



City of Yelm
EST. 1924
WASHINGTON

NOTICE OF DECISION

DATE: October 20th, 2023
PROJECT NAME: Industrial Office
PROJECT LOCATION: 906 Rhoton Road NW, Yelm, WA 98597
PARCEL NUMBER(S): 64300800303
CASE NUMBER: MU 2022.0129

NOTICE IS HEREBY GIVEN that the Public Services Department completed an administrative site plan review and determined that the proposed site plan for the property located at 906 Rhoton Road NW, Yelm, WA 98597 has been approved with conditions.

The complete decision may be viewed on the City's website at www.ci.yelm.wa.us 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 Public Services Department located at 901 Rhoton Rd. NW, Yelm, WA 98597 during normal business hours for a fee of 15 cents per page. For additional information, please contact the Public Services Department at 360-458-8406

ADMINISTRATIVE SITE PLAN REVIEW MU 2022.0129

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION

FINDINGS OF FACT

1. Chris Merritt is proposing to construct an industrial building (7,200 sf) on a lot currently used as a storage yard; this site is located at 906 Rhoton Road NW, Yelm, WA 98597, parcel number 64300800303. The proposed building will include industrial storage (4,800 sf) and office space (2,400 sf). The site is approximately 3.64-acres and, after completion of the proposed industrial building, its primary use will remain as construction/material storage.
2. According to section [18.13.020 \(A\)\(2\)](#) of Yelm Municipal Code (YMC), an Administrative Site Plan Review is required for the construction of any new commercial, industrial, institutional, or public building. The approval process from initial concept to final occupancy consists of the following steps:
 - I. Administrative Site Plan Review
 - II. Civil Plan Review
 - III. Building Plan Review
3. The property is currently zoned Industrial (I). Per section [18.39.010](#) YMC, the Industrial zone is intended to provide for the areas in which certain types of industrial activities may be located, to protect industrial areas from other uses which may interfere with the purpose and efficient functioning of industrial uses and protect adjacent areas from adverse or damaging impact resulting from activities in the industrial areas. Per section [18.39.020\(C\)](#) YMC, warehousing and storage of equipment, commodities and products is permitted in this zone; per section [18.39.020\(E\)](#) YMC, accessory uses clearly subordinate to, and an integral part of, the primary use of the property are permitted.
4. The surrounding properties are all zoned Industrial. The parcel is surrounded by an undeveloped parcel to the north, the City of Yelm Water Reclamation Facility to the east, an under-construction dog park to the south, and Rhoton Road NW to the west.
5. The applicants submitted a site plan review application on November 16th, 2022, and it was determined to be complete March 3rd, 2023. The application materials included a site plan, preliminary drainage report, and a SEPA checklist.



6. In accordance with section [18.10.080](#) YMC, the Planning & Building Department mailed a Notice of Application on March 16, 2023 to relevant regional/state agencies, and to nearby property owners. In addition, the NOA was advertised at the following times and places:

- Nisqually Valley News - Online Edition: 3/16/2023
- City of Yelm Website, <https://yelmwa.gov/>: 3/16/2023

This NOA included a notice that the City of Yelm expected to issue a Determination of Nonsignificance (DNS) regarding potential adverse environmental impacts. The Planning & Building Department elected to use the optional DNS process pursuant to WAC [197-11-355](#).

7. The City of Yelm received comments from the Nisqually Indian Tribe requesting cultural resources assessment; this assessment was completed in April 2023 and no archaeological resources were observed in the area. The Washington State Department of Ecology also commented with existing requirements regarding solid waste management, toxics cleanup, and water quality/watershed resources.
8. Chapter [13.04](#) YMC and Chapter 4 of the Development Guidelines establish requirements for connection to the City's water system.

- a. The site is not connected to City water service.

Water connections are based on a consumption rate of 875 cubic feet a month. The civil engineer shall provide estimated water calculations at the time of civil plan review to determine if additional water connections are needed to serve the project.

The City implements a cross-connection and backflow control program pursuant to Title [43](#) RCW and Chapter [248-54](#) WAC [Section [13.04.220](#) YMC]. A backflow prevention assembly is required to protect Yelm's water system from cross-connections from all new developments. [Section [13.04.220\(D\)](#) YMC].

9. Chapter [13.08](#) YMC and Chapter 5 of the Development Guidelines establish requirements for connection to the City's sewer system.

- a. The site is not connected to City sewer service.

Sewer connections are based on water usage. Proposed water calculations will be used to determine if additional sewer connections are required.

10. 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 (2019) of the Stormwater Management Manual for Western Washington (SWMMWW) published by the Washington Department of Ecology [[Chapter 18.27](#) YMC].

11. 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 site is not connected to City sewer service. Prior to issuance of the Certificate of Occupancy, the proposed development shall be connected to the City sewer system. Connection of the new construction to the sewer system will satisfy 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 site is not connected to City water service. Prior to issuance of the Certificate of Occupancy, the proposed development shall be connected to the City water system. Connection of the new construction to the water system will satisfy concurrency requirements.

- c. 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 will satisfy concurrency requirements.

- d. 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 transportation facilities charge.

The property borders Rhoton Road NW, which is not currently built to City standards. On February 22nd, 2023 the applicant submitted a frontage improvement deferral request, pursuant to Chapter [18.16.080](#) YMC.

Any new PM peak hour trips generated by this project will require the payment of transportation facility charges. Using data from the 11th edition ITE Trip Generation Manual, the proposed development can be expected to generate 1.66 new PM peak hour trips. Transportation Facility Charges are due and payable at the time of building permit issuance.

The frontage improvement deferral, combined with future payment of Transportation Facility Charges at time of building permit issuance, will satisfy concurrency with transportation infrastructure.

- 12. 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. Important animal and plant species, their habitats of primary association, and other important habitats are protected under [18.21](#) YMC, Critical Areas and Resource Lands.

This property is mapped with soils that often contain the presence of Mazama Pocket Gophers (MPG), a subspecies of gopher listed by the U.S. Fish and Wildlife Service as a threatened species protected by the U.S. Endangered Species Act. A gopher study was sent to the City of Yelm Planning and Building Department on October 15, 2022. This gopher study found no evidence of MPG habitats at the project site.

13. 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 located within the Industrial (I) zoning district. Chapter [18.39](#) YMC provides guidance for the Industrial zone.
14. Warehousing/storage facilities are allowed in the Industrial zoning district as a permitted use [Section [18.39.020](#) YMC].
15. The Industrial zoning district has the following development requirements: ([18.39.040](#) YMC)
 - a. Minimum lot area: 10,000 square feet
 - b. Minimum lot width: 100 feet
 - c. Minimum front yard setback: 15 feet
 - d. Minimum side yard setback: 15 feet unless the property abuts residentially zoned property, in which case the side yard setback shall be 25 feet
 - e. Minimum rear yard setback: 15 feet unless the property abuts residentially zoned property, in which case the side yard setback shall be 25 feet
 - f. Maximum building heights: 40 feet
 - g. Building location: 25 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
 - h. Landscaping. In addition to standard landscaping requirements, parcels which share a common boundary with properties in a residential or open space/institutional district shall provide a 10-foot landscape strip, in addition to the rear or side setbacks required

A detailed landscaping plan was not submitted with the original application. This landscaping plan must be submitted at time of Civil Plan Review. Otherwise, the proposed project meets the Industrial zone development requirements.
16. Chapter [18.52](#) YMC and section of [2.10.100 of Yelm Engineering Specifications and Standards Details](#), provide guidance for ingress and egress. Per section [18.52.100](#) YMC, the location, width and manner of approach of vehicular ingress or egress from a building or parking area to a public street shall be located based on the interest of public safety and general welfare. Industrial driveway widths shall not exceed 50 feet. The access off of Rhoton Road NW shown on the site plan is 30 feet wide, satisfying this requirement.
17. Whenever a building or a piece of land is put to a use different from the immediately preceding use, or when a building is remodeled, reconstructed or expanded, adequate off-

street parking shall be provided consistent with the new use, reconstruction or expansion of the premises. ([18.54.020](#) YMC)

- a. Chapter [18.54.030\(D\)](#) YMC establishes parking requirements for warehouse uses within Industrial zones; one space is required per 1,000 sf GFA of warehouse space, and one space is required per 400 sf GFA of office space. The proposed site plan meets the minimum requirement for quantity of parking stalls.
- b. Chapter [18.54.070\(N\)](#) YMC requires that all parking areas and driveways must be surrounded by a six-inch-high vertical concrete curb if the lot is visible from the street. Chapter [18.54.070\(O\)](#) requires that all landscaped and pedestrian areas shall be protected from encroachment by parked cars. The proposed development must meet these requirements prior to issuance of building permits.

18. Chapter [18.59.040](#) YMC establishes development guidelines for trash enclosures.

- a. The trash enclosure shall meet the requirements stated in the table below and be constructed of CMU, wood or architectural steel. Gates shall be of similar durable materials and be capable of being secured when shut and at an angle of 135 degrees when open. Enclosure wall shall sit on a minimum six-inch concrete slab. The slab shall be graded to prevent liquids from entering the city S.T.E.P. sewer system or on-site stormwater. The slab shall extend four feet beyond the gate(s). [[18.59.040\(B\)](#) YMC]

Use	Max. for Residential Container	Square Foot/Unit Per Cubic Yard	Minimum Enclosure Size	Additional Enclosures	Minimum Enclosure Height 6 Feet or
Warehouse	N/A	7,500 sf	8' x 20'*	Each 45,000 sf	7 feet over 30,000 sf

- b. Landscaping (around trash enclosure) shall consist of shrub trees of the Thug occidentalis pyramidal variety (or equal) standing three to five feet tall with spacing at two and one half feet on center. Dense site barrier or perimeter landscaping groundcover as required on adjacent site boundaries shall continue around the enclosure [[18.59.040\(C\)](#) YMC]. A landscape plan that complies with all City rules and Unified Development Code requirements must be submitted with the civil plans.
 - c. The location of the trash enclosure shall be submitted to the local service provider for review and approval [[18.59.040\(F\)](#) YMC]
19. Chapter [18.59.050](#) YMC establishes requirements for project illumination as follows: all development requiring review by the site plan review committee shall provide site illumination in accordance with the Washington State Energy Code (WEC) and the following standards:
- A. Walkways and paths shall be illuminated to a minimum of two foot candles, and entries to four foot candles.
 1. The parking lot shall be illuminated to a minimum of one-half foot candle.
 2. Fixtures shall be nonglare and shielded.

3. Fixtures shall be mounted a maximum of 20 feet above grade.
 4. A lighting plan shall be submitted as part of civil plan review.
20. Chapter [18.55](#) YMC establishes requirements for landscaping.
- a. Per section [18.55.020\(B\)](#) YMC, perimeter landscaping is required for all nonresidential developments, and “any combination of evergreen and deciduous trees (with no more than 50 percent being deciduous), shrubs, earthen berms and related plant materials or design features may be selected; provided, that the resultant effect is to provide partial screening and buffering between uses and of softening the appearance of streets, parking and structures.” The site plan indicates a proposed 8-foot perimeter landscape. However, to ensure compliance with all aspects of Chapter [18.55](#) YMC, a full landscaping plan will be required at time of Civil Plan Review.
 - b. Per section [18.55.020\(D\)](#) YMC, parking lot landscaping is a required element of any parking area, with the exception of single-family residences. Parking lot landscaping requirements are listed below:
 - i. Parking areas shall have a minimum of at least 24 square feet of landscape development for each parking stall proposed.
 - ii. Each area of landscaping must contain at least 100 square feet of area and must be at least six feet in any direction.
 - iii. Live groundcover shall be provided throughout each landscaping area. Groundcover may be a combination of shrubs and trees that provide the desired effect of providing visual relief and green space within the parking area. Groundcover shall be selected and maintained so that the entire landscaped area will be covered within three years.
 - iv. At least three percent of the parking area, excluding any other required landscaping, shall be utilized for landscaping.
 - v. Each planting area must contain at least one tree. Planting areas shall be provided with the maximum number of trees possible.
 - vi. No parking stall shall be located more than 50 feet from a tree.
 - vii. A landscaped area must be placed at the interior end of each parking row in a multiple-lane parking area.
 - viii. A minimum of 60 percent of the trees must be deciduous and 40 percent evergreen. Up to 100 percent of the trees may be deciduous.
 - ix. All parking areas located adjacent to any private street or public right-of-way shall provide a minimum five-foot planted buffer strip between the parking area and the private street or public right-of-way.
 - x. Permanent curbs and/or structural barriers shall be provided to protect the plantings from vehicle overhang.
 - c. Chapter [18.55.040](#) YMC establishes requirements regarding species choice and plant material standards: the applicant shall utilize plant materials that are drought resistant,

complement the natural character of the Pacific Northwest, are not listed as invasive species, and conform to the following:

- i. All landscaping shall include at least 75 percent of groundcover and shrubs, and 50 percent of trees that are native or noninvasive naturalized species.
 - ii. At least 60 percent of all landscaping shall be drought tolerant (unless site conditions assure adequate moisture).
 - iii. Existing vegetation may be used to augment required landscaping.
 - iv. Trees shall be a minimum of two-inch caliper measured six inches above the base at the time of planting and shrubs must be capable of growing to a minimum of five feet in height, within three years.
 - v. When the width of any landscape strip is 20 feet or greater, the required trees shall be staggered in two or more rows.
 - vi. Groundcover shall be minimum four-inch pot spaced 18 to 20 inches on center or one-gallon pots at 20 inches on center, planted and spaced to result in total coverage of the required area within five years.
 - vii. Low growth shrubs shall be one-gallon pots at three feet on center.
 - viii. Shrubs shall be 18 to 24 inches in height at five feet on center or three-gallon pot at five feet on center.
 - ix. Fences shall be placed on the inward side of any required perimeter landscaping.
 - x. Berms shall not exceed a slope of two horizontal feet to one vertical foot.
- d. The site plan features a proposed bioretention facility at the front of the property. Section [18.55.020\(E\)](#) YMC establishes requirements for the landscaping facilities at stormwater facilities. Relevant requirements are listed below:
- i. The floor and slopes of any stormwater retention/detention area shall be planted in vegetation that is suitable and will thrive in hydric soils.
 - ii. The landscaping of the stormwater facility shall be incorporated with all on-site landscaping.
 - iii. When the bioretention facility is located along the front edge of the property, “incorporate landscaping and screening to visually enhance the swale.” [\[18.55.020\(E\)3.c.iii YMC\]](#)
- e. Chapter [18.55.050](#) YMC establishes requirements for irrigation systems for all landscaped areas. The proposed landscaping must have an irrigation system or be within 75 feet of a hose spigot, and comply with all other requirements of [18.55.050](#) YMC.

To ensure compliance with all aspects of landscaping requirements as defined in Chapter [18.55](#) YMC, a detailed landscaping plan must be submitted during Civil Plan Review.

CONCLUSIONS OF LAW

ADMINISTRATIVE SITE PLAN REVIEW MU 2022.0129

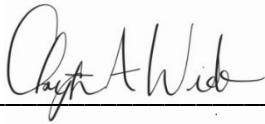
- A. Section [18.13.020\(B\)](#) YMC allows the Site Plan Review Committee to process administrative site plan review applications as provided in Chapter [18.10](#) YMC.
- B. As conditioned below, the Administrative Site Plan application is consistent with the development requirements of Yelm Municipal Code.

CONDITIONS OF APPROVAL

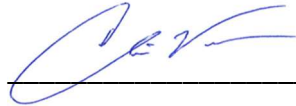
1. The applicant shall apply for Civil Plan Review.
 2. A full landscape plan that complies with all City rules and Unified Development Code requirements must be submitted with the civil plans. General landscaping requirements are defined in chapter [18.55](#) YMC; specific requirements for landscaping around trash enclosures are defined in section [18.59.040](#) YMC.
 3. Any new PM peak hour trips generated by this project will require the payment of transportation facility charges. Transportation Facility Charges are due and payable at the time of building permit issuance.
 4. The Fire Impact Fee must be paid at the time the building permit is issued.
 5. Lighting was not provided in the preliminary site plan; please submit a lighting plan with the civil set. Illumination requirements are defined in Chapter [18.59.050](#) YMC.
 6. The applicant has submitted a request for deferral of all frontage improvements, dated February 22nd, 2023. This deferral is a required condition of site plan review approval.
 7. All parking areas and driveways must be surrounded by a six-inch-high vertical concrete curb.
 8. All landscaped and pedestrian areas shall be protected from encroachment by parked cars.
 9. Prior to issuance of the Certificate of Occupancy, the building shall be connected to City of Yelm water and sewer systems.
 10. The location of the trash enclosure shall be submitted to the local service provider for review and approval during Civil Plan Review.
 11. The site plan indicates future construction of a 2nd story office area. This addition will require additional building permit(s) at the time of future construction.
- A. The site plan approval is contingent upon addressing all the above conditions.

- B. 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.

Dated this 20th day of October, 2023



Clayton Wiebe
Assistant Planner



Chris Vaccaro
Building Official/Fire Marshal



Gary Cooper
Planning and Building Manager



Reza Roukerd
Civil Review Engineer

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.