



YELM PLANNING COMMISSION AGENDA

MONDAY, APRIL 17, 2023, 4:00 PM

THIS MEETING CAN BE ATTENDED IN PERSON OR VIA ZOOM.

In person: Yelm City Hall, 106 2nd Street SE, Yelm, WA 98597

Via Zoom: [Click here to join Zoom Meeting](#)

Or Dial in: 253-215-8782 Meeting ID: 870-3193-3305 Passcode: 564018

1. CALL TO ORDER

2. ROLL CALL

Chair, Carlos Perez

Vice Chair, Robert Howard

Richard Lomsdale

Jerry Fugich

John Thomson

Anne Wahrmund

John Graver

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

- a. Minutes from March 20, 2023 is attached.

5. CITY STAFF COMMUNICATIONS

- a. Department update.

6. PUBLIC COMMENTS

- a. The public comment portion of the agenda is an opportunity for the public to address the Commission regarding matters that are not on the agenda. Comments are limited to three minutes and five speakers. Comment on matters listed on the agenda are welcomed.

7. UNFINISHED BUSINESS

None.

8. NEW BUSINESS

- a. Updates to the Unified Development Code regarding the following:
 - 1. Developing Special Event permit and modifying the Temporary Use permit.
 - 2. Expanding the list of permitted uses in the City's code to include Permanent Supportive Housing, Transitional Housing, Indoor Emergency Shelters, and Indoor Emergency Housing.

3. Removing mixed-use standards from C1, C2, C3, and CBD. Mixed-use standards will be updated and moved to Chapter 18.64.040 YMC.
4. Updating the Fats, Oil, and Grease (FOG) Control Plans in Chapter 13.09 of the YMC.
5. Adopting Park Impact fee.

9. PUBLIC HEARINGS

- a. Public hearing for updates to the Unified Development Code regarding the following:
 1. Developing Special Event permit and modifying the Temporary Use permit.
 2. Expanding the list of permitted uses in the City's code to include Permanent Supportive Housing, Transitional Housing, Indoor Emergency Shelters, and Indoor Emergency Housing.
 3. Removing mixed-use standards from C1, C2, C3, and CBD. Mixed-use standards will be updated and moved to Chapter 18.64.040 YMC.
 4. Updating the Fats, Oil, and Grease (FOG) Control Plans in Chapter 13.09 of the YMC.
 5. Adopting Park Impact fee.

10. SUBCOMMITTEE REPORTS

11. ADJOURNMENT

MEETING INFORMATION

All regular meetings are recorded and may be viewed at www.yelmwa.gov.

It is the City of Yelm's policy to provide reasonable accommodations for people with disabilities. If you require reasonable accommodations to participate at a meeting, please contact the City Clerk's office at 360-458-8816 at least five (5) working days prior to meeting. Information on the Americans with Disabilities Act and the Title VI Statement is available at https://www.yelmwa.gov/connect/departments/human_resources/index.php.

DISCLAIMER

**AGENDA ITEMS MAY BE TAKEN OUT OF ORDER.
THIS AGENDA MAY BE SUBJECT TO CHANGE UP TO 24 HOURS PRIOR TO
MEETING. PLEASE SEE WWW.YELMWA.GOV FOR CURRENT AGENDA.**

Next Planning Commission Meeting Monday, May 15, 2023, at 4:00 PM

YELM PLANNING COMMISSION MINUTES
MARCH 20, 2023 – 4:00 PM
YELM CITY HALL

Carlos Perez called the meeting to order at 4:00 pm.

Members present: Carlos Perez, Bob Howard, John Graver, Anne Wahrmund, John Thomson, and Richard Lomsdale

Members Absent: Jerry Fugich (excused)

Staff: Maryam Moeinian, Gary Cooper, Chris Vaccaro, and Savana Teague

Approval of Minutes:

MOTION BY JOHN THOMSON, SECONDED BY ANNE WAHRMUND TO APPROVE THE JANUARY 17, 2023 MINUTES. ALL WERE IN FAVOR.

City Staff Communications: Gary Cooper, Planning and Building Manager, gave a department update: the first chapter of the Habitat Conservation Plan has been submitted to Fish and Wildlife, the next HCP stakeholders meeting will take place on April 18th, a draft for the Housing Action Plan is due to be received by the end of the month, and a request for proposals went out on Friday for the Comprehensive Plan and Development Code update.

Public Comment:

None.

New Business:

Tahoma Terra Master Planned Community

Gary Cooper gave an informational presentation on the Master Planned Community, and considerations for its final phase. In the presentation, Cooper presented on the intent of the MPC, history of MPC development, conditions for developing the commercial center, and what the process is for amending the MPC. Cooper also presented a recent development proposal received by the City, gave staff opinions that could make the proposal more supportable, and took questions from commissioners.

Subcommittee Reports:

Parks Advisory Committee: Anne Wahrmund reported that work will soon start on the Prairie Line Trail, which will involve the rails being pulled and the trail extension being added. Planning is also underway for redoing the stage at City Park; a contractor has been selected and completion time is dependent on scheduling. Cochrane Park's ponds are being redesigned, which will include water fountains with lights. Lighting is also being added in the downtown area of the city. The dog park, which will be located on Rhoton Road, is set to be complete this summer, and will include a section for large dogs, small dogs, parking, lighting, and covered space.

Tree Advisory Board: Chris Vaccaro reported that judging for the Arbor Day Art Contest submissions will occur tomorrow, March 21st, which includes submissions from Yelm students, K-12. The last Friday of the month, April 28th, is the Arbor Day celebration and will have two school choirs, a ROTC presentation of colors, tree saplings, and more.

Adjourn: MOTION BY BOB HOWARD, SECONDED BY ANNE WAHRMUND TO ADJOURN THE MEETING. ALL WERE IN FAVOR. MEETING WAS ADJOURNED AT 4:55 PM.

Respectfully submitted,
Savana Teague, Administrative Assistant



City of Yelm
EST. 1924
WASHINGTON

April 17, 2023

STAFF REPORT

TO: City of Yelm Planning Commission

SUBJECT: Updates to Title 18 Unified Development Code & Title 5 Business Licenses and Regulations

FROM: Gary Cooper, Planning & Building Manager
Maryam Moeinian, Associate Planner
Sara Williams, Assistant Planner
Chris Vaccaro, Building Official

RECOMMENDATION

Approve proposed staff changes to Titles 5 & 18 of the Yelm Unified Development Code.

BACKGROUND

Frequently staff will recognize the need to make amendments or additions to the Yelm Municipal Code for a variety of reasons. Changes in state law, vague or confusing language in existing code, or gaps in the code, are all reasons to revise or augment it. The current proposed code changes represent all of the above, beginning with the new state laws requiring cities and counties of amend their codes to allow for certain types of housing, to the addition of an entirely new chapter in the City's Title 5 to codify what is required to conduct Special Events on City-owned property.

- **Legislative Mandate to Accommodate Housing and Shelter Types**

In 2021 the Washington Legislature passed House Bill 1220 (HB 1220) which, among other things required cities and counties planning under the Growth Management Act (GMA) to accommodate Permanent Supportive Housing, Transitional Housing, Indoor Emergency Housing, and Indoor Emergency Shelters (Definitions of these housing/shelter types are attached to this staff report). HB 1220 requires that Permanent Supportive Housing and Transitional Housing be allowed in all zones that

allow residential units or hotels. This requirement applies to all of Yelm's residential and commercial zones (R-4, R-6, R-16, CBD, C-1, C-2, C-3). HB 1220 requires that Indoor emergency housing and indoor emergency shelters be allowed in any zone that allows hotels. This requirement applies to all of Yelm's commercial zones (CBD, C-1, C-2, C-3).

All the residential and commercial zones of Yelm have been amended to reflect the requirements of HB1220. Since the proposed changes are identical for each of the residential and commercial zones, not all proposed amendments are attached to this report. The attached R-4 and C-1 zones reflect the changes proposed for all the zones.

A new Chapter 18.71 Emergency Housing, Emergency Shelters, Permanent Supportive Housing, and Transitional Housing is proposed to establish siting criteria for each of these types of facility.

The definitions of these housing and shelter types have been included in Chapter 18.02 Definitions.

- Clarifying and distinguishing Special Event standards and Temporary Use standards.

Chapter 18.41 Temporary Uses has been amended to provide more clarity on the standards for conducting or maintaining a Temporary Use on private property. Chapter 18.12 Ministerial review is being amended to include Temporary Uses as requiring Ministerial Review. Last, a minor change to Section 18.62.040 has been made to clarify the sign requirements for temporary uses.

In addition, a new chapter is added to Title 5 Business Licenses and Regulations to clarify the requirements for conducting special events on City property (Chapter 5.37 Special Event). This new chapter replaces and augments standards for special events that were previously included in Chapter 18.41 Temporary Uses.

- Amendments to the standards for Mixed Use Developments

Standards for Mixed Use Developments have been removed from all the commercial zoning districts and re-homed in Chapter 18.64 Zoning Overlays. In addition, definitions of "Mixed Use" and "Multi-family" have been added to Chapter 18.02 Definitions.

Flexibility has been added to Mixed Use Developments by reducing the percent of a Mixed Use Development that must be devoted to Commercial from 33.3% to 20%.

These amendments also clarify that drive-through facilities and automobile service stations are not allowed as part of a Mixed Use Development.

- Amendments to clarify the standards that apply to food establishments regarding treatment of grease for the protection of the City's sanitary sewer system.

Chapter 13.09 Fats, Oil, and Grease (FOG) Control Plans is being amended to clarify the requirement to have and maintain an approved, adequately-sized pretreatment system to prevent the discharge of FOG to the sanitary sewer system.

NEXT STEPS

1. If the Planning Commission recommends adoption of the proposed code changes, the changes will be sent to the Washington Department of Commerce for a final determination of consistency with the Growth Management Act.
2. Upon receiving a letter of consistency with the Growth Management Act, the code changes will be brought to the Yelm City Council for final adoption.

Chapter 18.31

LOW-DENSITY RESIDENTIAL DISTRICT (R-4)

Sections:

18.31.010 Intent.

18.31.020 Permitted uses.

18.31.030 Special uses.

18.31.040 Standards specific to the R-4 district.

18.31.010 Intent.

It is the intent of this chapter to enhance and guide development in single-family residential areas. (Ord. 1089 § 1 (Exh. A), 2022; Ord. 1084 § 1 (Exh. A), 2022; Ord. 995 § 12 (Exh. A), 2015).

18.31.020 Permitted uses.

The following uses are allowed within the low-density residential zoning district, subject to the project approvals and design standards of the Unified Development Code:

- A. Single-family residential units;
- B. Duplexes;
- C. Secondary dwelling units;
- D. Townhouses;
- E. Planned residential development;
- F. Residential care facilities;
- G. Home occupations;
- H. Family home child care providers;
- I. Attached and co-located wireless facilities;
- J. Essential public facilities. (Ord. 1089 § 1 (Exh. A), 2022; Ord. 1084 § 1 (Exh. A), 2022; Ord. 995 § 12 (Exh. A), 2015).

18.31.030 Special uses.

The following uses are allowed within the low-density residential zoning district, subject to the special use permit process and design standards of the Unified Development Code:

A. Child day-care centers and nurseries;

B. Preschools;

C. Cemeteries;

D. Funeral homes;

E. Convalescent care facilities;

F. Assisted living facilities;

G. Congregate care facilities;

H. Senior centers;

I. Bed and breakfast/transient lodging places;

J. *Repealed by Ord. 1089;*

K. Freestanding wireless communication facilities;

L. Churches and places of worship. (Ord. 1089 § 1 (Exh. A), 2022; Ord. 1084 § 1 (Exh. A), 2022; Ord. 1022 § 4, 2017; Ord. 995 § 12 (Exh. A), 2015).

M. Emergency housing, emergency shelters, permanent supportive housing and transitional housing (see also Chapter 18.71)

Chapter 18.36 COMMERCIAL DISTRICT (C-1)

Sections:

18.36.010 Intent.

18.36.020 Permitted uses.

18.36.030 Special uses.

18.36.040 Standards specific to the C-1 district.

18.36.010 Intent.

The commercial zone is intended to provide for the location of business centers to serve the needs of the community for convenience goods and services such as food, drugs, household supplies, automobile servicing, recreation, entertainment and other uses related to, but lesser in scope, than downtown core area uses. (Ord. 1086 § 1 (Exh. A), 2022; Ord. 1080 § 1 (Exh. A), 2021; Ord. 995 § 12 (Exh. A), 2015).

18.36.020 Permitted uses.

- A. Retail establishments;
- B. Service oriented establishments;
- C. Mixed use developments;
- D. *Repealed by Ord. 1086;*
- E. Child day-care centers and nurseries;
- F. Preschools and private instruction;
- G. Public safety and emergency response facilities, including police and fire stations, emergency medical centers, and hospitals;
- H. Attached and co-located wireless communication facilities;
- I. Essential public facilities. (Ord. 1089 § 1 (Exh. A), 2022; Ord. 1086 § 1 (Exh. A), 2022; Ord. 1080 § 1 (Exh. A), 2021; Ord. 995 § 12 (Exh. A), 2015).

18.36.030 Special uses.

- A. Cemeteries;
- B. Funeral homes;
- C. Convalescent care facilities;
- D. Assisted living facilities;

E. Congregate care facilities;

F. Senior centers;

G. *Repealed by Ord. 1089*;

H. Freestanding wireless communication facilities;

I. Churches and places of worship. (Ord. 1089 § 1 (Exh. A), 2022; Ord. 1086 § 1 (Exh. A), 2022; Ord. 1080 § 1 (Exh. A), 2021; Ord. 1022 § 8, 2017; Ord. 995 § 12 (Exh. A), 2015).

J. Emergency housing and emergency shelters (see also Chapter 18.71).

18.36.040 Standards specific to the C-1 district. SHARE

~~A. Allowed residential density: 16 dwelling units per acre, subject to R-16 development standards. Apartments shall represent no more than 60 percent of a mixed use development.~~

AB. Minimum lot area: 5,000 square feet.

BC. Minimum front yard setback: 15 feet.

CD. Minimum side yard setback: 10 feet.

DE. Minimum rear yard setback: 20 feet.

EF. Minimum driveway approach: 20 feet.

FG. Maximum building heights: 60 feet.

GH. Building Location. Twenty-five percent of the floor area of a building with single-story gross floor area in excess of 40,000 square feet shall be sited within 1,000 linear feet of a double arterial.

HI. Properties fronting on a "pedestrian oriented street" shall include:

1. Paved pedestrian walkway from the street corner to the building entrance.
2. Transparent window area or window displays along at least 50 percent of the length of the ground floor facade.
3. Sculptural, mosaic or bas relief artwork over 50 percent of the length of the ground floor facade.
4. "Pedestrian oriented space," located adjacent to the sidewalk. At least 500 square feet of pedestrian oriented space must be provided for every 100 linear feet of facade as measured along the property lines adjacent to the street right-of-way.

5. Other special landscaping or building design feature approved by the city.
6. Building entries must have direct access to the public sidewalk.
7. No more than 50 percent of the street frontage measured parallel to the curb may be occupied by parking and/or vehicle access.
8. For properties fronting on two or more pedestrian oriented streets, parking may be located on one of the streets; provided, that a building or pedestrian oriented space is situated between the parking and the street corner.

IJ. In addition to site planning measures above, provide at least two of the following pedestrian amenities near the sidewalk:

1. Pedestrian furniture, such as seating, lighting, drinking fountain, etc.
2. Pedestrian weather protection at least three feet wide along at least 80 percent of the building's street front face. The weather protection may be in the form of awnings, marquees, canopies or building overhangs; provided, that canopies or awnings not extend above 15 feet above the ground elevation at the highest point nor lower than eight feet at the lowest point.
3. Pedestrian oriented open space.
4. Substantial perimeter landscaping.
5. Artwork.
6. Transit stop with seating.
7. Window displays over the majority of the front facade.
8. Decorative screen wall, trellis, or other building or site feature.
9. Pedestrian lighting.

JK. Architecturally accentuate building corners at street intersections. All new buildings located on properties at the intersection of two public streets shall apply one or more of the following design elements:

1. At least 100 square feet of sidewalk or pedestrian oriented open space in addition to required building setback.
2. Corner entrance to courtyard, building lobby, atrium or pedestrian pathway.
3. Corner architectural elements such as bay windows, roof deck or balconies on upper stories, notched or curved facade surfaces.
4. Sculpture or artwork or distinctive use of materials.

5. Special treatment of pedestrian weather protection canopy.

6. Building corner entry. (Ord. 1086 § 1 (Exh. A), 2022; Ord. 1080 § 1 (Exh. A), 2021; Ord. 995 § 12 (Exh. A), 2015).

NEW CHAPTER

Chapter 18.71

EMERGENCY HOUSING, EMERGENCY SHELTERS, PERMANENT SUPPORTIVE HOUSING, AND TRANSITIONAL HOUSING

18.71.010 Intent.

It is the intent of this chapter to provide standards for the location of emergency housing, emergency shelters, permanent supportive housing, and temporary housing.

18.71.020 General standards.

Housing and shelter types regulated by this chapter shall conform to the minimum standards of the underlying zone, as well as the following general standards.

A. A pre-submission conference shall be required.

F. Buffering requirements shall be measured by following a straight line without regard to intervening buildings from the nearest point of the property parcel upon which the proposed use is to be located to the nearest point of the parcel of property or the zone classification boundary line from which the proposed land use is to be separated.

1. No housing or shelter type shall be located closer than 660 feet from another identical housing or shelter type, whether within or outside the city limits;

2. No housing or shelter type shall be located closer than 660 feet from the following use or zone, whether such use or zone is located within or outside the city limits:

a. All public facilities, including public and private schools, parks, libraries, etc.;

b. Property used for state-certified day-care;

c. Property used for community teen centers;

d. Property used for churches, cemeteries or other religious facilities or institutions;

e. Property used for residential and lodging uses and property zoned primarily for residential uses, including R-4, R-6 and R-16 zones;

f. Property used for organizations, associations, facilities and businesses which provide, as a substantial portion of their activities, function or business, the provision of services to children and/or youth, so that the premises of the organization, facility or business would have children and youth in attendance or at the location during a predominant portion of the operational hours of an adult entertainment facility.

Chapter 18.02

DEFINITIONS

Sections:

[18.02.010 Intent.](#)

[18.02.020 Use and interpretation generally.](#)

[18.02.030 Interpretation in case of conflicting definitions.](#)

[18.02.040 Specific definitions.](#)

18.02.010 Intent. SHARE

It is the intent of this chapter to promote consistency and precision in the interpretation of this title and to define (and illustrate, where necessary) certain words, terms and phrases in the interest of reducing to a minimum the misunderstanding which may occur in the absence of such definition. (Ord. 995 § 12 (Exh. A), 2015).

18.02.020 Use and interpretation generally. SHARE

In addition to the definitions in this title, the definitions from the following documents are adopted by reference:

- A. International Building Code and Chapter [51-50](#) WAC.
- B. International Residential Code and Chapter [51-51](#) WAC.
- C. International Mechanical Code and Chapter [51-52](#) WAC.
- D. Uniform Plumbing Code and Chapter [51-56](#) WAC.
- E. Washington State Energy Code and Chapters [51-11C](#) and [51-11R](#) WAC.
- F. International Fire Code and Chapter [51-54A](#) WAC.
- G. State Subdivision Act, Chapter [58.17](#) RCW.
- H. State Condominium Act, Chapter [64.34](#) RCW.
- I. State Environmental Policy Act, Chapters [43.21C](#) RCW and [197-11](#) WAC.
- J. Growth Management Act, Chapter [36.70A](#) RCW.
- K. Local Project Review, Chapter [36.70B](#) RCW.
- L. Floodplain Management, Chapter [173-158](#) WAC.

provisions of Chapter [64.32](#) RCW. A dwelling is not a condominium unless the undivided interests in the common elements are vested in the unit owners, and unless a declaration and a survey map and plans have been recorded with the county auditor.

“Contiguous land” means land touching other land at one or more points and having the same owner regardless of whether or not portions of the parcels have separate tax lot numbers, were purchased at different times, lie in different sections, are different government lots or are separated from each other by watercourses or private easements.

“Critical facility” means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency response installations, and installations that produce, use, or store hazardous materials or hazardous waste.

“Cumulative substantial value” means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 26 percent of the market value of the structure before the damage occurred.

“D” Definitions

“Development” in the context of flood damage prevention means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment located within the area of special flood hazard.

“Development agreement” means an agreement between the city and a property owner setting forth the applicable development standards and other provisions, including mitigation, which vest the development, and which are consistent with the development regulations at the time the agreement is entered into. Approval of a development agreement is obtained after a public hearing.

“E” Definitions

“Elevated building” means, for insurance purposes, a nonbasement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

“Elevation certificate” means the official form (FEMA Form 81-31) used to track development, provide elevation information necessary to ensure compliance with Chapter 18.21 YMC, and determine the proper insurance premium rate with Section B completed by the administrator.

“Emergency housing” means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or occupancy agreement.

“Emergency shelter” means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelters may not require occupants to enter into a lease or occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include travel trailers, and other similar vehicles.

"Manufactured housing community" means a residential development typified by single ownership of land within the development, with the landowner retaining the rights of ownership. Home sites within the community are leased to individual homeowners, who retain customary leasehold rights.

"Mixed-Use Development" is the development of land, buildings, or structures with a variety of complementary and integrated uses, such as, but not limited to, retail, office, public, residential, or entertainment, in a compact urban form. The development must achieve physical and functional integration within itself.

"Multifamily" is a housing classification of four or more dwelling units contained within one building or several buildings within one complex. Apartments and condominiums are considered multifamily.

"N" Definitions

"Nonconforming building or structure" means a building, structure or portion thereof that was legally in existence, either constructed or altered prior to the effective date of the ordinance codified in this title, which does not conform with the requirements of this title.

"Nonconforming lot" means a parcel of land, in separate ownership, and of record prior to the effective date of the ordinance codified in this title, which does not conform to the dimensional or area requirements of this title.

"Nonconforming use" means an activity in a structure or on a tract of land that was legally in existence prior to the effective date of the ordinance codified in this title, which does not conform to the use regulations of the use district in which it is located.

"Nonconformity" means a legally established existing use or legally constructed structure that is not in compliance with current regulations.

"O" Definitions

"Open record hearing" means a hearing that creates the record through testimony and submission of information. An open record hearing held prior to a decision is an "open record predecision hearing."

"Owner" means the fee simple owner as designated on the Thurston County assessor's record.

"P" Definitions

"Permanent supportive housing" is subsidized, leased housing 18 with no limit on length of stay that prioritizes people who need 19 comprehensive support services to retain tenancy and utilizes 20 admissions practices designed to use lower barriers to entry than 21 would be typical for other subsidized or unsubsidized rental housing, 22 especially related to rental history, criminal history, and personal 23 behaviors. Permanent supportive housing is paired with on-site or 24 off-site voluntary services designed to support a person living with 25 a complex and disabling behavioral health or physical health 26 condition who was experiencing homelessness or was at imminent risk 27 of homelessness prior to moving into housing to retain their housing 28 and be a successful

tenant in a housing arrangement, improve the 29 resident's health status, and connect the resident of the housing 30 with community-based health care, treatment, or employment services. 31 Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

"Principal use" means the specific and primary purpose for which land or building is occupied, arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

"Project permit" means any land use or environmental permit or license, including: binding site plans, building permits, critical area approvals, subdivisions, master plans, planned unit developments, site plan review, and special uses.

"Proportionate share" means that portion of the cost of public facility improvements that are reasonably related to the service demands and needs of new development.

"Q" Definitions

"R" Definitions

"Recreational vehicle" means a vehicle which is:

1. Built on a single chassis;
2. Four hundred square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Recreational vehicle park" means a parcel or tract of land having designated areas for rent to one or more persons for parking or placement of a recreational vehicle for less than 30 days, as opposed to permanent year-round occupancy.

"Residential care facility" means a facility, licensed by the state, that cares for at least five but not more than 15 people in a state licensed facility, that has not been licensed as an adult family home pursuant to Chapter 70.128 RCW. These facilities include, but are not limited to: boarding homes as licensed by Chapter 18.20 RCW in accordance with Chapter 246-316 WAC; residential treatment facility for psychiatrically impaired children and youth in accordance with Chapter 71.12 RCW and WAC 246-323-010(32); adult residential rehabilitation center in accordance with Chapter 71.12 RCW and WAC 246-325-010(3); private adult treatment home in accordance with Chapter 71.12 RCW and WAC 246-325-010(28); alcoholism treatment facility in accordance with Chapter 71.12 RCW and WAC 246-326-010(6); congregate care facility in accordance with Chapters 71.12 and 18.20 RCW and WAC 388-15-560; evaluation and treatment facility in accordance with RCW 71.34.020(6); group training home in accordance with RCW 71A.22.020(2); group care facility in accordance with RCW 74.15.020(3)(a); and foster family homes in accordance with RCW 74.15.020(3)(f) or congregate care facilities for senior housing with central cooking facilities, group homes for children, safe-homes and comparable facilities as determined by the approval authority.

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
2. Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

"Support structure" in the context of wireless communication facilities means the structure to which antennas and other necessary associated hardware are mounted. Support structures include but are not limited to the following:

1. Guyed tower: a support structure, consisting of metal cross strips or bars, which is steadied by wire guys in a radial pattern around the tower.
2. Lattice tower: a support structure that consists of a network of crossed metal braces, forming a tower, which is usually triangular or square in cross-section.
3. Monopole: a support structure that consists of a single pole sunk into the ground and/or attached to a foundation.
4. Existing nonresidential structure: existing structures as specified in YMC 18.70.030 to which antennas may be attached which conform to the requirements of Chapter 18.70 YMC.

"T" Definitions

"Transfer of development rights" means the removal of the right to develop or build from land in one site, parcel, area or zoning district to another where such transfers are permitted.

"Transitional housing" means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

"U" Definitions

"V" Definitions

"Variance" means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

"W" Definitions

"X" Definitions

"Y" Definitions

"Yard" means an open space unoccupied to the sky of uniform depth or width which lies between the property line and building line, or between the shoreline and the building line. The inside boundary shall be considered parallel to the nearest property line.

Chapter 18.41 TEMPORARY USES

Sections:

[18.41.010 Purpose.](#)

[18.41.020 Temporary uses.](#)

18.41.010 Purpose. SHARE

A temporary use is defined as a use that takes place in a private property on a non-permanent basis and doesn't include the construction of a permanent structure or building. To identify temporary uses which are low-impact and are limited in duration and intensity, that would otherwise be subject to a site plan review approval, site improvements, and connection to sewer and water. (Ord. 995 § 12 (Exh. A), 2015).

18.41.020 Temporary uses. SHARE

A. The following temporary uses may be authorized, subject to specific limitations in this section and such additional conditions as may be established by the site plan review committee:

1. Contractor's offices, equipment storage sheds and storage yards, and portable lavatories on the site of a permitted, active construction project, for a duration not exceeding one year. Extensions requests shall be made by the applicant 60 days prior to expiration and will be reviewed on a case by case basis. Off street parking shall be provided for construction staff.

2. Manufactured home as part of a construction project for office use of construction personnel or temporary living quarters for security personnel for a period extending not more than 90 days beyond completion of construction. -A 30-day extension may be granted by the ~~community development~~Public Services ~~D~~department upon written request of the developer and upon the department's finding that such request for extension is reasonable and in the public interest. Off street parking shall be provided for construction staff.

~~3. Any district as an emergency facility when operated by or for a public agency.~~

~~4. In the open space/institutional district where a community need is demonstrated by a public agency such as temporary classrooms or for security personnel on school grounds.~~

~~35. Circuses, carnivals, rodeos, fairs or similar transient amusement or recreational activities occurring on private property. A Special Event permit is required when the event is on city property. Staff shall ensure that health and fire safety is considered and adequate parking is provided.~~

~~46. Christmas tree/pumpkin sales lots and fireworks stands, limited to location on lots not used for residential purposes in commercial or industrial zones.~~

75. Indoor or outdoor sales sponsored by schools or other nonprofit organizations for no more than three days per event and no more than four times in any calendar year.

8. Seasonal sale of unprocessed agricultural products, limited to location on lots not used for residential purposes in commercial zones which are improved to current city standards.

69. Fundraising car washes.

7. Grand Opening. Displays intended to announce the opening of a new enterprise, or enterprise under new management. Displays are allowed on premises only, for a period of 14 days, and must be removed at the end of the 14 day period. Sandwich board signs shall not exceed two and one-half feet by four feet.

408. Uses found by the site plan review committee to be similar in nature and impacts to those listed temporary uses.

11. Farmers markets. 9. Outdoor vendor may be permitted, provided the following conditions are met:

(a) The provisions of this division shall not apply to any event located on city owned property or authorized by any other permit issued by the city, such as an authorized festival; very short duration, primarily non-profit uses such as lemonade and Girl Scout cookie stands; a school facility event, or recreational event if the vendor is in partnership with the organization conducting the event and is located on the site of the event.

For the outdoor vending of food, please refer to section 18.68 of this chapter.

(b) Outdoor vendors shall only be permitted to operate on private property in commercial or park and open space (OS) zoning districts.

(c) Outdoor vending businesses are considered to be temporary in nature and are not to be placed in a permanent way on a property.

(d) Outdoor vending will only be permitted on properties that have been established with principal uses. Outdoor vending shall only take place on paved properties that fully comply with ADA regulations.

(e) All signs shall be affixed to the vending cart, stand or stall. Stand-alone signs on any one side of the cart, stand or stall, shall be approved as part of the TUP process. This type of sign will not require the issuance of a separate sign permit.

(f) Vending carts, stands or stalls shall not block a driveway, sidewalk or other point of emergency vehicular access, including emergency access points.

(g) Vending carts, stands or stalls shall not be located on any sidewalk. If located near a street intersection, the vending cart, stand or stall must maintain a visibility triangle per city code.

(h) Vending carts, stands or stalls located in parking areas shall not reduce the number of parking spaces required for the principal use. Additional off-street parking spaces must be provided for all employees of the outdoor vending operation unless employees arrive in the vending cart.

(i) Vending carts, stands or stalls shall provide provisions for proper collection and disposal of all solid waste generated by their operation.

(j) Vending carts, stands or stalls must be constructed of durable and high-quality materials. Vending carts, stands or stalls must be maintained in good condition and repair. Vending carts, stands or stalls that are in disrepair shall be replaced or removed at the request of the Public Services Department.

(k) The outdoor vending TUP will be conducted with proper licensing, certification and registration required under the State of Washington, Thurston County and the city, if required.

(l) Every applicant, before being granted a permit for outdoor vending shall submit the following:

1. Information providing support that the vending operation is in conformance with the regulations outlined in this section.

2. Active business license

B. Standards for Temporary Uses.

1. Each site occupied by a temporary use shall be left free of debris, litter or other evidence of temporary use upon completion of the use.

2. A temporary use shall not occupy ~~more than 15 percent of the~~any parking spaces required for the primary use of the property.

3. Temporary uses must provide sufficient off-street parking and vehicular maneuvering area for customers.

4. Businesses must obtain a Yelm business license.

~~4. No temporary use shall occupy parks without an approved park use request or any public rights-of-way.~~

5. The site plan review committee may establish such additional conditions as may be deemed necessary to ensure land use compatibility and to minimize potential impacts on nearby uses. These include, but are not limited to, conditions regulating the time and frequency of operation, parking and traffic circulation requirements, screening, and site restoration.

6. Advertising for sales events/grand openings. Temporary signs are allowed on premises only, for a period of 14 days at a time, limited to four times per calendar year, and must

be removed at the end of the 14-day period. Temporary signs shall not be larger than 20 square feet. Sandwich board signs shall not exceed two and one-half feet by four feet.

~~C. Standards for Farmers Markets. A farmers market in the city of Yelm provides a place where local growers and artisans can offer their fresh and locally grown produce and crafts for sale. A farmers market is not for the purpose of reselling farm products nor for selling used or household goods. In addition to the standards listed above, the farmers market shall meet the following standards:~~

~~1. Markets shall be operated only by a nonprofit corporation organized under the laws of the state of Washington, comprised of growers and farmers from Yelm and the immediate surrounding area.~~

~~2. Liability insurance in the amount of \$1,000,000 will be required at all times the market is open. The city of Yelm shall be named as an additional insured.~~

~~3. At all times the market is in operation, a market manager or administrator shall be in place to oversee the functioning and organization of the market. The contact information for the manager or administrator shall be provided to the city.~~

~~4. Markets are limited to locations:~~

~~a. On lots not used for residential purposes in commercial zones which are improved to current city standards;~~

~~b. On city-owned property that meets the criteria in subsection (C)(4)(a) of this section; provided, that it shall not be in a city park;~~

~~c. On collector or local access streets in a commercial zone, as approved by city council.~~

~~5. Markets may only operate from April through October; provided, that infrequent and limited term specialty days clearly referenced in the temporary use application are allowed.~~

~~6. Seventy percent of gross sales must be from the following categories:~~

~~a. Fresh farm products, including locally grown fresh vegetables and fruits, herbs, nuts, honey, dairy products, eggs, poultry, meats and fish. Also included in this category are fresh flowers, nursery stock, and plants.~~

~~b. Value-added farm products, including preserves, jams and jellies, vinegar, wine, cider, syrups, salsas, smoked meats, and salad dressings made from locally grown farm products.~~

~~c. Flowers and other value-added farm products, including bouquets, wreaths, vines and gourds, and personal care products made from predominately locally-produced products.~~

d. ~~Processed farm foods not made on site including juices, preserved foods, candies, pastries, cookies, muffins, breads, pies and related take home desserts, yogurt, ice cream, puddings, and pre-made sandwiches.~~

7. ~~Up to 30 percent of gross sales can be from the following categories:~~

a. ~~Prepared foods made fresh on site available for sale and immediate consumption. Vendor must be owner/operator of business and not operating under a franchise.~~

b. ~~Handcrafted items including leather goods, wood craft, body care products, candles, aromatic floral and herb mixes, beadwork, basketry, pottery, jewelry, clothes, blankets, and clothing. Commercial kits, molds, patterns, prefabricated forms, and ready-made objects which have been painted or embellished, imported, or second hand items are not eligible.~~

8. ~~One nonprofit or community booth.~~

9. ~~One local business booth each day of operation.~~

10. ~~Sanitation shall be provided by either agreement of use of restroom facilities convenient to the site, or by portable sanitation facilities. Portable sanitation facilities must be located or screened in a manner to not be visible from the traveling public.~~

11. ~~Sales reports shall be reported to the administrator every three months with a final report at the end of October.~~

12. ~~An approved operation agreement between the farmers market association and the city of Yelm is required. (Ord. 1022 § 14, 2017; Ord. 995 § 12 (Exh. A), 2015).~~

C. Exempt temporary uses. The following temporary uses and events are exempt from the requirement for a temporary use permit, but may require other city approval to ensure public health, safety, and welfare.

1. Garage sales, yard sales, and the sale of similar home-type products, shall be limited to a maximum of three weekends every quarter in a calendar year per residential location.
2. Emergency public health and safety activities.
3. City sponsored events.
4. Events held on city owned property or public right of way shall obtain a special event permit.

Chapter 18.12

MINISTERIAL REVIEW

Sections:

- [18.12.010 Ministerial review – Generally.](#)
- [18.12.020 Construction permits.](#)
- [18.12.030 Right-of-way use permits.](#)
- [18.12.040 Certificate of appropriateness – Yelm Historic Register.](#)
- [18.12.050 Civil plan review.](#)
- [18.12.060 Ministerial site plan review.](#)
- [18.12.070 Boundary line adjustment.](#)
- [18.12.080 Home occupation.](#)
- [18.12.090 Final subdivisions, administrative subdivisions, subdivision alterations, and binding site plans.](#)
- [18.12.100 Final short subdivisions.](#)
- [18.12.105 Mobile food vending.](#)
- [18.12.110 Signs.](#)
- [18.12.120 Street tree permit.](#)
- [18.12.130 Temporary use permit](#)

18.12.010 Ministerial review – Generally. SHARE

The purpose of the ministerial review process is to ensure that projects are consistent with applicable development, construction, and design standards of the Unified Development Code. Ministerial permits do not require public notice or public review, and include:

- A. Construction permits (building, mechanical, and plumbing);
- B. Right-of-way use permits;
- C. Certificate of appropriateness (changes to Yelm Historic Register);
- D. Civil plan reviews;
- E. Ministerial site plan reviews;
- F. Boundary line adjustments;
- G. Home occupation permits;
- H. Final subdivisions, final administrative subdivisions, final subdivision alterations, and final binding site plans;
- I. Final short subdivisions;
- J. Mobile food vending;
- K. Sign permits;

L. Street tree permit.

M. Temporary use permit (Ord. 1022 § 1, 2017; Ord. 995 § 12 (Exh. A), 2015).

18.12.020 Construction permits. SHARE

A. When Required. Construction permits are required pursuant to the International Residential Code, International Building Code, International Plumbing Code, International Mechanical Code, and Washington State Energy Code, as adopted by Washington State and the city of Yelm.

B. Decision Making Authority. The building official or his/her designee shall process construction permits as provided in Chapter 18.10 YMC.

C. Criteria for Approval. Construction plans shall be approved if they comply with all applicable development, construction, and design standards of the Unified Development Code.

D. Term. Construction permits are effective pursuant to the terms of the International Codes, as adopted by Washington State and the city of Yelm. (Ord. 995 § 12 (Exh. A), 2015).

18.12.030 Right-of-way use permits. SHARE

A. When Required. A right-of-way use permit is required prior to any construction activities in the public right-of-way or for the placement of any obstruction within the public right-of-way.

B. Decision Making Authority. The public works director or his/her designee shall process right-of-way use permits as provided in Chapter 18.10 YMC.

C. Criteria for Approval. Right-of-way use permits shall be approved if they comply with all applicable development, construction, and design standards of the Unified Development Code and the Yelm Engineering Specifications and Standard Details, and if they do not negatively impact the public use of the public right-of-way.

D. Term. Right-of-way use permits are effective for six months, unless otherwise specified in the approval. (Ord. 995 § 12 (Exh. A), 2015).

18.12.040 Certificate of appropriateness – Yelm Historic Register.

 SHARE

A. When Required. A certificate of appropriateness is required prior to the commencement of any work, excluding ordinary repair and maintenance or emergency measures, on a property that is listed on the Yelm Historic Register, or within a historic district.

B. Decision Making Authority. The Yelm historic preservation commission shall issue a certificate of appropriateness.

C. Criteria for Approval. The Yelm historic preservation commission shall review the proposed changes to affirm that the changes do not adversely affect the historic characteristics of the property which contribute to its designation.

A. When Required. Street tree permits are required prior to any planting, removal, topping and/or major pruning of any street tree.

B. Decision Making Authority. The community development director or his/her designee shall process street tree permits as provided in Chapter 18.10 YMC.

C. Criteria for Approval. Street tree permits shall be approved if the proposal complies with the standards set forth in this title, and the current American Standard for Nursery Stock Guide.

D. Term. Street tree permits are effective for six months, unless the permit is associated with another development permit, then the restrictions and deadlines of that approval shall apply. (Ord. 995 § 12 (Exh. A), 2015).

18.12.130 Temporary use permit. [SHARE](#)

A. When required: A temporary use permit is required when a non-permanent use of private property is made, as long as no permanent structures or buildings are being built.

B. Decision Making Authority: The Site Plan Review Committee shall process temporary use permits as provided in Chapter 18.41 YMC

C. Criteria for Approval: A temporary use of a property shall be approved if the proposal complies with all applicable development, construction, and design standards of the Unified Development Code.

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18.62.040 Temporary signs. [SHARE](#)

A temporary (nonpermanent) sign is intended to be displayed for a limited period of time only. Temporary signs include, but are not limited to signs, banners, pennants, valances, and flags (except as exempted), searchlights (provided the beam of light does not flash against any building or does not sweep an arc of more than 45 degrees from vertical), balloons or other air- or gas-filled figures or advertising display, and sandwich board or sidewalk signs.

A. Construction Signs. Signs may be displayed only after a building permit is obtained and during the period of construction on the construction site. Only one such sign is permitted per construction project for each public street upon which the project fronts. The sign shall not exceed 32 square feet in sign area (printed copy on one side only) and maximum height is 10 feet. In single-family residential zones, the sign shall be a minimum of 10 feet from the property line. In all other zones, the sign shall be a minimum of 30 feet from the property line of the abutting owner.

B. Grand Opening. Displays intended to announce the opening of a new enterprise, or enterprise under new management. Displays are allowed on premises only, for a period of 14 days, and must be removed at the end of the 14 day period. Sandwich board signs shall not exceed two and one-half feet by four feet.

C. ~~Special Events~~ Temporary Uses. Events for businesses and organizations include sales or other business activities, circuses, carnivals, festivals and other similar events. Temporary signs are allowed on premises only, for a period of 14 days at a time, limited to four times per year, and must be removed at the end of the 14-day period. Temporary signs shall not be larger than 20 square feet. Sandwich board signs shall not exceed two and one-half feet by four feet.

D. Real Estate Signs. All exterior real estate signs must be of wood or plastic or other durable material. The following signs shall be limited as follows:

1. Residential "for sale," "open house" and "sold" signs are limited to one sign per street frontage not to exceed five square feet in sign area, placed wholly on the property for sale, and not to exceed a height of seven feet.
2. Residential directional "open house" signs advertising residential developments within the city of Yelm are allowed during daylight hours on weekends only, and must be placed out of the way of pedestrian traffic.
3. Undeveloped residential property "for sale" signs are limited to one on-premises sign per street frontage, not to exceed 32 square feet in sign area, maximum 10 feet to top of sign, and shall be located more than 30 feet from the abutting owner's property line.
4. Undeveloped commercial and industrial property "for sale" or "rent" signs are limited to one sign per street frontage, not to exceed 32 square feet in sign area and 10 feet to top of sign.
5. Developed commercial and industrial property "for sale" or "rent" signs are limited to one sign per street frontage while the building is actually for rent or sale. The sign shall not exceed 32 square feet in sign area, maximum of 10 feet to the top of the sign, and shall be located at least 15 feet from the property line. If one face of the building is less than 10 feet from the property line, the sign shall be placed on the building or in a window.

NEW CHAPTER

Chapter 5.37 SPECIAL EVENT

Sections:

[5.37.010 Purpose](#)

[5.37.020 Special Events.](#)

5.37.010 Purpose. SHARE

"Special event" refers to any parade, fair, show, festival, carnival, circuses, rally, party, filming of a movie, video, or television show, motorcade, run, street dance, bike-a-thon, race, walks, athletic event, or other attended entertainment or celebration that is to be held entirely or in part on publicly owned property and/or public right-of-way but will still impact or have an impact on the regular and routine use by the general public of such property or Any activity that will be hosted in whole or in part on land that is owned or controlled by the City of Yelm, as well as on public rights of way, and which will include the sale of goods or services by nonprofit or for-profit businesses, is also referred to as a special event.

5.37.020 Special Events

A. The following special events may be authorized, subject to specific limitations in this section and such additional conditions as may be established by Public Services Director or their designee.

1. Circuses, carnivals, rodeos, fairs or similar transient amusement or recreational activities occurring on city property and/or public right of way. A Temporary Use permit is required when the event is on a private property. Staff shall ensure that health and fire safety is considered and adequate parking is provided.
2. Indoor or outdoor sales sponsored by schools or other nonprofit organizations for no more than three days per event and no more than four times in any calendar year. A Temporary Use permit is required when the event is on a private property.
3. Outdoor vending. No outdoor vendor shall occupy parks without an approved park use request.
4. Rental of the Yelm Community Center.
5. City park rental.
6. Farmer's market.
7. Uses found to be similar in nature and impacts to those listed above.

All businesses must obtain a Yelm business license and have a liability insurance in the amount of \$1,000,000. The city of Yelm shall be named as an additional insured.

B. Standards for Farmers Markets. A farmers market in the city of Yelm provides a place where local growers and artisans can offer their fresh and locally grown produce and crafts for sale. A farmers market is not for the purpose of reselling farm products nor for selling used or household goods. In addition to the standards listed above, the farmers market shall meet the following standards:

1. Markets shall be operated only by a nonprofit corporation organized under the laws of the state of Washington, comprised of growers and farmers from Yelm and the immediate surrounding area.
2. Liability insurance in the amount of \$1,000,000 will be required at all times the market is open. The city of Yelm shall be named as an additional insured.
3. At all times the market is in operation, a market manager or administrator shall be in place to oversee the functioning and organization of the market. The contact information for the manager or administrator shall be provided to the city.
4. Markets are limited to locations:
 - a. On lots not used for residential purposes in commercial zones which are improved to current city standards;
 - b. On city-owned property that meets the criteria in subsection (B)(4)(a) of this section; provided, that it shall not be in a city park;
 - c. On collector or local access streets in a commercial zone, as approved by city council.
5. Markets may only operate from April through October. Infrequent and limited term specialty days outside of the above timeframe will be considered on a case by case basis.
6. Seventy percent of gross sales must be from the following categories:
 - a. Fresh farm products, including locally grown fresh vegetables and fruits, herbs, nuts, honey, dairy products, eggs, poultry, meats and fish. Also included in this category are fresh flowers, nursery stock, and plants.
 - b. Value-added farm products, including preserves, jams and jellies, vinegar, wine, cider, syrups, salsas, smoked meats, and salad dressings made from locally grown farm products.
 - c. Flowers and other value-added farm products, including bouquets, wreaths, vines and gourds, and personal care products made from predominately locally produced products.
 - d. Processed farm foods not made on site including juices, preserved foods, candies, pastries, cookies, muffins, breads, pies and related take home desserts, yogurt, ice cream, puddings, and pre-made sandwiches.
7. Up to 30 percent of gross sales can be from the following categories:
 - a. Prepared foods made fresh on site available for sale and immediate consumption. Vendor must be owner/operator of business and not operating under a franchise.

- b. Handcrafted items including leather goods, wood craft, body care products, candles, aromatic floral and herb mixes, beadwork, basketry, pottery, jewelry, clothes, blankets, and clothing. Commercial kits, molds, patterns, prefabricated forms, and ready-made objects which have been painted or embellished, imported, or second hand items are not eligible.
- 8. One nonprofit or community booth.
- 9. One local business booth each day of operation.
- 10. Sanitation shall be provided by either agreement of use of restroom facilities convenient to the site, or by portable sanitation facilities. Portable sanitation facilities must be located or screened in a manner to not be visible from the traveling public.
- 11. Sales reports shall be reported to the administrator every three months with a final report at the end of October.
- 12. An approved operation agreement between the farmer's market association and the city of Yelm is required.

Chapter 18.64

ZONING OVERLAYS

Sections:

- [18.64.010 Intent.](#)
- [18.64.020 Planned residential development.](#)
- [18.64.040 Mixed use development.](#)
- [18.64.050 Townhouse development.](#)
- [18.64.060 Manufactured homes.](#)

| 18.64.010 Intent. SHARE

It is the intent of this chapter to provide opportunity for greater flexibility in zoning and design requirements, encourage a variety of housing types, encourage infilling of skipped-over parcels in developed areas of the city and to provide for maximum efficiency in the layout of streets, utility networks and other public improvements. (Ord. 995 § 12 (Exh. A), 2015).

| 18.64.020 Planned residential development. SHARE

A planned residential development encourages imaginative design and the creation of permanent open space by preserving or creating environmental amenities superior to those generally found in conventional developments, and by preserving to the greatest possible extent the natural characteristics of the land, including topography, natural vegetation, waterways, and views. For single-family residential developments, the inclusion of a variety of housing types such as duplexes or townhomes may qualify for density bonuses listed below.

A. Density Bonus. The city may approve an increase in the dwelling unit density up to:

1. In the low density district, 15 percent, rounded to the nearest whole number.
2. In the moderate density district, 20 percent, rounded to the nearest whole number.
3. In the high density district, 25 percent, rounded to the nearest whole number.

B. Subdivision Requirements. A planned residential development shall be exempt from the specific design requirements of a standard subdivision, except that when any parcel of land in a planned residential development is intended for individual ownership, sale, or public dedication, procedural and applicable state laws pertaining to the subdivision and conveyance of land and the preparation of maps shall be followed.

C. Relationship of Planned Residential Development Site to Adjacent Areas. The design of a planned residential development shall take into account the relationship of the site to the surrounding areas. The perimeter of the planned residential development shall be designed to minimize undesirable impact of the planned residential development on adjacent properties and, conversely, to minimize undesirable impact of adjacent land use and development characteristics on the planned residential development.

D. Buildings may have common walls and, therefore, be built to the property line as in townhouse construction. Wherever buildings are separated, a minimum distance of 10 feet shall be maintained between such buildings.

E. Landscaping. Natural landscape features which are to be preserved, such as existing trees, drainage ways, rock outcroppings, etc., may be accepted as part of the landscaping plan when such natural features contribute to the attractiveness of the proposed development. (Ord. 1057 § 9, 2019; Ord. 995 § 12 (Exh. A), 2015).

18.64.040 Mixed use development. SHARE

A mixed use development encourages imaginative design and the creation of open space in development by preserving or creating environmental amenities superior to those generally found in conventional developments and preserves to the greatest possible extent the natural characteristics of the land, encourages development of affordable housinga variety of housing types, and establishes a method for utilizing potential zoned properties.

A. Standards:

1. Uses shall be allowed as indicated under Chapters 18.35, 18.36, 18.37, and 18.38 YMC, except that automobile service stations and drive-through facilities shall be prohibited.
2. At least 20% of the combined gross floor area of the buildings proposed on the site shall be devoted to residential uses, and at least 20% to nonresidential uses. Parking garages or portions of garages devoted to residential or nonresidential uses may be counted towards this requirement, but surface parking may not.
3. Land uses in mixed use sites shall be selected and designed to encourage interaction among uses. Examples include but are not limited to commercial developments which are significantly used for shopping by on-site or adjacent residents or office workers.
4. At least 30% of the commercial component must be constructed prior to completion of the residential component, providing that adequate infrastructure is constructed for the remaining commercial component.
5. The residential component of the mixed use development shall be composed of multi-family units.

B. Density Standards:

1. A minimum average density of 16 dwelling units per acre is required.
2. A maximum average density of 32 dwelling units per acre is allowed.
3. In the CBD only, density will range from 20 to 32 dwelling units per acre.

C. Mixed Use Site Area:

1. Lots may contain more than one use and will be a shape, size and design appropriate to the zone and intended uses as determined by the City.

2. A minimum of 50% of the lineal street front of the ground floor of mixed use buildings along arterial or collector streets shall be devoted to commercial or office uses. Parking garages devoted in whole or part to commercial or office uses may be counted towards this requirement, but surface parking may not. Mixed use buildings along lesser classification streets shall not face this requirement.

DA. Exemptions from Certain Provisions.

1. A mixed use development shall be exempt from the specific design requirements of a standard subdivision, except that when any parcel of land in a mixed use development is intended for individual ownership, sale, or public dedication, procedural and applicable state laws pertaining to the subdivision and conveyance of land and the preparation of maps shall be followed.

EB. Relationship to Adjacent Areas.

1. The design of the mixed use development shall take into account the relationship of the site to the surrounding areas. The perimeter of the mixed use development shall be so designed as to minimize undesirable impact of the mixed use development on adjacent properties and, conversely, to minimize undesirable impact of adjacent land use and development characteristics of the mixed use development.

2. Setbacks from the property line of the mixed use development area shall be comparable to or compatible with those of the existing development of adjacent properties or if adjacent properties are undeveloped, the type of development which may reasonably be expected on such properties given the existing zoning of such properties and the land use component of the comprehensive plan. (Ord. 995 § 12 (Exh. A), 2015).

Chapter 13.09

FATS, OIL, AND GREASE (FOG) CONTROL PLANS

Sections:

- 13.09.010 Definitions.
- 13.09.020 FOG pretreatment and FOG plan required.
- 13.09.030 FOG control plan requirements.
- 13.09.040 Installation requirements.
- 13.09.050 Effluent testing.
- 13.09.060 Recordkeeping.
- 13.09.070 Grease traps and grease interceptors – Cleaning and maintenance.
- 13.09.080 Oil/water separators required.
- 13.09.090 Access for inspections.

13.09.010 Definitions.

Unless the context specifically indicates otherwise, the definitions set forth in Chapter [13.08](#) YMC shall apply to this chapter. (Ord. 1041 § 1, 2018).

13.09.020 FOG pretreatment and FOG plan required.

A. All food processing establishments, food sales establishments, food service establishments, or other facility that discharges polar or nonpolar grease to a wastewater system located within the boundaries of the City's wastewater system are required to install, operate and maintain an approved type and adequately sized gravity pretreatment system to prevent the discharge of FOG to the sanitary sewer collection system. Take-out food establishments or other establishments that prepare food, but do not cook in oil or grease, and who serve food only in disposable containers, may be exempted from this requirement, provided their discharges will not violate the general discharge prohibitions of this chapter. Businesses that serve or prepare food where FOG may be part of the waste stream, such as restaurants, cafes, lunch counters, cafeterias, bars, clubs, hotels, hospitals, health care facilities, drive-through coffee stands, factories, and school kitchens, shall have approved pretreatment systems, such as grease traps or grease interceptors, in place to prevent the discharge of FOG to the sewer system.

B. All businesses that have a pretreatment system shall prepare a FOG control plan. The plan must be approved by the city and implemented by the business. The city will not issue or renew a business license without an approved plan being on file with the city. (Ord. 1041 § 1, 2018).

13.09.030 FOG control plan requirements.

FOG control plans shall include, but not be limited to, the following:

- A. A description of the facility type and a summary of products made and/or services provided.
- B. A description of any food processing that occurs on site, including but not limited to the type of food service, types of cooking, a description of the menu, and a list of kitchen fixtures, with potential to contribute FOG to the sanitary sewer.
- C. Schematics of process areas illustrating drains and discharge points connected to the sewer.

D. A description of current reduction, recycling, treatment activities, and best management practices.

E. Specific performance goals and implementation schedule, including cleaning frequency and cleaning and waste disposal procedures if the business will clean grease trap.

F. Identification of any garbage or refuse products that may require shredding. Shredding of products shall meet such specifications as may from time to time be established by the ~~public works~~ director. The installation and operation of any garbage grinder equipped with a motor of 0.75 horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the director. (Ord. 1041 § 1, 2018).

13.09.040 Installation requirements.

A. All FOG pretreatment systems shall be installed, maintained, and operated by the business owner at his or her own expense. The pretreatment system must be adequately sized and located in a manner that provides ready and easy accessibility for cleaning and inspection at all times.

B. Grease interceptors must meet the specifications of the current Uniform Plumbing Code and International Building Code adopted by the city at the time of construction. No food waste disposal may be discharged into any grease trap or interceptor. No toilets shall discharge into an interceptor.

C. If discharge volumes increase, the need for a larger grease interceptor or an exterior grease trap may be necessary. If the facility's waste stream discharge is not maintained within city standards, a pretreatment system upgrade will be required at the business's expense. (Ord. 1041 § 1, 2018).

13.09.050 Effluent testing.

The city may perform periodic testing of effluent by businesses when the city has a reasonable belief that the business is not meeting the FOG discharge standards based on any of the following reasons:

A. Downstream testing;

B. Evidence of FOG buildup downstream;

C. Discharger records that are incomplete, false, or not made available for inspection;

D. Evidence of tampering with pretreatment equipment;

E. Evidence of use by the business of degreasers, enzymes or other chemicals which keep grease in suspension past the grease trap or interceptor;

F. Other reasons established by facts which warrant a belief that the discharge standards are violated. (Ord. 1041 § 1, 2018).

13.09.060 Recordkeeping.

Records and certification of all maintenance, including copies of pretreatment systems grease interceptor cleaning invoices, shall be sent in to the city and made readily available to the city for review and inspection, and must be maintained by the business for a minimum of two years, or longer upon notification by the city.

Copies of all maintenance and cleaning reports shall be sent in to the city and shall be made available to the city upon request. (Ord. 1041 § 1, 2018).

13.09.070 Grease traps and grease interceptors – Cleaning and maintenance. [SHARE](#)

A. The addition of emulsifying agents for the purposes of emulsifying polar or nonsolid FOG is not allowed.

B. Grease Interceptor Cleaning.

1. Cleaning shall be done only by a service contractor qualified to perform such cleaning. All material removed shall be disposed of in accordance with all city, county, state, and federal regulations.
2. The FOG control plan must include a requirement that the interceptor be pumped and cleaned quarterly.
3. Grease interceptor maintenance shall include removal of all FOG, solids and water from the grease interceptor. Skimming the surface layer of waste material, partial cleaning of the interceptor or use of any method that does not remove entire contents of the collection device does not constitute maintenance. After a complete evacuation, the walls, top and bottom of the interceptor shall then be thoroughly scraped and the residue removed. The grease interceptor shall be filled with clean water before being returned to service.

C. Grease Trap Cleaning.

1. The FOG control plan must include a requirement that the trap must be cleaned at the intervals set forth as recommended by the manufacturer, but not more than 90 days. Grease trap maintenance shall include removal of entire contents of the grease trap. The grease trap shall be filled with clean water before returning to service.
2. A business may be allowed by the ~~public works~~ director under its FOG control plan to clear its own grease trap(s) located inside a building provided:
 - a. The grease trap is no more than 55 gallons in liquid/operating capacity.
 - b. Whenever the grease trap is inspected or cleaned, seams and pipes are checked for leaks, and the baffles and flow-regulating devices checked for effective operation.
 - c. All FOG and food waste is removed from the grease trap and its baffles.
 - d. Oil and grease are skimmed from the surface of the water and placed in an appropriate container to limit spillage.
 - e. Solids are removed from the bottom of the grease trap and placed in an appropriate container.
 - f. The grease trap is filled with clean water before returning to service.

g. The business records the date of cleaning and the amount of material removed from the grease trap in a maintenance log, and reports the information to the city under the terms of the FOG plan.

h. All grease trap waste shall be removed from the premises and disposed of or recycled in an appropriate and legal manner. Examples of disposal include, but are not limited to, contracting with a licensed cleaning company to pick up the collected waste or absorbing all free liquid with a dry absorbent and dispose as solid waste in a watertight container.

D. It is a violation of this chapter to discharge any waste, including FOG and solid material, removed from the grease trap to any drainage piping connected to the sanitary sewer or the storm drainage system. (Ord. 1041 § 1, 2018).

13.09.080 Oil/water separators required.

Businesses that operate automobile and truck repair facilities, steam cleaning facilities for motorized equipment, car sales lots, filling stations or any other establishment where petroleum-based grease and oil may be introduced to the sewer system shall have pretreatment facilities to prevent the discharge of oil and grease. These pretreatment facilities must be oil/water separators or interceptors located to collect such mixtures of grease, oil and water. Pretreatment facilities shall be in accordance with city and Washington State Department of Ecology standards. Businesses shall maintain, inspect and clean oil/water separators on a schedule that provides for effective operation.

Oil/water separators shall be inspected monthly or more frequently, as needed, by the owner. API oil/water separators shall be cleaned before the oil layer reaches three inches in depth. Coalescing plate separators shall be cleaned before the plates are coated with silt and/or solids. Cleaning shall include removal of all oil, water, and sediment, and refilling the separator with clean water. Cleaning shall be performed by a qualified service contractor. All material removed shall be disposed of in accordance with all federal, state, and/or local laws. (Ord. 1041 § 1, 2018).

13.09.090 Access for inspections.

The provisions of YMC 13.08.060 apply to inspections conducted under this chapter. (Ord. 1041 § 1, 2018).