteria for Sewage Works Design (Orange Book) published by the Washington State Department of Ecology, and located in the front yard area. A single tank may serve each duplex building. Ownership of power supply to remain with property owner. Tanks located adjacent to driveways must be protected from vehicles. This can be achieved by installing traffic rated lids, bollards, or other means approved by the City.
15. 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 (SMMWW)* published by the Washington Department of Ecology. [Section Chapter 18.27 YMC].
16. Frontage improvements are required as part of development in the City. [Section 18.16.050 YMC]
- a. Frontage improvements are required for all new development within the city, including change of use that requires a site plan review approval. The applicant has requested a deferral of frontage improvements. Based on the location and low traffic impact, and deferral may be granted. An Agreement and waiver of protest is required.

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. Tim Fyrst 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 Central Business 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. Connection to City sewer service is required for the new construction. The STEP tank shall be sized based on the Criteria for Sewage Works Design (Orange Book) published by the Washington State Department of Ecology, located in the front yard area, and protected from vehicle access.
 - 2. Relocated STEP service for the existing home shall meet current development standards for STEP tanks.

3. Connection to City water service is required for new construction. Connection shall be made at the service main located within Washington Avenue. Each unit shall be served by a separate meter.
 4. Fire protection to the buildings must be provided per the International Fire Code
 5. If new fire hydrants are installed, hydrant locks are required.
 6. Payment of a Fire Impact Fee is due at the time of building permit issuance.
 7. School mitigation fees are due at building permit issuance.
 8. Traffic Facilities charges are due at the time of building permit issuance.
 9. A Waiver of Protest shall be signed and recorded to defer frontage improvements.
 10. Mailboxes shall be cluster box units and located on site.
 11. A minimum of two parking stalls are required for each dwelling unit.
- 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 28th day of February, 2019



Grant Beck,
Community Development Director



Chad Bedlington,
Public Works Director

Prepared this 27th day of February, 2019



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.