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Planning Department Newsletter

CITY COUNCIL DISCUSSES PROPOSED MARIJUANA REGULATIONS

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As described in our June newsletter, the Washington legislature adopted a series of laws last year to integrate the state’s medical and recreational marijuana programs. This action has prompted municipalities across the state to reevaluate their standards related to marijuana activities.

Following the passage of the recreational marijuana initiative in 2012, the Washington State Liquor and Cannabis Board (LCB) allocated a maximum of three retail stores for Pullman. Those three retail facilities are currently operating here. All of them are located in the same vicinity on Bishop Boulevard.

The 2015 state legislation replaced the loosely regulated medical marijuana dispensaries and collective gardens with a system to sell medical-grade marijuana at the licensed retail shops. Those shops which obtain a “medical marijuana endorsement” can provide both medical and recreational

marijuana to their patrons. Since last year’s state law revisions directed that qualifying patients obtain more of their medical cannabis through the retail stores, the new legislation required the LCB to increase the number of available retail licenses in the state. In December of 2015, the LCB announced that the retail license allocation for Pullman had increased from three to five. Around that time, the Pullman City Council adopted a moratorium on the establishment of any new marijuana facilities in town until the city had the opportunity to learn more about the implications of the new rules and craft appropriate regulatory revisions. This moratorium is currently scheduled to expire on August 31.

Council tentatively determined that an appropriate buffer zone radius for Class B sensitive uses would be 500 feet.

The Planning Commission conducted a public hearing on June 22 to review draft zoning code amendments pertaining to marijuana operations. After accepting public input, the Commission recommended

approval of the amendments, which included allowance for the number of retail licenses allocated by the state, expansion of the zoning districts in which the retail stores would be permitted, and separation requirements (also referred to as “buffer zones”) between sensitive uses (such as schools and parks) and marijuana facilities.

On July 12, the Council held a discussion regarding the Commission’s recommendations. While the Council indicated its agreement with most of the Commission’s suggestions, it did express interest in revising the draft standards to expand buffer zones around certain sensitive uses.

The 2015 state legislation required local jurisdictions to retain the original 1,000-foot buffer zone for elementary schools, secondary schools, and public playgrounds (termed “Class A sensitive uses” in the proposed zoning code amendments), but it

permitted municipalities to reduce buffer zones to as little as 100 feet for recreation centers, child care centers, public parks, public transit centers, libraries, and game arcades (“Class B sensitive uses”). The Planning Commission recommended that the city allow the 100-foot buffer zones around the Class B sensitive uses. During its discussion, the Council tentatively determined that a more appropriate buffer zone radius for the Class B uses would be 500 feet. To aid in making a final decision, the Council directed staff to prepare a map showing 1,000-foot buffer zones for the Class A uses and 500-foot buffer zones for the Class B uses.

The City Council is scheduled to review the buffer zone map at its meeting of August 16. Upon learning of the Council’s preferences at that session, planning staff will prepare a draft ordinance for the Council’s consideration at a subsequent meeting in August.



In reviewing the draft marijuana regulations, the City Council is examining appropriate buffer zones around sensitive uses, such as parks.

COUNCIL ENDORSES ANNEXATION REQUEST

On May 31, a company named Germain Farms, LLC filed a request to annex land to the city. This was the first private party to submit such an application in the past five years. In the latter part of the last decade, and the early part of this one, landowners added 695 acres of land to the city limits. So, it was not surprising that the city did not receive another annexation proposal until this year.

The Germain Farms request entailed the incorporation of approximately 107 acres of land on Sunnyside Hill. The property proposed for annexation included all of the land immediately south of Wawawai Road between State Route (SR) 195 and the existing city limits, except for the Hinrichs Trading Company (HTC) chickpea processing plant at the southeast corner of Wawawai Road and SR 195. Most of the territory involved is pre-zoned by the city as R1 Single Family Residential (effective only upon annexation); the portion near the state highway is pre-designated as C3 General Commercial. The land is currently used for crop production.

Annexation requests are processed in two steps. The first step is initiated with the submittal of a "Notice of Intent to Annex." This notice is reviewed by the Planning Commission and City Council. If the Council accepts the annexation, the applicant begins the second stage by filing a "Petition for Annexation." The Council then holds a public hearing to consider this petition and, at the conclusion of the hearing, acts on an ordinance approving or denying the proposed annexation.

The Planning Commission held its meeting regarding Germain Farms' Notice of Intent to Annex on June 22. Planning staff advised the Commission to recommend approval of the request, subject to a condition

that the HTC parcel be included in the subsequent Petition for Annexation. (Under annexation law, the city can demand that a certain amount of property be added to the land originally proposed for incorporation.) Staff informed the Commission that it was suggesting this condition to promote the establishment of orderly city limit boundaries in this area. At the meeting, a representative from Germain Farms, LLC spoke in favor of the application. Phil Hinrichs from HTC also appeared before the Commission, primarily to ask questions about the effect of annexation on his family's business operations. After a short discussion, the Commission voted unanimously to recommend approval of the annexation with the condition suggested by staff.

The Council reviewed this matter at a meeting on July 12. During the session, Mr. Hinrichs once again provided comments. On this occasion, Mr. Hinrichs requested that the city exclude the HTC tract from the proposed annexation area because his family wished to maintain the status quo with respect to governmental jurisdiction. Having received this input, the Council voted unanimously to approve the Notice of Intent to Annex without the inclusion of the HTC parcel. The city is now awaiting the applicant's submittal of a Petition for Annexation.



After accepting public input, the City Council decided not to include the Hinrichs Trading Company plant in the proposed annexation area.



Pending Land Use Proposals

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
Comprehensive Plan Revision	full-scale revision of city's Comprehensive Plan	Citywide	staff and consultant refining draft policies based on May public workshop
College Hill Design Review Standards	formulate design standards for new construction	College Hill Core	staff reviewing responses to recent stakeholder questionnaire
Shoreline Master Program (SMP) Update	revise city's SMP in collaboration with Whitman County	Citywide	CC adopted SMP Update on 3/29/16; staff transmitted documentation for review by DOE
Marijuana Regulation Revisions	amend city regulations in response to state legislation	Citywide	PC recommended revisions on 6/22/16; CC discussion held 7/12/16; next CC discussion scheduled for 8/16/16
Germain Farms Annexation	annex 107-acre parcel to city	southeast of Wawawai Road/SR 195 intersection	PC recommended approval on 6/22/16; CC approved Notice of Intent to Annex on 7/12/16
Finch Zone Change Application (Z-16-1)	rezone 4.8 acres from C3 to R2	southwest corner of Old Wawawai Road and Effie Drive	staff reviewing application
Udy Variance Application (V-16-4)	construct single family house with 10-foot front yard setback	2355 NW High Point Court	BOA approved application 7/18/16
Lawson Gardens Garden House Conditional Use Permit Application (C-16-2)	build 3,800-square-foot structure for events at Lawson Gardens	705 SE Derby Street	BOA approved application with conditions 7/18/16
Strader Administrative Variance Application (AV-16-1)	allow 36.7% lot coverage for single family house in R1 zone	515 NW Carley Avenue	staff approved request 7/19/16; appeal period ends 8/5/16
Dyke Administrative Variance Application (AV-16-2)	allow 35.4% lot coverage for single family house in R1 zone	930 SW Itani Drive	staff requested additional information from applicant
Appleford Administrative Variance Application (AV-16-3)	allow 36.7% lot coverage for single family house in R1 zone	535 NW Carley Avenue	staff approved request 7/20/16; appeal period ends 8/8/16
Courtyard by Marriott Hotel site plan (15-19)	construct 122-room hotel with restaurant and meeting rooms	1295 NE North Fairway Road	staff approved site plan 6/30/16
Bestebreur Triplex site plan (16-2)	construct triplex on 15,579-square-foot lot	540 SW Barnes Court	staff requested applicant to revise site plan
Auto Body Supercenter Site Improvements site plan (16-6)	create 6,700-square-foot graveled area for equipment storage	2445 N. Grand Avenue	staff requested applicant to revise site plan
Hilltop Suites/Apartments site plan (16-7)	construct new building for 3 offices and 28 living units	310 NW Old Wawawai Road	staff requested applicant to revise site plan

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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; HPC: Historic Preservation Commission; DOE: State Department of Ecology; DAHP: State Department of Archaeology and Historic Preservation

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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PROJECT	DESCRIPTION	LOCATION	STATUS
SEL 2350 South Parking Lot site plan (16-8)	construct 150-stall parking lot	south of building located at 2350 NE Hopkins Court	staff reviewing revised site plan
Z Beta Building site plan (16-10)	build 100,000-square-foot structure on 5-acre parcel	1830 NE Schweitzer Drive	staff reviewing revised site plan
Cougar Red Distillery site plan (16-11)	remodel 4,000-square-foot building for restaurant/distillery use	1275 N. Grand Avenue	staff requested applicant to revise site plan
Pullman DT APU Generator Addition site plan (16-12)	install new generator and propane tank at existing telecommunications facility	472 NW North Street	staff approved site plan 6/29/16
WSU Research Park Solar Array site plan (16-13)	construct freestanding solar energy panels covering 3,000 square feet	1610 NE Eastgate Boulevard	staff approved site plan 7/14/16
Birch Hills Apartments Phase 2 site plan (16-14)	construct 100 apartments on 7-acre parcel	2200 block of NE Westwood Drive	staff reviewing site plan
Skyview Station Apartments site plan (16-15)	develop 161 apartments on 7-acre parcel	west end of NE Skyview Drive	staff reviewing site plan
SEL 2454 Industrial Building site plan (16-16)	construct 100,000-square-foot industrial/office building on 10-acre parcel	2454 NE Andrus Drive	staff reviewing site plan
Starbucks Coffee Shop site plan (16-17)	build 1,920-square-foot coffee shop on 0.4-acre lot	610 NE Stadium Way	staff reviewing site plan