

October 28, 2005

City of Pullman



Planning Department Newsletter

Wal-Mart site plan appeal submitted

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On October 3, 2005, the city of Pullman received an appeal of its decision to conditionally approve the site plan application submitted by CLC Associates of Spokane Valley, Washington for the proposed Wal-Mart store in Pullman. On September 22, public works director Mark Workman approved the site plan for the proposed development subject to 35 conditions. The store is planned for a 28-acre site on the south side of Bishop Boulevard at its intersection with Harvest Drive.

The appeal was filed by the law firm of Winston & Cashatt from Spokane on behalf of the Pullman Alliance for Responsible Development (PARD). The appeal states, in part, that "PARD and its individual members will be injured and prejudiced by the approval of the Project, due to increased traffic, increasing risk of traveling on the roads within the neighborhood, environmental impacts, additional pollution from stormwater runoff, loss of cultural resources, increased risk of insufficient access to the hospital in an emergency, increased risk of diminished response times from the hospital in the event of an emergency, and the fiscal impacts and economic blight likely to result from the construction of a Supercenter in Pullman, among other reasons."

The appeal requests that the hearing party conclude that the decision to

approve the site plan was erroneous and award the appellant relief such as the following:

- 1) that conditional approval of the site plan be reversed;
- 2) that the decision be reversed and/or remanded because the city's Final Determination of Nonsignificance relative to State Environmental Policy Act (SEPA) rules was improper, resulting in a failure to consider "environmental concerns" as contemplated in the city's site plan review provisions;
- 3) that the decision be reversed and/or remanded because the city did not properly consider or mitigate impacts related to traffic, grading, or storm water runoff as contemplated in the city's site plan review provisions;
- 4) that the hearing party modify the conditions of approval of the site plan to require the applicant to submit sufficient data and information to permit proper evaluation of the impacts of the project upon the historic cemetery and burial sites;
- 5) that the hearing party direct the city upon remand to fully consider the fiscal impacts that the Wal-Mart

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Wal-Mart *(continued from page 1)*

Supercenter will have on the city, as contemplated by the city’s site plan review provisions, SEPA, and related state and local regulations;

- 6) that the hearing party direct the city upon remand to fully consider the goals, policies, and standards set out in the Comprehensive Plan with regard to enhancing community appearance, protecting the environment, and fostering business districts by requiring commercial development to complement, rather than compete, with downtown Pullman.
- 7) that the city’s decision be reversed and remanded to correct the errors and omissions identified in the appeal, and to accept new and supplemental comments on the project, or to conduct public meetings or hearings as necessary or appropriate.



The appellant cites an “increased risk of traveling on the roads within the neighborhood” as one of its concerns.

On September 7, 2005, PARD filed an appeal of the city’s Final Determination of Nonsignificance under the SEPA rules for the proposed Wal-Mart store. According to the Pullman City Code, when appeals are filed for the same proposal in relation to both SEPA and site plan provisions, the appeals are combined for review by the city hearing examiner. By state and local law, no more than one open

record public hearing may be conducted by the hearing examiner on these two appeals. If a public hearing is to be held on these appeals, the time and place of this hearing will be announced at a later date. The city’s hearing examiner is John Montgomery, an attorney from Spokane.

Future editions of the Planning Department Newsletter will provide updates as to the status of this case.

Residential occupancy regulations

Every year about this time, the planning department fields inquiries regarding the number of unrelated people that can occupy a residence. The city of Pullman, like many other college communities, regulates such living arrangements. These laws were adopted because experience has shown that a large group of unrelated individuals living together can adversely affect a neighborhood due to poor property maintenance and excessive traffic, parked vehicles, noise, and litter. Pullman’s occupancy rules are contained in Zoning Code Section 17.75.075, which can be viewed on the city’s website at: [http://www.pullman-wa.gov/Content/WYSIWYG/CityCode/ZoningCode/17.75 Residential Districts.pdf](http://www.pullman-wa.gov/Content/WYSIWYG/CityCode/ZoningCode/17.75%20Residential%20Districts.pdf)

These rules limiting household size apply only in the R1 Single Family Residential, RT Residential Transitional, and R2 Low Density Multi-Family

Residential zoning districts. (For an explanation of the RT zone, please refer to the applicable article in this edition of the newsletter.) In the R1 district, a maximum of three unrelated people may live together in a residence. In the RT or R2 districts, up to four unrelated persons may inhabit a dwelling.

Of course, the zoning code allows for a traditional family to occupy a residence. The zoning code definition of “traditional family” is as follows:

“A ‘traditional family’ means one or more persons related by blood or marriage residing in a single dwelling unit. A family shall be limited to husband, wife, son, daughter, father, mother, brother, sister, grandfather, grandmother, grandson, granddaughter,

*See **Occupancy** on page 3*

What is an RT zone?

When planning department staff speaks of zoning districts like the R1 or R2, many people have a good sense as to what those designations mean (especially well-informed citizens such as those who subscribe to the Planning Department Newsletter!). But when staff mentions the RT zone, a lot of folks get a quizzical look on their face and then ask "What the heck is an RT zone?"

The RT zone concept originated in 1985 when the city was drafting a significant revision to its zoning code. At that time, several residents in the Robert Street area

of Military Hill distributed a petition to the neighborhood requesting support for the creation of a mid-range zone between the R1 and R2 districts. This part of town already had several duplexes and neighborhood residents realized it would be inappropriate to assign an R1 classification to the area, but they wanted to curtail development of future multi-family housing there. So, they requested the formation of a new zoning district that would allow single family dwellings, duplexes,

*See **RT zone** on page 5*



An example of the type of housing found in the city's only RT zoning district.

Occupancy

(continued from page 2)

aunt, uncle, stepchildren, and legally adopted or state assigned foster children, or any combination of the above persons living together in a single dwelling unit."

A question that often arises is whether a traditional family can bring in a boarder (or someone else who is unrelated to the family) to live with them. The code allows for this, but it does place limits on these types of arrangements. In the R1 zone, a traditional family may have only one unrelated person residing with them. And in the RT or R2 districts, a traditional family may add no more than two unrelated individuals to the household.

Enforcement of these occupancy provisions is one of the more challenging tasks administered by the planning department. Future editions of this newsletter will include information regarding our efforts to ensure compliance with these regulations.

Reminder about the Planning Short Course

As mentioned in last month's newsletter, planning staff has arranged with the Washington State Department of Community, Trade and Economic Development (DCTED) to conduct a "Short Course on Local Planning" here in Pullman. The Planning Short Course is a three-hour workshop that covers the legal basis of planning in Washington State, explains the basics of comprehensive planning and plan implementation, and discusses the role of the Planning Commission. The presenters at the workshop are attorneys and planners who practice outside the local jurisdiction. The sessions are co-sponsored by DCTED and the Planning Association of Washington.

The Pullman Planning Short Course will take place on **Wednesday, November 9, 2005 at 6:30 p.m.** in the Pullman City Hall Council Chambers. In addition to the Planning Commissioners, the City Council, Board of Adjustment, Whitman County officials, and interested members of the public are all invited to attend the seminar. Everyone who comes to the workshop receives a copy of the Planning Short Course manual. There is no charge for the course, and no need to RSVP.



Pending land use applications

Displayed below are land use applications submitted to the planning or public works department or city-generated proposals for planning provisions that require a public meeting, public notice, or site plan review in accordance with the city code.

PROJECT	DESCRIPTION	LOCATION	STATUS
Zoning Code Text Amendment	allow radio and television studios in C1 districts	C1 districts citywide	PC recommended approval; CC meeting date undetermined
Comprehensive Plan and Zoning Code Amendment	create new mixed use zoning district	citywide	staff conducting research; possible PC meeting on 12/7 to discuss concepts
Airport Property South Annexation	annex 170 acres to city in C3 pre-zone district	south of Pullman-Moscow Airport	PC recommended approval; awaiting legal description
Hinrichs Annexation	annex 37 acres to city in R2 pre-zone district	west of Sunnyside Park and north of Old Wawawai Road	CC accepted annexation notice; city awaiting petition
Shompole Annexation	annex 2 acres to city (no pre-zone designation)	352 Johnson Road	CC accepted annexation notice; city awaiting petition
Meadow Creek Subdivision Preliminary Plat	divide 10.0 acres into 33 lots and public streets in R1 district	south of high school on south side of 500 block of NW Larry Street	PC recommended approval; CC mtg scheduled for 11/29
Big Sky Subdivision Preliminary Plat	divide 7.3 acres into 30 lots in R2 district	west of Sunnyside Park and north of Old Wawawai Road	staff reviewing application; staff reviewing pertinent wetland documentation
Hinrichs Zone Change (Z-04-3)	rezone 38.3 acres from R3 to R2	south end of SW Golden Hills Drive	PC recommended approval; CC meeting date undetermined
Radio Palouse Zone Change (Z-05-1)	change prezone of 9,000-sq-ft parcel from R2 to C1	west of Sunnyside Park and north of Old Wawawai Road	PC recommended approval; CC meeting date undetermined
Cornerstone Community Church Conditional Use Permit (C-05-6)	use Lincoln Middle School property in R1 zone for church assembly	315 SE Crestview Street	staff reviewing application; possible BOA meeting on 11/21
Wal-Mart Supercenter SEPA determination and site plan	develop 223,000-sq-ft store on a 28-acre site	south of SE Harvest Dr/Bishop Boulevard intersection	staff decisions appealed to city hearing examiner
R.B. Olson Storage Units site plan (05-13)	install 7 storage units on a 20,350-sq-ft parcel	300 SE Fairmount Road	staff requested applicant to revise site plan
Pullman Transit Facility Expansion site plan (05-15)	construct 5,568-sq-ft addition to the city transit building	775 NW Guy Street	staff requested applicant to revise site plan
Valley Road Apartments site plan (05-18)	develop 7 apartments on a 10,832-sq-ft lot	1245 NE Valley Road	staff requested applicant to revise site plan
North Campus Heights Apartments Expansion site plan (05-19)	develop 42 additional apartments at North Campus Heights complex	1540 NE Merman Drive	staff requested applicant to revise site plan
State Street Townhomes site plan (05-20)	construct 4 townhouses on a 14,800-square-foot parcel	540 SW State Street	staff requested applicant to revise site plan
Kenwood Square Storage Building site plan (05-23)	construct a 468-sq-ft storage building at Kenwood Square apartment complex	225 NW Nye Street	staff requested applicant to revise site plan
Courtyard Heights Apartments site plan (05-24)	construct an 8-unit apartment house on 10,424-sq-ft lot with parking on nearby parcel	1020 NE B Street	staff reviewing site plan
River Trail Apartments site plan (05-25)	Build a 30-unit apartment building above commercial space on a 30,197-sq-ft lot	1240 SE Latah Street	staff reviewing site plan
SEL Corporate Headquarters site plan (05-26)	Develop 107,000-sq-ft office and conference center on a 9.5 acre parcel	545 NE Terre View Drive	staff reviewing site plan

KEY TO ZONING DISTRICTS: R1 Single Family Residential; RT Residential Transitional; R2 Low Density Multi-Family Residential; R3 Medium Density Multi-Family Residential; R4 High Density Multi-Family Residential; C1 Neighborhood Commercial; C2 Central Business District; C3 General Commercial; I1 Light Industrial; I2 Heavy Industrial; IRP Industrial Research Park; WSU Washington State University

KEY TO ABBREVIATIONS: CC: City Council; PC: Planning Commission; BOA: Board of Adjustment; DOE: State Department of Ecology

NOTES: 1) If an applicant fails to act on a pending application for a period of six months, said application will be dropped from the above list. 2) Numbers in parentheses are planning staff's internal file numbers. 3) Site plan review by city staff is generally conducted for proposed construction of developments other than single family homes, duplexes, or manufactured homes; it does not apply to most construction on the WSU campus.



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WWW.PULLMAN-WA.GOV

RT zone *(continued from page 3)*

triplexes, and four-plexes at a density (dwelling units per acre) half-way between what is allowed in the R1 and R2 zones. The proposed district could have been named R1.5, but that seemed like clumsy nomenclature, so planning staff at the time came up with the designation RT Residential Transitional (transitional between the R1 and R2).

This RT zoning designation was officially adopted by the City

Council in March of 1987, and the Robert Street area (bounded generally by Grand Avenue, Larry Street, North Street, and Dillon Street) was rezoned to this new classification. To date, there is still only the one RT district in the city. Planning staff has had recent conversations with residents in the Robert Street area, and they continue to be pleased with the protections offered by the RT zone.

Your comments, questions
and suggestions are
always welcome.