



City of Yelm

EST. 1924

WASHINGTON

To: Planning Commission
From: London Hawes, Planning and Building Manager
Date: March 21, 2022
Subj: Unified Development Code Update

Staff has received several requests for changes to the Unified Development Code. The two proposals covered in this staff report are for removing restrictions on townhome development in the R-1 (formerly R-4) zone and clarifying when and how accessory structures may be permitted. Changes to the UDC must be consistent with the goals and policies of the Comprehensive Plan.

Proposal – Remove Restrictions on Townhome Development in the R-1 Zone:

Request by staff to remove the Code requirement stating that any townhome development in the R-1 (formerly R-4) zone must be composed of 50% townhomes and 50% single-family detached dwellings.

Comprehensive Plan

Land use goal 2, Policy 2.2: Adopt policies and development regulations to implement smart growth principles.

Unified Development Code

18.31.040(K) - Standards Specific to the R-1 District – Townhouse Development. Parcels shall provide a mix of townhouses and single family dwelling units, with no less than 50 percent of the units being single family dwellings.

Staff Analysis:

Staff proposes to remove 18.31.040(K) from the Unified Development Code. This provision, as stated above, limits the number of townhouses that can be built in a housing development in the R-1 zone. The R-1 zone is designed to allow for low-density housing; however, the Code allows for townhomes to be built in this zone already and implicitly defines townhomes as being part of low density housing. Given the housing affordability crisis currently afflicting Washington, and given that the city's comprehensive plan obligates the city to "create a range of housing opportunities and choices" and "take advantage of compact building design," a logical step is to remove the 50% max townhome requirement in the R-1 zone.

This amendment would also change the name of the R-4 zone to the R-1 zone, which staff is proposing to simplify residential zone names for the city and match them to the existing numbering scheme for commercial zones. Changing the R-6 zone to R-2 and the R-16 zone to R-3 will take place in later this year in an additional code update.

Recommendation:

Remove Section 18.31.040(K) from the Development Code to allow low-density single-family residential developments that solely comprise townhomes.

Proposal – Clarify Code Standards for Accessory Buildings:

Proposal by staff to formalize regulations for accessory dwellings.

Comprehensive Plan

Land use goal 2, Policy 2.2: Adopt policies and development regulations to implement smart growth principles.

Unified Development Code

This is a new section of the Code.

Staff Analysis:

Staff proposes to clarify accessory regulations in the Unified Development Code by gathering them into one location in Section 18.30, Zoning. These regulations comprise rules for location of accessory uses plus design standards for accessory buildings. The changes are minor and are intended to provide clarity for homeowners, businesses, and developers who may want to establish accessory uses or buildings on their properties. A future Code update will establish a permanent definition of an accessory use.

Recommendation:

Approve the clarifying regulations as Section 18.30.010(I) of the Unified Development Code.

3. Decks and patio covers may be permitted to encroach into all residential district rear yard setbacks, provided a minimum setback of 10 feet is retained, and provided such deck be not more than 16 inches above existing natural grade measured at deck floor from the highest point; and provided, that such patio cover is not enclosed in any manner. In no case shall the deck or patio cover be constructed in a required side yard.

4. Awnings and marquees may be allowed within required front yards and over sidewalks or public rights-of-way in commercial and industrial zones if all the following requirements are satisfied:

- a. The approval authority determines that placement of the awning or marquee within the setback areas or over the public sidewalk does not impede vehicular or pedestrian traffic flow or create any other type of hazard to the public;
- b. The awning or marquee is specifically designed to benefit pedestrians by the providing of shelter and creating a friendlier pedestrian environment;
- c. That development of an awning or marquee within the setback area or over public sidewalk is consistent with goals of the comprehensive development plan, the standards of the specific zone in which it is proposed to be located and consistent with the character of the surrounding neighborhood.

H. Animals/Pets. Pets and other animals are allowed in all residential districts as an accessory use to a dwelling unit, subject to the following requirements:

1. Fowl.

- a. Three chickens or ducks are allowed on lots up to 5,000 square feet with an additional chicken or duck allowed for every 1,000 square feet of lot area over 5,000, up to 10.
- b. Chickens and ducks shall be confined within a fenced area.
- c. Sanitary structures shall be provided to prevent rodents, and shall not be located within 20 feet of any property line.
- d. Roosters, geese, and turkeys are prohibited.

2. Rabbits.

- a. Five rabbits are allowed on lots up to one acre, with one additional rabbit for every additional 1,000 square feet of lot area over one acre, up to 10 rabbits.
- b. A minimum of three and one-half square feet of hutch space shall be provided per rabbit.
- c. Structures housing rabbits must be designed to prevent rodents and shall not be located within 20 feet of any property line. (Ord. 1004 § 1, 2015; Ord. 995 § 12 (Exh. A), 2015).

I. Accessory Uses. Accessory uses and improvements are allowed in all zoning districts, subject to the following requirements:

1. Limitations on Accessory Uses.

a. Location. Accessory uses shall be on the same lot of record as the principal use or building. Where accessory uses cross lot lines or are located on an adjacent lot, it is considered a legal lot consolidation.

b. Accessory buildings. All accessory buildings must comply with the current building setbacks as stated in the applicable zoning chapter; provided, however, if the accessory building is less than 120 square feet, and less than 10 feet in height, the side and rear yard setbacks do not apply.

2. Design Standards.

a. Any additions shall visually match in type, size, trim and materials of the existing principle principal structure.

18.30.020 Land use or zoning districts established.

To carry out the purpose of this title, the city is divided into the following districts: low-density residential (R-~~14~~), moderate-density residential (R-~~26~~), high-density residential (R-~~3+6~~), central business district (CBD), commercial (C-1), heavy commercial (C-2), large lot commercial (C-3), industrial (I) and open space/institutional (OS). (Ord. 995 § 12 (Exh. A), 2015).

Chapter 18.31

LOW-DENSITY RESIDENTIAL DISTRICT (R-14)

Sections:

- 18.31.010 Intent.
- 18.31.020 Permitted uses.
- 18.31.030 Special uses.
- 18.31.040 Standards specific to the R-14 district.

18.31.010 Intent.

It is the intent of this chapter to enhance and guide development in single-family residential areas. (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 detached residential units;
- B. Duplexes;
- C. Secondary dwelling units;
- D. Townhouses;
- E. Planned residential-unit development;
- F. Residential care facilities;
- G. Home occupations;
- H. Family home child care providers;
- I. Attached and co-located wireless facilities. (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. Essential public facilities;
- K. Freestanding wireless communication facilities;
- L. Churches and places of worship. (Ord. 1022 § 4, 2017; Ord. 995 § 12 (Exh. A), 2015).

18.31.040 Standards specific to the R-14 district.

- A. Allowed Density. Four dwelling units per acre; provided, that duplexes are allowed at a density of one duplex per one-third acre (14,520 square feet). Density bonus available for townhouse and planned residential-unit developments.
- B. Minimum Lot Area. There is no minimum lot area.
- C. Minimum Front Yard Setback.
 - 1. Fifteen feet from a local access street.
 - 2. Twenty-five feet from a collector street.
 - 3. Thirty-five feet from an arterial street.
- D. Minimum side yard setback: five feet.
- E. Minimum flanking yard setback: 15 feet.
- F. Minimum rear yard setback: 25 feet.
- G. Minimum driveway approach: 20 feet.
- H. Maximum Building Heights.
 - 1. Main building: 35 feet.
 - 2. Accessory building: 25 feet.
- I. Accessory Buildings. All accessory buildings must comply with the current building setbacks as stated in this chapter; provided, however, if the accessory building is less than 120 square feet, and less than 10 feet in height, the side and rear yard setbacks do not apply.
- J. Secondary Dwelling Units. One secondary dwelling unit may be created on a single-family lot.
 - 1. For lots of record under one acre such conversion or addition shall not exceed 1,000 square feet.
 - 2. For lots of record of one acre or more such conversion or addition shall not exceed 1,500 square feet.

~~K. Townhouse Development. Parcels shall provide a mix of townhouses and single-family detached units, with no less than 50 percent of the units being single-family dwellings. (Ord. 1057 § 3, 2019; Ord. 995 § 12 (Exh. A), 2015).~~